Legislation Details (With Text)

File #:	Res 1310-2020	**Version:** *	**Name:**	LU 637 - Landmarks, Rochester Suydam, Brooklyn (C 190453 HAK)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee of the Whole
On agenda:	4/22/2020			
Enactment date:			**Enactment #:**	

Title: Application No. C 190453 HAK (Rochester Suydam) submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter for the designation of an Urban Development Action Area, approval of an Urban Development Action Area Project for such area, and for the disposition of city owned property to a developer to be selected by HPD, for property located at 421-423 Herkimer Street (Block 1864, Lots 48, 49), 440-444 Herkimer Street (Block 1871, Lots 42 and 43), 35-37 Rochester Avenue (Block 1709, Lots 9 and 10), 18-22 Suydam Place (Block 1709, Lots 27, 28 and 29), 816 Herkimer Street (Block 1710, Lot 9), 329-331 Ralph Avenue (Block 1556, Lots 7 and 8) and 335 Ralph Avenue (Block 1556, Lot 3), Borough of Brooklyn, Council Districts 36 and 41, Community District 3.

Sponsors:

Indexes:

Attachments: 1. Resolution, 2. Land Use Calendar - Week of February 24, 2020 - February 28, 2020, 3. REVISED - Land Use Calendar - Week of February 24, 2020 - February 28, 2020, 4. FINAL REVISED - Land Use Calendar - Week of February 24, 2020 - February 28, 2020, 5. February 27, 2020 - Stated Meeting Agenda with Links to Files, 6. Hearing Testimony - Landmarks 2-26-20, 7. Land Use Calendar - Week of March 9, 2020 - March 13, 2020, 8. REVISED - Land Use Calendar - Week of March 9, 2020 - March 13, 2020, 9. April 22, 2020 - Stated Meeting Agenda with Links to Files, 10. Hearing Transcript - Stated Meeting 4-22-20, 11. Minutes of the Stated Meeting - April 22, 2020, 12. Committee Report

Date	Ver.	Action By	Action	Result
4/22/2020	*	Committee of the Whole	Approved by Committee	
4/22/2020	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1310

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 190453 HAK, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 421-423 Herkimer Street (Block 1864, Lots 48, 49), 440-444 Herkimer Street (Block 1871, Lots 42 and 43), 35-37 Rochester Avenue (Block 1709, Lots 9 and 10), 18-22 Suydam Place (Block 1709, Lots 27, 28 and 29), 816 Herkimer Street (Block 1710, Lot 9), 329-331 Ralph Avenue (Block 1556, Lots 7 and 8) and 335 Ralph Avenue (Block 1556, Lot 3), Borough of Brooklyn, Community District 3, to a developer selected by HPD (L.U. No. 637; C 190453 HAK).

By Council Members Salamanca and Adams

WHEREAS, the City Planning Commission filed with the Council on February 21, 2020 its decision

dated February 19, 2020 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") pursuant to:

1. Article 16 of the General Municipal Law of New York State for:

   a. the designation of property located at 421-423 Herkimer Street (Block 1864, Lots 48, 49), 440-444 Herkimer Street (Block 1871, Lots 42 and 43), 35-37 Rochester Avenue (Block 1709, Lots 9 and 10), 18-22 Suydam Place (Block 1709, Lots 27, 28 and 29), 816 Herkimer Street (Block 1710, Lot 9), 329-331 Ralph Avenue (Block 1556, Lots 7 and 8) and 335 Ralph Avenue (Block 1556, Lot 3) as an Urban Development Action Area (the "Project Area"); and

   b. approval of an Urban Development Action Area Project for the such area (the "Project"); and

2. Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

which in conjunction with the related actions would facilitate the development of seven residential buildings containing a total of approximately 78 affordable residential units in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3, (ULURP No. C 190453 HAK) (the "Application");

WHEREAS, the Application is related to applications 20205362 HAK (Pre. L.U. No. 638), a real property tax exemption pursuant Section 577 of Article XI of the Private Housing Finance Law; and 20205363 HAK (Pre. L.U. No. 639), a real property tax exemption pursuant Section 577 of Article XI of the Private Housing Finance Law;

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

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 and Section 197-d of the City Charter;

WHEREAS, by letter dated February 21, 2019 and submitted to the Council on February 25, 2020, HPD submitted its requests (the "HPD Requests") respecting the Application, including the submission of the project summary for the Project (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on February 26, 2020;

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 negative declaration issued on February 22, 2019 (CEQR No. 17HPD051K) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the

environment as set forth in the Negative Declaration.

