



### Email/Fax Transmittal

<b>TO:</b> Brooklyn Community District 3 Distribution	<b>FROM:</b> Brooklyn Borough President Eric L. Adams
<b>DATE: June 19, 2017</b>	<b>CONTACT:</b> Olga Chernomorets – Land Use Coordinator Phone: (718) 802-3751 Email: ochernomorets@brooklynbp.nyc.gov
<b>ULURP Recommendation:</b> 1618 FULTON STREET – 170304 HAK	<b>NO. Pages, Including Cover: 11</b>

Attached is the recommendation report for ULURP application 170304 HAK. If you have any questions, please contact Olga Chernomorets at (718) 802-3751.

### Distribution

NAME	TITLE	OFFICE	EMAIL
<b>Marisa Lago</b>	Chair, City Planning Commission (CPC)	(212) 720-3356	ygruel@planning.nyc.gov
<b>Melissa Mark-Viverito</b>	Speaker, City Council	(212) 788-7207	mviverito@council.nyc.gov
<b>Winston Von Engel</b>	Director, Brooklyn, New York City Department of City Planning (DCP)	(718) 780-8280	wvoneng@planning.nyc.gov
<b>Alex Sommer</b>	Deputy Director, Brooklyn, DCP	(718) 780-8271	asommer@planning.nyc.gov
<b>Jackie Harris</b>	Director, Land Use Review, DCP	(212) 720-3356	jharris@planning.nyc.gov
<b>Raju Mann</b>	Director, Land Use Division, City Council	(212) 788-7207	rmann@council.nyc.gov
<b>Amy Levitan</b>	Land Use Division, City Council	(212) 788-7207	alevitan@council.nyc.gov
<b>Robert Cornegy Jr.</b>	Council Member, District 36	(718) 919-0740	szinerman@council.nyc.gov
<b>Richard Flateau</b>	Chair, Brooklyn Community Board 3 (CB 3)	(718) 622-6601	bk03@cb.nyc.gov
<b>Henry Butler</b>	District Manager, CB 3	(718) 622-6601	bk03@cb.nyc.gov
<b>Lin Zeng</b>	Director, Brooklyn, New York City Department of Housing Preservation and Development (HPD)	(212) 863-5327	zengl@hpd.nyc.gov
<b>Richard Bearak</b>	Director, Land Use, BBPO	(718) 802-4057	rbearak@brooklynbp.nyc.gov

## Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
calendaroffice@planning.nyc.gov



### INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

### APPLICATION

1618 FULTON STREET – 170304 HAK

In the matter of the application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, seeking Urban Development Action Area Project (UDAAP) designation and project approval, and disposition of private and City-owned land, in the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3 (CD 3). Such actions would facilitate the development of an 11-story mixed-use building consisting of a total of 71,417 square feet of residential floor area and 13,236 square feet of commercial retail floor area. The development will provide approximately 96 affordable housing units, with 19 units set aside for households earning up to 80 percent of AMI pursuant to the Voluntary Inclusionary Housing Program (VIH), and the remaining units at a mix of higher incomes.

BROOKLYN COMMUNITY DISTRICT NO. 3

BOROUGH OF BROOKLYN

### RECOMMENDATION

☐ APPROVE  
☒ APPROVE WITH  
MODIFICATIONS/CONDITIONS

☐ DISAPPROVE  
☐ DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

June 19, 2017

DATE



## **RECOMMENDATION FOR: 1618 FULTON STREET – 170304 HAK**

The application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, seeks Urban Development Action Area Project (UDAAP) designation and project approval, and disposition of private and City-owned land, in the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3 (CD 3). Such actions would facilitate the development of an 11-story mixed-use building consisting of a total of 71,417 square feet of residential floor area and 13,236 square feet of commercial retail floor area. The development will provide approximately 96 affordable housing units, with 19 units set aside for households earning up to 80 percent of area median income (AMI) pursuant to the Voluntary Inclusionary Housing Program (VIH), and the remaining units at a mix of higher incomes.

