



## **CITY PLANNING COMMISSION**

February 2, 2005/Calendar No. 19

C 050121 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 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408, Lots 1-3) 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 1536 and 1538 Broadway (Block 1492, Lots 15 and 16) and 1599 Broadway (Block 3408, Lot 3) to a developer selected by HPD;

to facilitate development of two sites for new retail development under HPD's ANCHOR (Alliance for Neighborhood Commerce, Homeownership and Revitalization) Program, Community Districts 4 and 16, Borough of Brooklyn.

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Approval of three separate matters is required:

1. The designation of 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408, Lots 1-3), Borough of Brooklyn, Community Districts 4 and 16, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of 1536 and 1538 Broadway (Block 1492, Lots 15 and 16) and 1599 Broadway (Block 3408, Lot 3) to a developer to be selected by HPD

The application was submitted by the Department of Housing Preservation and Development (HPD) on September 29, 2004.

Approval of this application would facilitate construction of two sites for new retail development under HPD's ANCHOR (Alliance for Neighborhood Commerce, Homeownership and Revitalization) Program.

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

The UDAAP Area consists of underutilized vacant land which 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.

## **BACKGROUND**

HPD seeks approval of an Urban Development Action Area designation and project, and disposition of city-owned property to facilitate the development of two sites for new retail development under HPD's ANCHOR program, located in Community District 4, Bushwick, and Community District 16, Ocean Hill, Brooklyn.

Both sites are located on Broadway, a commercial corridor, in an R6 zoning district with a C1-3 overlay.

### **Site 4**

Site 4 consists of 1536, 1538, and 1542 Broadway (Block 1492, Lots 15, 16, and 17) and is characterized by three city-owned vacant lots totaling 5,600 square feet located at the intersection of Broadway and Hancock Street in Community District 16, Ocean Hill. The disposition of Lots 15 and 16 on Block 1492, assembled with the previously ULURP-approved Lot 17 on Block 1492 (C800672PPK; 12/23/80), would facilitate the construction of an approximately 5,600 square-foot, one-story commercial building with no accessory parking.

The subject block contains a NYCHA development with an adjoining playground and parking. The surrounding residential area contains two- and three-story residences, multi-family apartment buildings, and vacant lots.

### **Site 5**

Site 5 consists of 1599, 1607, and 1613 Broadway (Block 3408, Lots 1, 2, and 3) and is

characterized by three city-owned vacant lots totaling 8,000 square feet located at the intersection of Broadway and Eldert Street in Community District 4, Bushwick. The disposition of Lot 3 on Block 3408, assembled with the previously ULURP-approved Lots 1 and 2 on Block 3408 (C820589PPK; 4/19/82), would facilitate the construction of an approximately 8,000 square-foot, one-story commercial building with 12 accessory, outdoor parking spaces with a curb cut at Eldert Street.

The subject block contains a church with an accessory parking lot, three-story residences, and vacant lots. The surrounding residential area contains two- and three-story residences, multi-family apartment buildings, and vacant lots.

HPD's ANCHOR program uses a combination of Federal, State, City, and private funds to finance the new construction of at least 250,000 square feet of retail space along targeted commercial corridors throughout New York City. Under this Mayoral initiative, HPD is working with the New York City Partnership, commercial banks, developers, and community-based organizations to sell and redevelop vacant city-owned land, attract new commercial businesses, and bring employment to under-served areas.

The J and Z train subway service is available at the Halsey Street station on Broadway. There are numerous bus lines in the area: the B26 bus runs along Halsey Street; the B7 bus which runs along Thomas S. Boyland Street and Saratoga Avenue is one to two blocks away; the B60 bus which runs along Rockaway Avenue, Cooper Street, and Wilson Avenue is about two blocks away, the B20 bus runs along Broadway and Pennsylvania Avenue; and the Q24 runs along Broadway and Atlantic Avenue.

## **ENVIRONMENTAL REVIEW**

This application (C 050121 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.

This application was determined to be a Type II action which requires no further environmental review.

### **UNIFORM LAND USE REVIEW**

This application (C 050121 HAK) was certified as complete by the Department of City Planning on October 18, 2004, and was duly referred to Community Boards 4 and 16, the Borough President, and the Brooklyn Borough Board in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearings**

Community Board 4 held a public hearing on this application (C 050160 HAK) on November 17, 2004, and on that date, by a vote of 20 in favor with 5 opposed and 3 abstentions, adopted a resolution supporting approval of the application.

Community Board 16 held a public hearing on this application (C 050160 HAK) on November 23, 2004, and on that date, by a vote of 22 in favor with 0 opposed and 0 abstentions, adopted a resolution supporting approval of the application.

### **Brooklyn Borough Board**

The Brooklyn Borough Board did not submit a recommendation on this application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on January 3, 2005, with the following condition:

“However, this recommendation is subject to CPC and/or the City Council receiving written assurances from HPD that these properties would be disposed of in a manner that not only results in retail development, but also permits additional development pursuant to the City’s Zoning Resolution.”

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

On December 22, 2004 (Calendar No. 1), the City Planning Commission scheduled January 5, 2005 for a public hearing on this application (C 050160 HAK). The hearing was duly held on January 5, 2005 (Calendar No. 9). There were two speakers in favor of the application and none in opposition. An HPD representative and the project’s architect were present to answer questions from the Commission.

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

### **CONSIDERATION**

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

The application would facilitate the development of these two sites with new retail development under HPD’s ANCHOR Program. The approval of this application would facilitate the return of these lots to private ownership and would provide much needed retail services to the communities of Ocean Hill and Bushwick. Return of these properties to productive use would eliminate their blighting influence on the neighborhood and would enable these city-owned properties to be developed with a use that would serve the needs of Community District 4 and 16 and the City of New York.

In response to the Borough President's condition, HPD sent a letter to the City Planning Department dated January 27, 2005, stating, "However, any significant increase in development, ...would require withdrawal of this application...In addition, HPD's CEQR determination was based solely on the proposed project."

The Commission notes that this project would provide much needed retail development to the City of New York.

## **RESOLUTION**

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408, Lots 1-3), 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 1536, 1538 and 1542 Broadway (Block 1492, Lots 15-17) and 1613, 1607 and 1599 Broadway (Block 3408, Lots 1-3), Borough of Brooklyn, Community Districts 4 and 16, 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 if any, to be provided by the municipality pursuant Section 696 of Article 16 of the General Municipal Law 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 Article 16 of the General Municipal Law

**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 1536 and 1538 Broadway (Block 1492, Lots 15 and 16) and 1599 Broadway (Block 3408, Lot 3), Community Districts 4 and 16, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 050160 HAK), duly adopted by the City Planning Commission on February 2, 2005 (Calendar No. 19), 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**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**  
**ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,**  
**CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS,**  
Commissioners