



CITY PLANNING COMMISSION

May 7, 2008/Calendar No. 8

C 080183 HAK

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 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, 412, and 522 Howard Avenue (Blocks 1451 and 1473, Lots 42, 43, 48, and 35); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37), 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 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, and 412 Howard Avenue (Blocks 1451, Lots 42, 43, and 48); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37), to a developer selected by HPD;

to facilitate development of six residential buildings, ranging from four to six stories, tentatively known as Brownsville North, with approximately 94 residential units, to be developed under the Department of Housing Preservation and Development's Cornerstone Program, Community District 16, Borough of Brooklyn.

Approval of three separate matters is required:

- 1) the designation of property located at 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, 412, and 522 Howard Avenue (Blocks 1451 and 1473, Lots 42, 43, 48, and 35); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37), as an Urban Development Action Area; and
- 2) An Urban Development Action Area for such property; and

- 3) the disposition of 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, and 412 Howard Avenue (Blocks 1451, Lots 42, 43, and 48); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37), to a developer selected by HPD;

The application for the Urban Development Action Area designation, project approval, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on November 20, 2007.

Approval of this application would facilitate the development of six residential buildings, ranging in height from four to six stories, with approximately 94 residential units, on six sites, to be developed under the Department of HPD's Cornerstone Program.

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

The New York City Department of Housing Preservation and Development (HPD) is seeking approval of an Urban Development Action Area designation, project approval and disposition of city-owned vacant land to facilitate the development of six residential rental buildings with 94 units, through HPD's Cornerstone Program. The project would be developed on six sites in Brooklyn Community District 16.

Site and Area Description

The sites are surrounded primarily by low-density, low-rise housing, local retail uses and light manufacturing. Local retail is scattered at various locations along Saratoga and Hopkinson avenues and Eastern Parkway. All six project sites are located within an R6 zoning district.

All of the sites would be developed pursuant to the Quality Housing regulations and would be affordable to families earning up to 60 percent of Area Median Income (AMI). The sites are in proximity to P.S. 178, P.S. 12, and I.S. 55. The area is served by the A and C trains, which stop at the Ralph Avenue station, and the J, L and Z trains which stop at the Broadway Junction station. In addition, there are several bus lines servicing the area, including the B7, running on Hopkins and Saratoga avenues; the B12, running on East New York avenue; the B47, running on Ralph avenue; and the B25, running on Fulton Street.

Site 1 is located at 2156-2160 Atlantic Avenue (Block 1433, Lots 23 and 25) on the south side of Atlantic Avenue between Saratoga and Hopkinson avenues. The subject site includes two city-owned lots and has an area of 10,000 square feet. This site is a former community garden. Adjacent to the site is a four-story residential building to the east, and a two-story residential building to the west. The proposed six-story building would include approximately 30 units, and would have 12 underground parking spaces for residents, a laundry room, 1,886 square feet of landscaped area in the rear yard and a recreation room for residents.

Site 2 is located at 1973-1975 and 1969 Bergen Street (Block 1447, Lots 67, 68, 69 and 70) on the north side of Bergen Street between Saratoga and Hopkinson Avenues. The site includes three vacant city-owned lots and has 8,576 square feet of lot area. There was previously a community garden on Lots 68, 69, 70. Adjacent to the site is a three-story residential building to the east and a four-story residential building to the west. The proposed five-story building would include approximately 16 residential rental units, and would have 4 on-grade parking spaces for residents, a laundry room, 2,483 square feet of landscaped area in the rear yard and a recreation room for residents.

Site 3 is located at 402-404 Howard Avenue (Block 1451, Lots 42 and 43) on the west side of Howard Avenue between Bergen Street and St. Marks Avenue. The site includes two city-owned vacant lots and has 5,950 square feet of lot area. Adjacent to the site is a four-story residential building to the south and a two-story residential building to the north. The proposed four-story building would include approximately 14 residential rental units, and the building will

have a laundry room, 2,180 square feet of landscaped area in the rear yard and a recreation room for residents.

Site 4 is located at 412 Howard Avenue (Block 1451, Lot 48) on the northwest corner of Howard and St. Marks Avenues. The site includes one vacant city-owned lot and has 4300 square feet of lot area. Adjacent to the site is a four-story residential building on St. Marks Avenue, and a four-story residential building on Howard Avenue. The proposed five-story building would include approximately nine residential rental units, and the building would have 1,840 square feet of landscaped area in the rear yard and a recreation room for residents.

Site 5 is located at 1459-1461 Howard Avenue (Block 1452, Lots 1 and 87) on the northeast corner of Howard Avenue and St. Marks Avenue. The site includes two vacant city-owned lots and has 2,870 square feet of lot area. Adjacent to the site is three-story residential building on St. Marks Avenue, and a one-story commercial building on Howard Avenue. The proposed four-story building would include approximately seven residential rental units. The main entrance to the building would be located on St. Marks Avenue. The proposed buildings would have 548 square feet of landscaped area in the rear yard, a recreation room for residents, and a community room.