On May 3, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on this item. There was one speaker in support of this item, a board member of Brooklyn Community Board 3 (CB 3) speaking as an area resident, who stated that the applicant has made a sincere effort to accommodate the community's suggestions and that the project will enhance the economic development in the area.

In response to Borough President Adams' inquiry to clarify details with regard to the affordable housing, the applicant stated that 19 of the total 96 units would be for households earning up to 80 percent of AMI, pursuant to VIH, and would be permanently affordable. Twenty five percent of the units would be for households earning up to 60 percent of AMI and would be rented at \$736 for a studio unit, with a maximum income of \$32,000; \$927 for a one-bedroom unit, with a maximum income of \$40,000; \$1,121 for a two-bedroom unit, with a maximum income of \$49,000, and \$1,289 for a three-bedroom unit, with a maximum income of \$56,000. Units for households earning up to 80 percent of AMI would be rented at \$1,000 for a studio unit, with a maximum income of \$54,000; \$1,359 for a one-bedroom unit, with a maximum income of \$68,000; \$1,600 for a two-bedroom unit, with a maximum income of \$81,000, and \$1,884 for a three-bedroom unit, with a maximum income of \$94,000. Ten units for households earning up to 100 percent of AMI would be rented at: \$1,320 for a studio unit, with a maximum income of \$70,000; \$1,650 for a one-bedroom unit, with a maximum income of \$88,000; \$1,990 for a two-bedroom unit, with a maximum income of \$106,000, and \$2,300 for a three-bedroom unit, with a maximum income of \$122,000. Units for households earning up to 165 percent of AMI would be rented at \$1,728 for a studio unit, with a maximum income of \$89,000; \$2,100 for a one-bedroom unit, with a maximum income of \$112,000; \$2,600 for a two-bedroom unit, with a maximum income of \$124,000, and \$3,000 for a three-bedroom unit, with a maximum income of \$155,000.

In response to Deputy Brooklyn Borough President Diana Reyna's inquiry as to whether the developer has considered incorporating wider income tiers in order to ensure the inclusion of those typically left out due to just missing the income bracket requirements, the representative stated that they are open to further discussions with HPD.

In response to Borough President Adams' policy of providing more family-sized affordable housing units, the applicant stated that efforts will be made to target the senior population for the rental units through vouchers. The applicant will further discuss with HPD the feasibility of providing more family-sized units.

In response to Borough President Adams' policy of promoting the use of renewable and sustainable energy resources and promoting practices to retain stormwater runoff, the applicant's representative stated that the roof of the proposed development will be a white roof. The applicant has determined that Passive House design standards are not financially feasible for this

project. The applicant is open to exploring the feasibility of wind turbines and to exploring more opportunities with the New York State Energy Research and Development Authority (NYSERDA) regarding solar panels. Additionally, due to the subway line running below the front of the building, bioswales may not be feasible.

In response to Borough President Adams' policy of maximizing job opportunities for Brooklynites and procuring supplies locally through the inclusion of Local Business Enterprises (LBE) and Minority- and Women-Owned Business Enterprises (MWBE), the representative stated that they are committed to hiring locally as much as possible. Through the implementation of HPD's MWBE Build Up Program, a percentage of the City's contribution through subsidy, as well as other contributing factors, will determine an amount that would be specifically carved out for the inclusion of MWBE contracts.

### **Consideration**

CB 3 approved this application without conditions.

The requested actions pertain to three City-owned lots, collectively referred to as the project area. The developer selected by HPD will construct the proposed development on the development site, comprising the project area and five additional adjacent privately-owned lots, which are not subject to the proposed actions.

The development site is located in the southern section of the Bedford-Stuyvesant neighborhood on the Fulton Street commercial corridor. It is on a block bounded by Fulton Street to the north, Herkimer Street to the south, Albany Avenue to the west, and Troy Avenue to the east. Fulton Street is a busy commercial corridor, with a variety of nearby commercial and mixed-use buildings ranging from one to 10 stories high. The development site is located at the eastern end of the Bedford-Stuyvesant Gateway Business Improvement District, which services the commercial corridor of Fulton Street between Classon and Troy avenues.

