



Legislation Details (With Text)

**File #:** Res 0989-2019    **Version:** \*    **Name:** LU 423 - Zoning, Special Bay Street Corridor District, Staten Island (C 190179(A) HAR)

**Type:** Resolution    **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 6/26/2019

**Enactment date:**    **Enactment #:**

**Title:** Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 190179(A) HAR, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1), Borough of Staten Island, Community District 1, to a developer selected by HPD (Preconsidered L.U. No. 423; C 190179(A) HAR).

**Sponsors:** Rafael Salamanca, Jr., Francisco P. Moya

**Indexes:**

**Attachments:** 1. Land Use Calendar - Week of May 13, 2019 - May 17, 2019, 2. REVISED - Land Use Calendar - Week of May 13, 2019 - May 17, 2019, 3. Land Use Calendar - Week of June 3, 2019 - June 7, 2019, 4. Hearing Testimony - Zoning 5-14-19, 5. Hearing Transcript - Zoning 5-14-19, 6. Hearing Transcript - Zoning 6-6-19, 7. Hearing Transcript - Land Use 6-11-19, 8. City Planning Commission Approval Letter, 9. June 26, 2019 - Stated Meeting Agenda with Links to Files, 10. Committee Report, 11. Resolution, 12. Hearing Transcript - Stated Meeting 6-26-19, 13. Minutes of the Stated Meeting - June 26, 2019

Date	Ver.	Action By	Action	Result
6/11/2019	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
6/26/2019	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 989**

**Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 190179(A) HAR, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1), Borough of Staten Island, Community District 1, to a developer selected by HPD (Preconsidered L.U. No. 423; C 190179(A) HAR).**

**By Council Members Salamanca and Moya**

WHEREAS, the City Planning Commission filed with the Council on April 22, 2019 its decision dated April 22, 2019 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 539 Jersey Street a/k/a 100 Brook Street (Block 34, Lot 1) (the “Disposition Area”), approving:

a) pursuant to Article 16 of the General Municipal Law of New York State the designation of the

Disposition Area as an Urban Development Action Area;

- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the “Project”); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

to facilitate the development of approximately 223 affordable units, including 90 Affordable Independent Residences for Seniors (AIRS) and approximately 16,500 square feet of commercial and/or community facility space, which in conjunction with the related actions would support the Bay Street Corridor Neighborhood Plan, a comprehensive planning effort to foster a vibrant, mixed-use corridor with opportunities for affordable housing that connects the surrounding communities of St. George, Tompkinsville and Stapleton along a 20-block non-contiguous stretch of Bay Street in Community District 1, Staten Island (ULURP No. C 190179(A) HAR) (the (“Application”));

WHEREAS, the Application is related to applications C 190113 ZMR (Pre. L.U. No. 420), a zoning map amendment; N 190114(A) ZRR (Pre. L.U. No. 421), a zoning text amendment; and C 190115 PPR (Pre. L.U. No. 422), a disposition of City-owned property;

WHEREAS, the City Planning Commission has certified its unqualified approval of UDAAP pursuant to Article 16 of the General Municipal Law;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, by letter dated March 27, 2019 and submitted to the Council on April 2, 2019, and an updated letter dated June 6, 2019 and submitted to the Council on June 6, 2019, HPD submitted its requests (the “HPD Requests”) respecting the Application, including the submission of the project summary for the Project, as updated (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on May 14, 2019;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 11, 2019 (CEQR No. 16DCP156R) which concluded the proposed actions and A-Text Alternative as analyzed in the FEIS identified significant adverse impacts related to community facilities, open space, historic and cultural resources, transportation and construction including an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (the “E” Designation (E-429)).

RESOLVED:

Having considered the FEIS, with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those project components related to environmental and mitigation measures that were identified as practicable; and
- (4) The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 190179(A) HAR and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination and the consideration described in the report (C 190179(A) HAR) and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council finds that the present status of the Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council approves the designation of the Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on June 26, 2019, on file in this office.

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City Clerk, Clerk of The Council

**PROJECT SUMMARY**

1. **PROGRAM:** Construction **New**
2. **PROJECT:** Garage **Jersey Street**
3. **LOCATION:**
  - a. **BOROUGH:** Staten Island
  - b. **COMMUNITY DISTRICT:** 1
  - c. **COUNCIL DISTRICT:** 49
  - d. **DISPOSITION AREA:**

<u>LOT(S)</u>	<u>BLOCK</u>	<u>ADDRESS(ES)</u>
34		
4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt will be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
5. **TYPE OF PROJECT:** New Construction
6. **APPROXIMATE NUMBER OF BUILDINGS:** Three (3)
7. **APPROXIMATE NUMBER OF UNITS:** 223 dwelling units. All units except for any superintendent unit(s) will be subject to restrictions outlined in #9 and #10.
8. **HOUSING TYPE:** Rental or Homeownership

9. **ESTIMATE OF INITIAL RENTS OR SALES PRICES:** Rents for rental housing will be affordable to families with incomes between up to 30% and up to 120% of AMI. Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. Sales prices for homeownership housing will be affordable to families with incomes between up to 80% of AMI and up to 120% of AMI.
10. **INCOME TARGETS:** Between 30% and 120% of AMI for rental housing and between 80% and 120% of AMI for homeownership housing.
11. **PROPOSED FACILITIES:** Approximately 16,500 square feet of commercial/community facility space.
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Environmental Impact Statement
14. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction.