



## CITY PLANNING COMMISSION

April 27, 2005/Calendar No.11

C 050304 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 107 and 103 Van Siclen Avenue (Block 3947, Lots 17 and 18), and 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121) 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 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121) to a developer selected by HPD;

to facilitate development of two, 3-story mixed use buildings, tentatively known as Cypress Plaza, with approximately 18 residential units, to be developed under Housing Preservation and Development's Mixed Income Program, Community District 5, Borough of Brooklyn.

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Approval of three separate matters is required:

1. The designation of 107 and 103 Van Siclen Avenue (Block 3947, Lots 17 and 18), and 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121), Borough of Brooklyn, Community District 16, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121) to a developer to be selected by HPD.

The application was submitted by the Department of Housing Preservation and Development (HPD) on February 16, 2005.

Approval of this application would facilitate construction of two, 3-story mixed use buildings, tentatively known as Cypress Plaza, with approximately 18 residential units, to be developed under Housing Preservation and Development's Mixed Income Program.

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

The UDAAP Area consists of eleven underutilized vacant properties 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 UDAAP 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. The UDAAP Area will be sold to a sponsor determined by the Department of Housing Preservation and Development.

## **BACKGROUND**

HPD seeks approval of an Urban Development Action Area designation and project approval, and disposition of city-owned property to facilitate the development of low-income rental housing and retail space under the Mixed Income Program, located in Community District 5, East New York, Brooklyn.

Lots 17, 18, 19, 20, 21, 22, 23, 24, 26, 120, and 121 on Block 3947 are eleven vacant lots totaling 24,900 square feet on Fulton Street between Van Siclen Avenue and Hendrix Street in an R5/C2-3 zoning district. The disposition of these lots with the previously ULURP-approved Lots 17 and 18 (C000037PPK-3/1/00) would facilitate the construction of two, three-story mixed-use buildings.

The remainder of Block 3947 contains two- and three-story homes, a church, and a school. To the south are commercial and light industrial uses along Atlantic Avenue, multi-family buildings, and two- and three-story homes. To the west and east are blocks occupied by two- and three-story homes,

multi-family buildings, light commercial activity, and many vacant lots.

The project would provide a total of 18 low-income rental units with ground floor retail space. The rents would be affordable to families earning approximately 60-80 percent of the Area Median Income. Both buildings would have entrances to the apartments located in the rear in mid-block between Hendrix Street and Van Siclen Avenue. The retail space would be divided approximately into six separate stores each about 1,035 square feet fronting Fulton Street. There would be landscaped open space and a parking lot of about 8 spaces for residents of the project in the rear of the buildings.

This site is serviced by the “A”/“C” and “J”/“Z” subway lines and the B25 bus on Fulton Street.

#### **ENVIRONMENTAL REVIEW**

This application (C 050304 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 lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on December 17, 2004.

#### **UNIFORM LAND USE REVIEW**

This application (C 050304 HAK) was certified as complete by the Department of City Planning on February 28, 2005, and was duly referred to Community Board 5 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 5 held a public hearing on this application (C 050304 HAK) on March 23, 2005, and on that date, by a vote of 25 in favor with 0 opposed and 0 abstentions, adopted a resolution approving the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on April 11, 2005.

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

On March 30, 2005 (Calendar No. 4 ), the City Planning Commission scheduled April 13, 2005 for a public hearing on this application (C 050304 HAK). The hearing was duly held on April 13, 2005 (Calendar No. 24).

There were two speakers in favor of the application and none in opposition. The first speaker was the Executive Director of the Cypress Hills LDC who described the proposed project's positive impacts in the Cypress Hills community. A representative from HPD was also there in support of the project.

There were no other speakers, and the hearing was closed.

### **CONSIDERATION**

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

The application would facilitate the development of Cypress Plaza, two, 3-story mixed use buildings with approximately 18 residential units and ground floor retail, to be developed through the Department of Housing Preservation and Development's Mixed Income Program. The approval of this application would facilitate the return of these lots to private ownership and would provide much needed affordable housing and retail to the community. Disposition would make possible the return of this property to productive use and the elimination of its blighting influence on the neighborhood.

The project would facilitate the revitalization of the eastern half of Fulton Street, a major commercial thoroughfare, by providing affordable housing and commercial space in this area that is consistent with the existing character of Fulton Street. The Commission notes that mixed use buildings, such as Cypress Plaza, on active commercial streets, such as Fulton Street, are a critical addition in the revitalization efforts of mixed-use neighborhoods.

## **RESOLUTION**

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

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 107 and 103 Van Siclen Avenue (Block 3947, Lots 17 and 18), and 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121), 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 107 and 103 Van Siclen Avenue (Block 3947, Lots 17 and 18), and 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121), Borough of Brooklyn, Community District 5, as an Urban Development Action Area;
- 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;
- b. The financial aid in the form of tax incentives, to be provided by the municipality pursuant Section 696 of Article 16 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 Area Action Act.

**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 2790, 2792, 2798, 2802, 2806, 2810, 2812, 2796 and 2800 Fulton Street (Block 3947, Lots 19-24, 26, 120-121), Community District 5, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 050304 HAK), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No. 11), 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**

**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,**

**RICHARD W. EADDY, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO,**

**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**