The City-owned lots are part of the Fulton Park Urban Renewal Area, where sites were reserved for residential and/or commercial uses. In 2003, HPD received approval from the New York City Planning Commission (CPC) for disposition of these sites (along with 26 other Urban Renewal sites) for the construction of small homes. These lots were never developed, however, and the lots remain under City ownership. In 2007, the development site was upzoned to R7D with C2-4 overlay, as part of the larger Bedford-Stuyvesant South Rezoning, and an Inclusionary Housing designated area was mapped on the portion of the project area coterminous with the R7D zoning district.

There are two existing buildings on the development site: a vacant three-story, mixed-use, brick building, which was previously occupied by two residential units and a ground-floor commercial unit, as well as a vacant, one-story, concrete building, which was previously occupied by a laundromat. The remainder of the development site is vacant. Immediately to the east of the development site is a parking lot servicing the Lawrence H. Woodward Funeral Home, occupying the entire block width of Troy Avenue, between Fulton and Herkimer streets. To the west of the site is a one-story commercial structure with two storefronts housing the Brooklyn Hospital Women Infants and Children Center, as well as a Chinese restaurant. Further west on the block are The Bradford and The Garvey, two mixed-use affordable housing projects developed through the disposition of City-owned land. Across the street from the project area is the Risley Dent Towers, a six-story residential complex. Local retail establishments on Fulton Street include a bike shop, deli, dollar store, hair salon, money exchange, and pharmacy.

The development is expected to be financed with bonds issued by the New York City Housing Development Corporation (HDC) and subsidies provided by both HDC and HPD through the M2 Program. Under the current program, the units would be affordable to a range of low-, moderate-, and middle-income households with incomes at tiers up to 40, 60, and 80 percent of AMI, as well as incomes at or above 130 percent of AMI. All funding would be subject to the necessary regulatory agreements. In addition, 20 percent of these units for individuals and households earning up to 80 percent of the AMI are required to be permanently affordable under the VIH program. The remainder of the residential units of the development would initially be rent-restricted, and are anticipated to be affordable to households at a mix of incomes.

Borough President Adams supports developments that address the City's objectives by facilitating redevelopment of underutilized land for productive uses. This is especially the case with the development of affordable housing. Borough President Adams seeks for such housing to remain "affordable forever" wherever feasible. This development would result in some permanent affordable housing according to VIH as well as units remaining affordable for at least 30 years of the regulatory agreement. The VIH program provides affordable housing for households not exceeding 80 percent of AMI. When combined with the project's financing, a broad range of diverse incomes would be served, consistent with Borough President Adams' objectives of providing affordable housing to households through various income band targets. For the remaining residential floor area, there is no formal commitment that would guarantee the duration of affordability for these housing units. As tenants move out after the expiration of such a regulatory agreement, those units would no longer be a mandated affordable housing resource. Borough President Adams understands that in anticipation of the expiration of the agreement, the landlord and HPD would have discretion at that point to continue to maximize affordable housing opportunities or address other priorities through these non-MIH units.

Borough President Adams recognizes that pursuant to zoning, accessory off-street parking is not required as the site is located within the Transit Zone, exempting Income Restricted Housing Units ("IRHUs") from any parking requirements. He believes that the development's location is well-served by multiple forms of transportation options. The proposed building will provide 48 bicycle parking spaces in the cellar for residential tenants and the development site is well-served by mass transit. There are two stations served by the A Eighth Avenue Express/C Eighth Avenue Local subway line underneath Fulton Street, with a C Eighth Avenue Local stop at the Kingston-Throop avenues station, and an A Eighth Avenue Express/C Eighth Avenue Local stop at Utica Avenue. A Select Bus Service (SBS) line, SBS 46 Kings Plaza-Williamsburg runs north and south along Utica Avenue. Additional bus service is provided along Fulton Street and along Lewis Avenue/Marcus Garvey Boulevard. Additionally, the development site is located at the easternmost edge of the CitiBike network, with CitiBike stations at Utica Avenue and Fulton Street, two blocks to the east, and Albany Avenue and Fulton Street, one block to the west. Bike lanes are mapped along Pacific, Dean, and Bergen streets to the south and along Throop Avenue to the northwest.

