



## **CITY PLANNING COMMISSION**

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August 8, 2007 / Calendar No. 17

C 070408 HAK

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**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 37-43 Herbert Street (Block 2827, Lot 36) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the rehabilitation of a three-story building, tentatively known as Herbert Street Condominiums, with approximately 14 residential units, Community District 1, Borough of Brooklyn

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Approval of three separate matters is required:

1. the designation of property located at 37-43 Herbert Street (Block 2827, Lot 36) as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property, to a developer selected by HPD.

The application for the Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on March 29, 2007.

Approval of this application would facilitate the conversion of a vacant 13,198-square-foot former police station into 14 condominium units for low- to middle-income residents.

The Department of Housing Preservation and Development states in its application that:

The Project Area consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these

substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

Department of Housing Preservation and Development is seeking an Urban Development Action Area designation, project approval, and disposition of city-owned land for a site located at 37-43 Herbert Street, (Block 2827, Lot 36) in Williamsburg, Brooklyn, Community District 1.

The site is located at the corner of Humboldt and Herbert Streets, in an R6 zoning district with a C2-3 commercial overlay. The 7,191-square-foot site consists of one tax lot occupied by a former police station that was built in 1892, was designated a City Landmark in 1993 and has been vacant since at least 2003. The 13,189-square foot police station consists of a three-story station house, a two story carriage house, and three small adjoining 1-story building sections.

Adjacent properties include a 2-story residence and a 1-story commercial building to the north and a one-story industrial building to the east. Land use in the area is predominantly residential with 2-4 story attached houses and apartment buildings. Some commercial activity occurs along Graham Avenue to the south, and scattered industrial properties are located mostly to the west and south. The Brooklyn Queens Expressway is located directly north of the site and the McGuinness Boulevard off-ramp is directly west of the site. The Lorimer Avenue L-line stop and the Nassau Avenue G-line stop are each located within eight blocks of the site, and the B43 bus runs one block west of the site.

The Herbert Street Condominiums project would convert the landmarked police station into 1 studio, 9 one-bedroom, 3 two-bedroom, and 1 three-bedroom apartments to be marketed to low-to middle-income families. The only addition of floor area for the project is a 200-square foot access stair added to meet access/egress requirements. There would be a 50% local preference for Community District 1 residents. Amenities within the building would include a laundry room, four private yards, common landscaped areas, central air conditioning, a tenant meeting room, and storage space.

## **ENVIRONMENTAL REVIEW**

This application (C 070408 HAK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 06HPD016K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on December 29, 2006.

## **UNIFORM LAND USE REVIEW**

This application (C 070408 HAK) was certified as complete by the Department of City Planning on April 23, 2007, and was duly referred to Brooklyn Community Board 1 and the Brooklyn

Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application on May 8, 2007. On June 12, 2007, by a vote of 40 to 0 with 1 abstention, the Community Board adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Brooklyn Borough President who issued a recommendation approving the application on July 13, 2007.

### **City Planning Commission Public Hearing**

On July 11, 2007 (Calendar No. 4), the City Planning Commission scheduled July 25, 2007 for a public hearing on this application (C 070408 HAK). The hearing was duly held on July 25, 2007 (Calendar No. 30). There were three speakers in favor and none in opposition.

A representative of HPD, the project sponsor and architect spoke in favor of the project. They stated that the project enjoyed support among community members and had received funding from several local elected officials. They described the current measures taken to ensure affordability and stated that they were making efforts to ensure that the project's units stay affordable in perpetuity.

There were no other speakers on the application and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the application for UDAAP designation and project approval and, the disposition of city-owned property is appropriate.

This application would facilitate the rehabilitation of a vacant former police station that is also a City Landmark. This proposal will also bring needed new units of affordable housing to the Williamsburg community by creating 14 dwelling units that will provide home ownership opportunities to low- to middle-income residents.

The return of this vacant building to productive use would eliminate its blighting influence on the neighborhood and would enable this city-owned property to be reactivated with uses that serve the needs of Community District 1 and the City of New York.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at 37-43 Herbert Street (Block 2827, Lot 36) as an Urban Development Action Area; and

**WHEREAS**, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

**THEREFORE, BE IT FURTHER RESOLVED**, that the City Planning Commission after due consideration of the appropriateness of the actions, certifies its unqualified approval of the

following matters pursuant to the Urban Development Action Area Act;

- a. the designation of property located at 37-43 Herbert Street (Block 2827, Lot 36) as an Urban Development Action Area; and
- b. an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives if any, to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The project is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 37-43 Herbert Street (Block 2827, Lot 36), Community District 1, Borough of Brooklyn, to a developer selected by HPD, is approved.

The above resolution (C 070408 HAK), duly adopted by the City Planning Commission on August 8, 2007 (Calendar No. 17), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN,**  
**LISA A. GOMEZ, JOHN MEROLO,**  
**DOLLY WILLIAMS, Commissioners**