



CITY PLANNING COMMISSION

September 22, 2021 / Calendar No. 16

C 210052 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 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area; and
 - b. 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 to be selected by HPD;

to facilitate an affordable mixed-use development with approximately 950 housing units, community facility and commercial space, Borough of Brooklyn, Community District 6.

Approval of three separate matters is required:

- 1) The designation of property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area (UDAA); and
- 2) An Urban Development Action Area Project (UDAAP) for such an area; and
- 3) The disposition of such property to a developer selected by HPD.

This application (C 210052 HAK) for UDAAP designation and project approval and disposition of City-owned property was filed by HPD on January 15, 2021 in conjunction with related actions, to facilitate the Gowanus Neighborhood Plan in Community District 6, Brooklyn. Approval of the application would facilitate the development of approximately 950 affordable housing units in approximately six new construction mixed-use residential buildings ranging between five and 28 stories in height. The Gowanus Green Development would also include a variety of non-residential uses, including ground-floor community facility, commercial, and retail spaces, and space for a potential future school.

HPD states in its application that: “The Development Site consists of underutilized, vacant property 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 Development Site is therefore eligible to be an Urban Development Action Area and the Proposed Development is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.”

RELATED ACTIONS

In addition to this UDAAP application (C 210052 HAK) that is the subject of this report, implementation of the proposed Gowanus Neighborhood Plan also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- C 210177 ZMK** Amendment to the Zoning Map to change R6, R6B, R8A, R8A/C2-4, C8-2, M1-1, M1-2, M2-1, and M3-1 districts to R6B, R6A, M1-4/R6B, M1-4/R6A, M1-4/R7A, M1-4/R7-2, M1-4/R7X, C4-4D, and M1-4 districts, eliminate commercial overlays, establish the Special Gowanus Mixed Use District, and replace a Special Enhanced Commercial District (EC-1).
- N 210178 ZRK** Zoning text amendment to establish the Special Gowanus Mixed-Use District, Gowanus Waterfront Access Plan, establish a Mandatory Inclusionary Housing area, and replace the Enhanced Commercial District (EC-1) within the rezoning area
- C 210053 PPK** Disposition of City-owned property
- C 210180 MMK** City Map Amendment involving the mapping of parkland
- C 210179 MMK** The establishment of streets, the elimination of street segments, and removal of a “Public Place” designation

Together, these actions would facilitate the Gowanus Neighborhood Plan, a comprehensive plan developed with community stakeholders and elected officials, in coordination with City and other public agencies, that identifies needs and opportunities to support a shared long-term vision of a

sustainable, inclusive, and mixed-use Gowanus neighborhood. Implementation of the objectives of the plan and the shared long-term vision for the neighborhood would create affordable housing; spur economic and job growth; facilitate brownfield remediation; foster safer, active streets; create a vibrant, accessible, and resilient waterfront; generate new community resources; and support the overall remediation of the canal.

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 210177 ZMK).

ENVIRONMENTAL REVIEW

This application (C 210052 HAK), in conjunction with the related applications (C 210177 ZMK, C 210178 ZRK, C 210053 PPK, C 210179 MMK, and C 210180 MMK), 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 19DCP157K. The lead agency for the environmental review is the City Planning Commission.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS), issued on September 10, 2021, and a Technical Memorandum – 001, issued September 21, 2021, appears in the report on the related application for a zoning map amendment (C 210177 ZMK).

UNIFORM LAND USE REVIEW

This application (C 210052 HAK), in conjunction with the applications for the related actions (C 210177 ZMK, C 210053 PPK, C 210179 MMK, and C 210180 MMK), was certified as complete by the Department of City Planning on April 19, 2021, and was duly referred to Community Boards 2 and 6 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for the zoning text amendment

(C 210178 ZRK) for information and review, in accordance with the procedure for referring non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 2 and 6 held a joint public hearing on this application (C 210052 HAK) and the related applications (C 210177 ZMK, C 210178 ZRK, C 210053 PPK, C 210179 MMK, and C 210180 MMK) on June 3, 2021. On June 16, 2021, Community Board 2, by a vote of 34 in favor, five in opposition and one in abstention, adopted a resolution recommending disapproval of the application. On June 23, 2021, Community Board 6, by a vote of 28 in favor, six in opposition and two in abstention, adopted a resolution recommending approval of the application with conditions as described in the report on the related application for a zoning map amendment (C 210177 ZMK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 210052 HAK) and the related applications (C 210177 ZMK, C 210178 ZRK, C 210053 PPK, C 210179 MMK, and C 210180 MMK) on June 30, 2021, and, on August 24, 2021, issued a recommendation to approve the application with conditions as described in the report on the related application for a zoning map amendment (C 210177 ZMK).

City Planning Commission Public Hearing

On July 14, 2021 (Calendar No. 10), the City Planning Commission scheduled July 28, 2021, for a public hearing on this application (C 210052 HAK) and related actions. The hearing was duly held on July 28, 2021 (Calendar No. 49) in conjunction with the public hearing on the applications for related actions. Twenty-nine speakers testified in favor of the application and 36 in opposition as described in the report on the related application for a zoning map amendment (C 210177 ZMK).

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 210052 HAK), in conjunction with those for the related actions, was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront

Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is 19-036. This action was determined to be consistent with the policies of the New York City WRP.

CONSIDERATION

The Commission believes that the proposed application for UDAAP designation, project approval and disposition of City-owned property (C 210052 HAK), in conjunction with the related applications, is appropriate.

A full consideration and analysis of the issues, and the reasons for approving the application appear in the report on the related action for a zoning map amendment (C 210177 ZMK).

RESOLUTION

RESOLVED, that having considered the FEIS, for which a Notice of Completion was issued on September 10, 2021, with respect to this application (CEQR No. 19DCP157K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The report of the City Planning Commission, together with the FEIS, issued September 10, 2021, and a Technical Memorandum – 001, issued September 21, 2021, constitutes the written statement

of findings that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) in Community District 6, Borough of Brooklyn, 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; and

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

- 1) The designation of property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area; and
- 2) An Urban Development Action Area Project for such an area; 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 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) Borough of Brooklyn, Community District 6, to a developer selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 210052 HAK), duly adopted by the City Planning Commission on

September 22, 2021 (Calendar No. 16), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

KENNETH J. KNUCKLES, Esq., *Vice Chair*
DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,
RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN,
RAJ RAMPERSHAD *Commissioners*

LARISA ORTIZ, *Commissioner, ABSTAINING*