Borough President Adams is generally supportive of the proposed development. He does believe that there are opportunities to improve the proposal while furthering his policies. He has interest in advancing his policies regarding the appropriateness of the unit bedroom mix; enhancing opportunities for community preference for homeless families, accommodating community use, access to jobs, permanent affordability, as well as advancing resilient energy and sustainable and stormwater management policies. In addition, Borough President Adams seeks opportunities for advancing the development of affordable housing on nearby government-owned land.

### **Permanent Affordability**

Creating and maintaining affordable housing continues to be a challenge in New York City. The trend of losing such affordable housing to deregulated status continues to further escalate the



challenge in maintaining an adequate supply of affordable housing. Today, more and more housing units are at risk for becoming deregulated as they approach the end of their affordability agreements and looser regulation kicks in, allowing landlords more leeway to raise the rents. In many cases, even before those restrictions are up, landlords are looking to buy these portfolios with the intention of getting the current low-income tenants out before the end of the affordability agreement.

It is Borough President Adams' policy that affordable housing units remain "affordable forever" wherever feasible. He is concerned that too many affordable units are created, with a limited regulatory term, regarding the number of years these units remain affordable. In his 2014 housing report, Borough President Adams called upon HPD to implement affordable-forever strategies so that future generations can benefit from the sound policy decisions of the current administration. In areas where new developments can be realized on City-owned sites, it should be a policy of the City to minimize the loss of affordable housing by requiring such units to remain permanently affordable.

The approximately 19 residential units that would directly result from the zoning floor area constructed pursuant to the VIH program is consistent with Borough President Adams' policy for affordable housing development to remain permanently affordable. This generated bonus floor area results in 20 percent of the residential floor area to be set aside for low-income households not exceeding 80 percent AMI. For the remaining 80 percent of the residential floor area there is no known formal commitment that would guarantee the duration that these housing units remain affordable. Regulatory agreement used by HPD has not exceeded 60 years, though have specified a lesser term. The concern is that, as tenants move out after the expiration of such regulatory agreement, those units would no longer be an affordable housing resource.

Specific measures, when implemented, can ensure that units remain as affordable housing options for the city's residents. Borough President Adams believes that as the City proceeds with disposing of its land to developers, the land disposition agreement (LDA) would be an appropriate mechanism to ensure that affordable housing remains in perpetuity. In addition, Borough President Adams seeks for affordable housing opportunities to be advanced on nearby government-owned properties.

This development site is unique in that it consists of a blend of City- and privately-acquired tax lots. Borough President Adams believes that it is reasonable for the residential floor area from City-contributed land to remain permanently affordable.

Borough President Adams believes that HPD should incorporate language, in either the regulatory agreement or LDA, to ensure that non-VIH Program housing units, directly resulting from the proportion of development rights from the City-owned lots, be permanently affordable.

### **Achieving a Family-Sized Affordable Housing Unit Mix**

According to the application documents, 1618 Fulton Street would consist of approximately 45 percent one-bedroom apartments, 26 percent studio apartments, 14 percent two-bedroom apartments, and 14 percent three-bedroom apartments. Subsequent to the hearing, the Office of the Brooklyn Borough President was advised that the unit mix was further modified by increasing the number of units to 103, which included two additional studio and one-bedroom units, 17 additional two-bedroom units and eliminated 14-three-bedroom units. A recent report identified that the rent-burdened households, which typically represent those households applying to the City's affordable housing lotteries, are more likely to require family-sized unit types. Therefore, Borough President Adams is concerned that the mix of the proposed housing units would not adequately reflect the needs of CD 3's low- to middle-income rent-burdened communities.

Borough President Adams believes that right-sizing the bedroom distribution is more important than maximizing the number of affordable housing units.