Pursuant to Article 16 of the General Municipal Law of the New York State and Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 190453 HAK 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 April 22, 2020, on file in this office.

City Clerk, Clerk of The Council

PROJECT SUMMARY

1.	**PROGRAM:** PROGRAM	OPEN DOOR
2.	**PROJECT:** Suydam I	Rochester
3. LOCATION:		
	a. BOROUGH:	Brooklyn

b. COMMUNITY DISTRICT: 3

c. COUNCIL DISTRICT: 36

d. DISPOSITION AREA:

BLOCK	LOT
1864	48
1864	49
1871	42
1871	43
1709	9
1709	10
1709	27
1709	28
1709	29
1710	9

4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per tax lot and deliver a note and mortgage for the remainder of the appraised value (“Land Debt”).

5. **TYPE OF PROJECT:** New Construction

6. **APPROXIMATE NUMBER OF BUILDINGS:** 5

7. **APPROXIMATE NUMBER OF UNITS:** 55

8. **HOUSING TYPE:** Cooperative Units. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.

9. **ESTIMATE OF INITIAL PRICE:** Sales prices will be affordable to families with annual household incomes between 80% and 130% of the area median income (“AMI”).

10. **LIENS FOR LAND DEBT/CITY SUBSIDY:** Each of the Land Debt and the amount of any construction financing provided through loans from the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon conversion to a cooperative, the cooperative corporation will repay the Land Debt and City Subsidy, if any, attributable to the property by delivering a note and mortgage and/or conditional grant agreement to the City. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program’s restrictions.

11. **INCOME TARGETS:** Families with

annual household incomes between 80% and 130% of AMI.

12. **PROPOSED FACILITIES:** None

13. **PROPOSED CODES/ORDINANCES:** None

14. **ENVIRONMENTAL STATUS:** Negative Declaration

15. **PROPOSED TIME SCHEDULE:** Approximately 18 months from closing to completion of construction.

PROJECT SUMMARY

1. **PROGRAM:** OPEN DOOR PROGRAM

2. **PROJECT:** Rochester Suydam II

3. **LOCATION:**

a. **BOROUGH:** Brooklyn

b. **COMMUNITY DISTRICT:** 3

c. **COUNCIL DISTRICT:** 41

d. **DISPOSITION AREA:**

BLOCK	LOT
1556	3
1556	7
1556	8

4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per tax lot and deliver a note and mortgage for the remainder of the appraised value (“Land Debt”).

5. **TYPE OF PROJECT:** New Construction

6. **APPROXIMATE NUMBER OF BUILDINGS:** 2

7. **APPROXIMATE NUMBER OF UNITS:** 23

8. **HOUSING TYPE:** Cooperative Units. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.

9. **ESTIMATE OF INITIAL PRICE:** Sales prices will be affordable to families with annual household incomes between 80% and 130% of the area median income (“AMI”).

10. **LIENS FOR LAND DEBT/CITY SUBSIDY:** Each of the Land Debt and the amount of any construction financing provided through loans from the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon conversion to a cooperative, the cooperative corporation will repay the Land Debt and City Subsidy, if any, attributable to the property by delivering a note and mortgage and/or conditional grant agreement to the City. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program’s restrictions.

11. **INCOME TARGETS:** Families with annual household incomes between 80% and 130% of AMI.

12. **PROPOSED FACILITIES:** None

13. **PROPOSED CODES/ORDINANCES:** None

14. **ENVIRONMENTAL STATUS:** Negative Declaration

15. PROPOSED TIME SCHEDULE: Approximately 18 months from closing to completion of construction.

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