



Legislation Details (With Text)

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In control: Committee on Land Use

On agenda: 12/17/2020

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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 200155 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 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lots 43), Borough of Brooklyn, Community District 3, to a developer selected by HPD (Preconsidered L.U. No. 693; C 200155 HAK).

Sponsors: Rafael Salamanca, Jr., Adrienne E. Adams

Indexes:

Attachments: 1. Calendar of the Subcommittee Meetings - November 17-18, 2020, 2. November 19, 2020 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Landmarks 11-17-20, 4. Land Use Calendar - December 16, 2020, 5. Committee Report, 6. Res. No. 1517, 7. December 17, 2020 - Stated Meeting Agenda with Links to Files, 8. Hearing Transcript - Stated Meeting 12-17-20, 9. Minutes of the Stated Meeting - December 17, 2020

Date	Ver.	Action By	Action	Result
12/16/2020	*	Committee on Land Use	Approved by Committee	
12/17/2020	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1517**

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 200155 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 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lots 43), Borough of Brooklyn, Community District 3, to a developer selected by HPD (Preconsidered L.U. No. 693; C 200155 HAK).

By Council Members Salamanca and Adams

WHEREAS, the City Planning Commission filed with the Council on November 10, 2020 its decision dated November 4, 2020 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 633-639 DeKalb Avenue (Block 1774, Lots 74, 75, 76 and 77), 648-654 DeKalb Avenue (Block 1779, Lots 22, 24 and 26), 1187 Fulton Street (Block 2000, Lots 43), (the “Disposition Area”), approving:

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

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 two residential buildings and one mixed-use building containing a total of 84 affordable residential units and 1,470 square feet of commercial space in the Bedford-Stuyvesant neighborhood of Brooklyn, Community District 3 (ULURP No. C 200155 HAK) (the “Application”);

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, by letter dated November 13, 2020 and submitted to the Council on November 13, 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 November 17, 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 positive declaration, issued on June 4, 2019 (CEQR No. 18HPD078K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 7, 2020 which identified significant adverse impacts with respect to shadows that cannot be mitigated and analyzed an alternative to the Proposed Project that could avoid the significant adverse impacts related to shadows which concludes that the development of a residential building would not be feasible under this alternative (the “Positive Declaration”).

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 reasonable alternatives thereto, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable.

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 200155 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.

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 200155 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.

PROJECT SUMMARY

- 1. **PROGRAM:** EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM
- 2. **PROJECT:** DeKalb Commons
- 3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn 3
 - b. **COMMUNITY DISTRICT:** 36
 - c. **COUNCIL DISTRICT:**
 - d. **DISPOSITION AREA:**

<u>BLOCKS</u>	<u>LOTS</u>	<u>ADDRESSES</u>
1774	74, 75, 76,	77633-639 DeK;
1779	22, 24 and	26648-654 DeK;
2000	43	1187 Fulton S
- 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 or the City's capital subsidy may 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:** 3
- 7. **APPROXIMATE NUMBER OF UNITS:** 84 dwelling units, plus 1 superintendent unit
- 8. **HOUSING TYPE:** Rental
- 9. **ESTIMATE OF INITIAL RENTS** Rents will be affordable to families earning from 30% - 80% of the area median income ("AMI") Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.
- 10. **INCOME TARGETS** 30% to 80% of AMI
- 11. **PROPOSED FACILITIES:** Approximately 2,512 square feet of commercial 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

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 _____, 2020, on file in this office.

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City Clerk, Clerk of The Council