Borough President Adams believes that discretionary land use actions are appropriate opportunities to advance policies that constrain what would otherwise be permitted as-of-right. He believes that the apartments targeting households at 1618 Fulton Street where rents are set based on 60, 80, and 100 percent of AMI, presents an opportunity to achieve family-sized units for the non-elderly. He seeks to require a minimum threshold for non-independent residences for senior housing to accommodate family-sized apartments at those rents. Borough President Adams supports having at least 50 percent of two- or more bedroom affordable housing units and at least 75 percent of one- or more bedroom affordable housing units, consistent with zoning text for Inclusionary Housing floor area pursuant to ZR 23-96(c)(1)(ii), though, he considers it appropriate to have more studios when rents for studios and one-bedrooms would be affordable to seniors. However, Borough President Adams believes that even the portion of the studios and one-bedrooms with rents based on accommodating households up to 60 percent AMI would not be affordable to area seniors who need to secure affordable housing accommodations.

During the public hearing on May 3, 2017, the developer stated that, perhaps if vouchers were included with the project, then seniors could be accommodated. The developer also noted the fine line of securing the most affordable housing units versus what might be the favored unit mix. Borough President Adams believes it is appropriate for HPD to further work with the developer in order to enable the project financing to allow for more family-sized units. Steps taken to eliminate the three-bedroom units eliminate affordable housing opportunities for larger households.

Therefore, Borough President Adams seeks that HPD provide a commitment in writing to the City Council to the extent that it would work with the developer in order to enable project financing toward approximately 50 percent of the constructed dwelling units to be as two- and three-bedroom units.

#### **Advancing Resilient and Sustainable Energy and Stormwater Management Policies**

It is Borough President Adams' sustainable energy policy to promote opportunities that utilize solar panels, wind turbines, and/or blue/green/white roofs, as well as Passive House construction. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, New York State Energy Research and Development Authority (NYSERDA), and/or New York Power Authority (NYPA) at each project site. Such modifications would increase energy efficiency and reduce the development's carbon footprint. Furthermore, as part of his flood resiliency policy, Borough President Adams also encourages developers to incorporate permeable pavers and/or establish bioswales that advance the New York City Department of Environmental Protection (DEP) green-water/stormwater strategies. Bioswales, blue/green roofs, and permeable pavers would deflect stormwater from entering the City's water pollution control plants. According to the "New York City Green Infrastructure 2014 Annual Report," green infrastructure plays a critical role in addressing water quality challenges and provides numerous environmental, social, and economic co-benefits.

The developer has represented that analysis is ongoing in terms of to what extent the development might be incorporating certain resilient and sustainable measures. Based on evaluation of such feasibility, there may be additional measures that would go beyond the inclusion of a white roof improvement.

It is also appropriate for the developer to engage government agencies, such as the Mayor's Office of Sustainability, NYSERDA, and/or NYPA, to give consideration to government grants and programs that might offset costs associated with enhancing the resiliency and sustainability of this development site. One such program is the City's Green Roof Tax Abatement (GRTA), which

provides a reduction of City property taxes by \$4.50 per square-foot of green roof, up to \$100,000. The DEP Office of Green Infrastructure advises property owners and their design professionals through the GRTA application process. Borough President Adams encourages the developer to reach out to his office for any help in opening dialogue with the aforementioned agencies and further coordinating on this matter.

Prior to granting approval, the City Council should obtain the applicant's commitments in writing to the extent that it would be pursuing resiliency and sustainability measures.

### **Jobs**

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that will create more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods" in 2015, double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of our community districts experiencing poverty rates of nearly 25 percent or higher. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses and including those that qualify as LBE and MWBE is central to Borough President Adams' economic development agenda. This site provides opportunities for the developer to retain a Brooklyn-based contractor and subcontractor, especially those that are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBEs, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation).

