



Legislation Details (With Text)

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In control: Committee on Land Use

On agenda: 4/29/2021

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 210109 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 306 Pennsylvania Avenue (Block 3754, Lot 31), 392 Wyona Street (Block 3774, Lot 138), and 467 Vermont Street and 426 Wyona Street (Block 3791, Lot 25), Borough of Brooklyn, Community District 5, to a developer selected by HPD (Preconsidered L.U. No. 757; C 210109 HAK).

Sponsors:

Indexes:

Attachments: 1. Res. No. 1621, 2. Calendar of the Subcommittee Meetings - April 5 and 6, 2021, 3. Calendar of the Subcommittee Meetings - April 20 and 21, 2021, 4. Hearing Transcript - Landmarks 4-6-21, 5. April 22, 2021 - Stated Meeting Agenda with Links to Files, 6. Hearing Transcript - Stated Meeting 4-22-21, 7. Minutes of the Stated Meeting - April 22, 2021, 8. Land Use Calendar - April 27, 2021, 9. April 29, 2021 - Stated Meeting Agenda with Links to Files, 10. Hearing Transcript - Stated Meeting 4-29-21, 11. Minutes of the Stated Meeting - April 29, 2021, 12. Committee Report

Date	Ver.	Action By	Action	Result
4/27/2021	*	Committee on Land Use	Approved by Committee	
4/29/2021	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1621**

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 210109 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 306 Pennsylvania Avenue (Block 3754, Lot 31), 392 Wyona Street (Block 3774, Lot 138), and 467 Vermont Street and 426 Wyona Street (Block 3791, Lot 25), Borough of Brooklyn, Community District 5, to a developer selected by HPD (Preconsidered L.U. No. 757; C 210109 HAK).

By Council Members Salamanca and Riley

WHEREAS, the City Planning Commission filed with the Council on March 26, 2021 its decision dated March 17, 2021 (the "Decision"), on the application submitted by New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 306 Pennsylvania Avenue (Block 3754, Lot 31), 392 Wyona Street (Block 3774, Lot 138), and 467 Vermont Street and 426 Wyona Street (Block 3791, Lot 25), (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 three new buildings with 46 affordable rental units, eight of which would be Affordable Independent Residences for Seniors (AIRS) units, in East New York, Brooklyn, Community District 5 (ULURP No. C 210109 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 April 16, 2021 and submitted to the Council on April 16, 2021, 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 April 6, 2021;

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 October 30th, 2020 (CEQR No. 19HPD131K) (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 210109 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 Disposition 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 pursuant to Section 197-d of the New York City Charter, to a developer to be selected by HPD for the development of the Project consistent with the Project Summary.

PROJECT SUMMARY

- 1. **PROGRAM:**
NEIGHBORHOOD CONSTRUCTION PROGRAM

- 2. **PROJECT:** **New Penn**
Development I

- 3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 5
 - c. **COUNCIL DISTRICT:** 42
 - d. **DISPOSITION AREA:**
 - BLOCKS LOTS
 - ADDRESSES
 - 3754 31 306 Pennsylvania Avenue
 - 3774 138 392 Wyona Street
 - 3791 25 426 Wyona - 467 Vermont St

- 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:** 3

- 7. **APPROXIMATE NUMBER OF UNITS:** 46 dwelling units, plus one superintendent unit
- 8. **HOUSING TYPE:** Rental
- 9. **ESTIMATE OF INITIAL RENTS** Rents will be affordable to families with incomes between 30% and 80% of area median income (AMI). Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. All units will be subject to rent stabilization.
- 10. **INCOME TARGETS** Up to 80% of AMI.
- 11. **PROPOSED FACILITIES:** None
- 12. **PROPOSED CODES/ORDINANCES:** None
- 13. **ENVIRONMENTAL STATUS:** Negative Declaration
- 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 April 29, 2021, on file in this office.

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City Clerk, Clerk of The Council