Site 6 is located at 1457-1459 Eastern Parkway and includes three City-owned lots (Block 1473, Lots 34, 36, and 37), and one privately-owned lot, (Block 1473, Lot 35) which is not subject to the disposition application. The site is on the west side of Howard Avenue between Eastern Parkway and St. Johns Place and has 5,615 square feet of lot area. Adjacent to the site is a three-story residential building on Atlantic Avenue, and a seven-story residential building on St. Johns Place. The proposed five-story building would include approximately 18 residential rental units. The main entrance to the building would be located on St. Johns Place. The building would have a laundry room, 756 square feet of landscaped area in the rear yard and a recreation room for residents.

ENVIRONMENTAL REVIEW

This application (C 080183 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 Environmental Quality Review (CEQR) Rules for Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 08HPD009K. 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 November 20, 2007.

UNIFORM LAND USE REVIEW

This application (C 080183 HAK) was certified as complete by the Department of City Planning on December 03, 2007 and was duly referred to Community Board 16 and the 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 16 did not issue a recommendation on this application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on March 12, 2008.

City Planning Commission Public Hearing

On March 12, 2008 (Calendar No. 1), the City Planning Commission scheduled March 26, 2008, for a public hearing on this application (C 080183 HAK). The hearing was duly held on March 26, 2008 (Calendar No. 16).

There were two speakers in favor of the project and one in opposition.

The speakers in favor of the project were a representative of HPD and the designated developer for the project. The representative of HPD described the proposed project and stated that it would provide sorely-needed housing to this community at a level affordable to families earning 60 percent or less than the Area Median Income. The proposed designated developer described the common space and landscaped yards that would be provided at each site, and stated that he anticipated 50 percent participation by minority and women owned contractors in the project's projected two-year construction period. He also testified that he met with the local City Councilmember to discuss the proposed project subsequent to the Public Hearing held by the Borough President.

The speaker opposed was a representative of City Councilmember for the 41st district. The speaker testified that the levels of affordability of the proposed project did not adequately meet the needs of the community, and that homeownership housing development was a greater need in the community than rental housing.

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 construction of six residential buildings on scattered sites throughout the Ocean Hill section of Brooklyn Community District 16. This proposal will also bring needed new affordable housing to the Ocean Hill/Brownsville community by creating 94 dwelling units that will be affordable to families earning 60 percent or less than the area median income. This equates to \$32,200 for a one person household and \$46,000 for a family of four.

In response to testimony by the representative of the Councilmember from the 41st District at the Commission's public hearing HPD, in a letter dated April 15th, 2008 states that, "given the current difficulties in the mortgage market, HPD has found it infeasible to underwrite homeownership projects below 80% of AMI. . . This project is particularly difficult to finance

due to its scattered site nature, which leads to higher than normal construction costs. The only way to maintain the 60% AMI affordability target in this project is through a rental scenario.”

The proposed buildings would be built under the R6 contextual Quality Housing regulations and would be compatible with the low rise character of the surrounding neighborhood. The proposed development sites have remained vacant for many decades resulting in an adverse impact on the vitality and quality of life within the Ocean Hill/Brownsville community. The redevelopment of these sites with affordable housing for low-income tenants would contribute to the reactivation of currently desolate blocks and support the housing needs of the surrounding community.

The proposed actions would allow for the return of this vacant property to a productive use and the elimination of its blighting influence on the neighborhood. It would also enable these city-owned properties to be developed with a use that would serve the needs of Community District 16 and the City of New York. The Commission, therefore, believes that the proposed Urban Development Action Area designation and project (UDAAP) and the disposition of city-owned property are appropriate.

RESOLUTION

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

WHEREAS, Department of Housing Preservation and Development has recommended the designation of property located at 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, 412, and 522 Howard Avenue (Blocks 1451 and 1473, Lots 42, 43, 48, and 35); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37), 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 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 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, 412, and 522 Howard Avenue (Blocks 1451 and 1473, Lots 42, 43, 48, and 35); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such property; 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; and
 - b) The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to enable the project to be undertaken; and
 - c) The policy is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act; and

BE IT FURTHER RESOLVED, by 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 2156 and 2160 Atlantic Avenue (Block 1433, Lots 23 and 25); 1973, 1973A, 1975, and 1969 Bergen Street (Block 1447, Lots 67-70); 402, 404, 412, and 522 Howard Avenue (Blocks 1451 and 1473, Lots 42, 43, 48, and 35); 1459 and 1461 St. Marks Avenue (Block 1452, Lots 1 and 87); 1734 St. Johns Place (Block 1473, Lot 34); and 1457 and 1459 Eastern Parkway (Block 1473, Lots 36 and 37)

Borough of Brooklyn, Community District 16, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080134 HAK).

The above resolution (C 080183 HAK), duly adopted by the City Planning Commission on May 7, 2008 (Calendar No. 8), 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, FAICP, Chair

KENNETH J. KNUCKLES, Esq., Vice-Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

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JOHN MEROLO, KAREN A. PHILLIPS, Commissioners.