



## **CITY PLANNING COMMISSION**

May 21, 2008 / Calendar No. 9

C 080288 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 515, 519, and 521 St. Marks Ave (Block 1149, Lots 63,65 and part of 68) 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 development of an eight-story residential building, tentatively known as St. Marks Gardens with approximately 38 residential units in Community District 8, Borough of Brooklyn.

Approval of three separate matters is required:

1. the designation of property located at 515, 519, and 521 St. Marks Ave (Block 1149, Lots 63,65 and part of 68) 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 acquisition of privately-owned vacant land and an 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 February 12, 2008.

Approval of this application would facilitate the development of approximately 14,600 square-foot vacant land as an affordable housing project with 38 rental units affordable 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.

## **RELATED ACTION**

In addition to approval of the UDAAP designation and disposition of City-owned property which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 080287 PQX	Acquisition of property located at 515, 519, and 521 St. Marks Ave (Block 1149, Lots 63,65 and part of 68)
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## **BACKGROUND**

The 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 515, 519 and 521 St. Marks Ave (Block 1149, Lots 63, 65 and part of 68) in the Crown Heights neighborhood of Brooklyn, Community District 8.

The project site is a vacant lot located on St. Marks Avenue between Franklin and Classon Avenues and is currently zoned R6. The project site was sold by the City in 1996 as a part of a residential rehabilitation program that was developed through HPD's Neighborhood Entrepreneurs Program (NEP). The project included rehabilitation of an 8-unit building located on a portion of lot 68 at 515 St. Marks Avenue.

The project site that is the subject of the current applications was originally intended to be used as open space for the tenants of the rehabilitated building, but the open space was never improved. Therefore, HPD is proposing to acquire the subject lots pursuant to the related acquisition application (C 080287 PQQ) site and then dispose of it to facilitate the proposed St. Marks Gardens project. The intended developer is the same owner of the previously approved UDAAP.

The proposed project would be developed under the Quality Housing Program. The site includes three privately-owned vacant lots, Block 1149, Lots 63, 65 and a portion of 68. The project area is approximately 14,600 square feet and the total floor area of the proposed building would be approximately 35,000 square feet in an 8 story building with approximately 38 rental units.

Approximately six apartments will be reserved for special needs population, where at least one member of the household is developmentally challenged. A social service organization will be chosen to identify these individuals during the tenant selection process and provide appropriate services after occupancy at another location, except for case management visits which will be on site. An interior courtyard will be created for tenant use. The courtyard will be landscaped and contain a sitting area with planters and benches. There will be an accessory community room, laundry room, and 12 at grade accessory parking spaces. The tenants of the existing adjacent building will have access to the new landscaped courtyard that will be provided in the proposed project. The intended affordability of units is between 30% and 90% of Area Median Income (AMI).

The project site is adjacent to a 4-story multi-family building and a 2-story church. The other uses on the block include an industrial building, multi-family apartment buildings and some mixed-use and local retail along Franklin Avenue. The Park Place station of the Franklin Avenue Shuttle is located a block away from the site and several local bus lines stop within walking distance of the site.

## **ENVIRONMENTAL REVIEW**

This application (C 080288 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 08HPD015K. 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 February 21, 2008.

## **UNIFORM LAND USE REVIEW**

This application (C 080288 HAK) was certified as complete by the Department of City Planning on February 25, 2008, and was duly referred to Brooklyn Community Board 8 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 8 held a public hearing on this application on April 10, 2008. On April 10, 2008, by a vote of 27 against 1 with 4 abstentions, 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 April 23, 2008.

## **City Planning Commission Public Hearing**

On April 23, 2008 (Calendar No.3), the City Planning Commission scheduled May 7, 2008 for a public hearing on this application (C 080288 HAK). The hearing was duly held on May 7, 2008 (Calendar No. 26) in conjunction with the hearing for the related application (C 080287 POK). There were two speakers in favor and none in opposition.

The project sponsor and architect spoke in favor of the project. The architect explained how the building was designed taking into consideration the adjacent existing building on the lot and that the community facility and outdoor courtyard would be shared by both the existing and new residents. The sponsor explained that 50% of the units would be reserved for residents of Community District 8 and that six units would be reserved for a special needs population. The sponsor described in detail the social services that would be provided for the developmentally disabled residents.

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

## **CONSIDERATION**

The Commission believes that the application (C 080288 HAK) for UDAAP designation and project approval and, the disposition of city-owned property and the related acquisition application (C080287POK) are appropriate.

This application would facilitate the development of a site that was lying vacant for several years. This proposal will also bring much needed new units of affordable housing to the Crown Heights neighborhood by creating 38 dwelling units that will provide rental opportunities to low- to middle-income residents. The project will also reserve six dwelling units for special needs population whereby at least one member of household is developmentally challenged.

The transformation of this vacant site to productive use would eliminate its blighting influence on the

neighborhood and would enable this privately-owned property to be reactivated with uses that serve the needs of Brooklyn's Community District 8 and the City of New York. The Commission therefore finds that the proposed Urban Development Action Area (UDAAP) designation and project approval and related 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**, the Department of Housing Preservation and Development has recommended the designation of property located at 519, and 521 St. Marks Ave (Block 1149, Lots 63, 65 and part of 68) 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 515, 519, and 521 St. Marks Ave (Block 1149, Lots 63, 65 and part of 68) 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 515, 519, and 521 St. Marks Ave (Block 1149, Lots 63, 65 and part of 68), Community District 8, Borough of Brooklyn, to a developer selected by HPD, is approved.

The above resolution, (C 080288 HAK) duly adopted by the City Planning Commission on May 21, 2008 (Calendar No. 9) 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. ALFRED C. CERULLO, III,**  
**BETTY Y. CHEN, MARIA DEL TORO,**  
**RICHARD W. EADDY, NATHAN LEVENTHAL,**  
**JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**