As the funding for 1618 Fulton Street includes financing/subsidizing participation for which HPD contributes no less than \$2 million, the developer must participate in HPD's MWBE Building Opportunity Initiative's Build Up program. For these projects, at least one quarter of HPD-supported costs are to be spent on certified MWBE construction contractors and professional service providers. Borough President Adams believes that, according to the Build Up program, there would be reasonable opportunities to address demonstrated disparities in MWBE participation in the affordable housing development process. Developments mandated to participate in this program require borrowers/developers to spend at least one quarter of HPD-supported costs on certified MWBEs over the course of design and construction of an HPD-subsidized project. Developers may adopt a goal higher than the minimum. All payments to certified MWBEs performing construction or providing professional services count toward the goal. For example, payments going toward an MWBE architect or an MWBE painter will count toward the goal. As part of the process to meet the minimum participation of MWBE, prior to construction loan closing, borrowers/developers are required to complete an implementation plan to identify MWBEs either under consideration or in contract and describe what steps will be taken to meet the project's applicable MWBE participation goal. The construction loan closing document contains a set dollar value of the MWBE participation goal and requires the developer to adhere to all program requirements. During construction, there are quarterly submission requirements for documenting progress and payment made to eligible MWBE businesses. HPD stands behind this initiative with staffing to support borrowers/developers and their general contractors' efforts to meet the project's MWBE participation goal including compiling resources to help borrowers/developers and their general contractors find MWBEs.

Through HPD's initiative, Borough President Adams believes that the project developer should continue the emphasis to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and LBE and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation). To date, demolition of the existing buildings would be undertaken by a Brooklyn-based minority contracting company that includes military veteran participation.



Prior to granting approval, the City Council should obtain a commitment in writing from the developer to the extent that it would be promoting such Brooklyn-based workforce participation measures.

### **Advancing Affordable and Mixed-Use Housing Development on HPD's Fulton-Saratoga Sites**

The HPD tax lots contributing to the development of 1618 Fulton Street are in proximity of a cluster of City-owned development-ready sites a few blocks to the east along the Fulton Street corridor. In November 2014, Borough President Adams had written to then-HPD Commissioner Vicki Been urging for the agency to promptly advance this cluster of sites. His letter included consideration for a sole-source disposition of the City-owned site adjacent to St. Mark's Church given that it has a proposal for a mixed-use project that would include both church and City property for developing a new church, gospel museum, and affordable housing. Additionally, Borough President Adams had shared the interest of the Bed-Stuy Campaign Against Hunger for the larger City assemblage at Saratoga Avenue to provide a food pantry and day care services in the ground floor space. Borough President Adams is a supporter of the Bed-Stuy Campaign Against Hunger and has committed \$513,000 toward facilitating the construction of its new facility. He believes that any request for proposals (RFP) of this site should favor proposals that incorporate this important community partner. There may also be cultural entities interested in being part of a development of this location. Inclusion of cultural groups as part of a response to provide affordable housing would establish a strong cultural and educational anchor along this section of Fulton Street and would be consistent with Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space. There had been speculation that HPD would issue an RFP in 2015. Unfortunately, that was not realized.

Therefore, Borough President Adams again urges HPD to promptly advance the disposition of its Fulton-Saratoga sites in a manner that advances utilization of the available development rights from St. Mark's Church and provides for the establishment of an expanded facility for the Bed-Stuy Campaign Against Hunger and other cultural partners.

### **Community Preference: Inclusion of Homeless Shelter Student Population by School Zone**

The City's housing lottery selection preference policy includes a pathway for achieving a preference of 50 percent or more for applicants residing in the community district where such affordable housing is being provided. There are additional pathways identified for priority lottery selection to become the tenant for such affordable housing units, such as United States Armed Forces veteran status, qualified disabilities, and more. Given the extent of the increase in homeless families with school-age children entering the public shelter system, Borough President Adams believes it is appropriate for HPD to also extend lottery local preference to include the school zone and any nearby neighboring school zone attended by a child of a household residing at a City-funded or -operated homeless shelter.

This is especially important given the number of students living in homeless shelters. The New York City Independent Budget Office (IBO) recently produced a report analyzing homeless rates in schools. School student registration data identifies those residing in public shelters as Students in Temporary Housing (STH). Using data from as recently as the 2014-2015 school year, a review of the 50 schools in Brooklyn with the highest percentage of STH enrollment identifies approximately 4,300 students attending such Brooklyn schools with more than 18 percent of the enrollment categorized as STH.

Research indicates that students managing such living accommodations are most challenged in achieving optimum academic performance. Such students are more likely to lack access to

technology, such as computers, that would aid with homework and research assignments, as well as access to a quiet space to complete such assignments and study for exams. In addition, commuting from the shelter to and from the school for many students consumes significantly more time. Such commutes often make it difficult to participate in extracurricular educational and/or social school activities, which might otherwise enhance the school academic and community experience.

Many parents and students find it important to retain school continuity despite the circumstances that require the household to be dependent on the City's homeless shelter system. Borough President Adams believes that it should be the policy of the City to take actions that would eliminate such hardships. One such action would be to enable the working income-challenged households with children attending public schools to qualify for community local preference on the basis of where the child is enrolled in school.

According to the interactive map provided by the Institute for Children, Poverty, and Homelessness (ICPH), there are seven schools within a few blocks of the proposed development site, within New York City Community School Districts 13, 16, and 17 (CSDs 13, 16, and 17), containing a combined total of approximately 303 homeless students. Such students and their families should be considered as part of the 50 percent local preference.

Borough President Adams believes that HPD should modify its affordable housing apartment lottery community preference standards to include the school zone housing the school that is currently attended by a child of a household residing in a City-funded or -operated homeless shelter.

#### **Advancing Affordable Housing Through the New York State Vital Brooklyn Initiative**

In March, New York State Governor Andrew M. Cuomo announced the \$1.4 billion Vital Brooklyn initiative with the intent to transform central Brooklyn. The initiative is intended to target and invest in eight integrated areas of investment, establishing a national paradigm for addressing chronic disparities such as entrenched poverty and systemic violence in high-need communities.

The comprehensive plan is intended to focus on increasing access to open spaces and healthy food, while transforming the health care system by increasing access and quality of health care services and preventive care. Vital Brooklyn is also intended to create a stronger, more sustainable central Brooklyn by prioritizing strategic investments in affordable housing and resiliency, as well as community violence prevention, job creation, and youth development.

Vital Brooklyn intends to bring about approximately 3,000 new affordable housing opportunities at State-owned sites in a manner that encourages active lifestyles and increases access to preventive care, developed with community input. In considering the context of the proposed affordable housing development at 1618 Fulton Street, it is important to note that it shares the same block with an accessory parking lot serving Interfaith Medical Center at Herkimer Street within an R6A zoning district containing more than 55,000 square feet of residential development rights. In addition, there is a parking area fronting Albany Avenue between Atlantic Avenue and Herkimer Street adjacent to the medical center building where the complex's remaining residential development rights are available to be utilized.

Borough President Adams believes that New York State shall consider its underutilized property on its Interfaith Medical Center campus as a part of Governor Cuomo's Vital Brooklyn initiative's construction of 3,000 new multi-family affordable housing units.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to sections 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and the City Council approve this application with the following conditions:

1. That the New York City Department of Housing Preservation and Development (HPD) incorporates in either the Regulatory Agreement or Land Disposition Agreement (LDA), the following:
  - a. That the housing units resulting from the residential floor area not developed pursuant to the Voluntary Inclusionary Housing (VIH) Program and a direct result of the proportion of development rights from the City-owned lots, be permanently affordable
  - b. The extent that it would work with the developer of 1618 Fulton Street to enable the constructed Middle Income (M<sup>2</sup>) program financed dwelling units, to provide as near to 50 percent two- and three-bedroom units as a means to accommodate a greater percentage of families with children, with rents at 60, 80, and 100 percent AMI, as feasible
2. That the developer should provide a written commitment to the City Council prior to its grant of approval, to the extent that the developer would be:
  - a. Pursuing additional resiliency and sustainability measures, and
  - b. Promoting Brooklyn-based workforce participation measures

**Be It Further Resolved:**

1. That HPD:
  - a. Promptly advances the disposition of its Fulton-Saratoga sites in a manner that advances the establishment of an expanded facility for the Bed-Stuy Campaign Against Hunger and utilizes the available development rights from St. Mark's Church
  - b. Modifies its affordable housing apartment lottery community preference standards to be inclusive of the school zone housing the school currently attended by a child of a household residing at a City-funded or -operated homeless shelter, and
2. That New York State shall consider its underutilized property on its Interfaith Medical Center campus as a part of Governor Cuomo's Vital Brooklyn initiative's construction of 3,000 new multi-family affordable housing units