CITY PLANNING COMMISSION

October 16, 2019 / Calendar No. 2 C 190409 HAK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD)

1) pursuant to Article 16 of the General Municipal Law of New York State for:

    a. the designation of property located at (Block 3766, Lot 1) as an Urban Development Action Area; and

    b. Urban Development Action Area Project for such area; and

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

to facilitate the construction of four new buildings containing approximately 195 redeveloped homeless shelter units and approximately 324 affordable housing units and commercial and community facility space, Borough of Brooklyn, Community District 5.

Approval of three separate matters is required:

1. The designation of property located at 515 Blake Avenue (Block 3766, Lot 1) as an Urban Development Action Area (UDAA); and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property to a developer to be selected by HPD.

This application for UDAAP designation, project approval and disposition of City-owned property (C 190409 HAK) was filed by HPD on May 20, 2019. Approval of this application, in conjunction with related actions, would facilitate the redevelopment of an existing 192-unit family homeless shelter with four new buildings providing approximately 324 affordable units, a new homeless family shelter with approximately 195 units, and commercial and community facility spaces located at 515 Blake Avenue (Block 3766, Lot 1) in the East New York neighborhood of Brooklyn, Community District 5.

HPD states in its application that:

> "The Project Area (Block 3766, Lot 1) consists of underutilized property that tends to impair or arrest the sound development of the surrounding community, with or without

tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The project area is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law."

RELATED ACTIONS

In addition to the UDAAP designation, project approval and disposition of City-owned property (C 190409 HAK) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

C 190410 ZMK Zoning Map Amendment to change C4-3, R6 and R6/C2-3 zoning districts to R6A, R7D/C1-4 and R7D/C2-4 zoning districts.

N 190411 ZRK Zoning Text Amendment to designate a Mandatory Inclusionary Housing (MIH) Area.

C 190421 ZSK Large-Scale General Development (LSGD) Special Permit pursuant to ZR section 74-743 to modify bulk regulations.

BACKGROUND

HPD requests UDAAP designation, project approval and disposition of City-owned property, a zoning map amendment, a zoning text amendment, and a special permit to modify bulk regulations, to facilitate the redevelopment of an existing 192-unit family homeless shelter, operated by HELP USA. The actions would facilitate the construction of four new buildings with approximately 324 affordable units, a new homeless family shelter with approximately 195 units, and commercial and community facility spaces located at 515 Blake Avenue, in the East New York neighborhood of Brooklyn, Community District 5.

The proposed project area comprises the entirety of Block 3766 (Lots 1 and 49) bounded by Sutter Avenue to the north, Hinsdale Street to the east, Blake Avenue to the south and Snediker Avenue to the west. Lot 1 is the proposed development site and is currently improved with a three-story,

192-unit family shelter operated by HELP USA. Lot 49 is a non-applicant-controlled site and is improved with a four-story, 16-unit residential building.

The project area is coterminous with sites 101A/110B of the East New York I Urban Renewal Area (URA) and is currently designated for residential use in the Urban Renewal Plan (URP). The URP was approved by the CPC in 1985 (C 860236 HUK) and by the Board of Estimate in 1986 (Cal. No. 8-A), and expires on March 6, 2026. It has since been amended four times: once in 1992 (C 910119 HUK), once in 1994 (C 940120 HUK), once in 2013 (C 130375 HUK), and once 2019 (C 190039 HUK). The URP has facilitated publicly-sponsored, affordable ownership and rental housing for low-income households, and new commercial and community facility development, helping to revitalize this portion of East New York.

East New York was once densely populated with tenement apartment buildings, but saw significant private abandonment in the 1960s leading to population loss and property vacancy. Over the last 30 years, the neighborhood has seen substantial public investment in new housing, retail, open space, and community facilities including supportive housing, facilitated in-part by the provisions of the URP.

In 1987, the City-owned proposed development site was transferred to HELP I of New York, an affiliate of HELP USA, by the New York State Urban Development Corporation. The deed stipulated that ownership of the site would revert to the City 10 years from the date of completion of the existing HELP I Plaza shelter, or such time after completion if HELP I Plaza was no longer being used as a shelter. While ownership of the development site has since reverted to the City pursuant to the deed, HELP I of New York has continued to operate HELP I Plaza as a shelter.

The project area is currently mapped with C4-3, R6 and R6/C2-3 zoning districts. The northern portion of the project area, within 150 feet of Sutter Avenue, is mapped with a C4-3 zoning district, a regional mixed-use zoning district that permits department stores, other commercial and office uses, and residential and community facility uses. C4-3 districts allow a maximum floor area ratio (FAR) of 3.4 for commercial uses, 2.43 for residential uses (R6 equivalent) and 4.8 for community facility uses, with building envelopes governed by a sky exposure plane.

The remainder of the project area is mapped with R6 and R6/C2-3 zoning districts. R6 zoning districts are medium-density residential zoning districts that allow buildings pursuant to either height factor regulations or optional Quality Housing regulations. R6 districts allow residential uses up to a maximum FAR of 2.43 for height factor buildings, or an FAR of 2.2 or 3.0 for Quality Housing buildings on narrow or wide streets, respectively. They also allow community facility uses up to an FAR of 4.8. A C2-3 commercial overlay is mapped to a depth of 150 feet along Blake Avenue, and allows a maximum FAR of 2.0 for commercial and local retail uses. The project area is also located within the Transit Zone, which allows for a waiver of parking for developments that include affordable housing.

The surrounding area is generally developed with a mix of low- and medium-density residential, commercial, community facility, and industrial uses, and is primarily mapped with R6 zoning districts, and R6/C2-3 and R6/C1-3 zoning districts along major neighborhood corridors.

To the immediate west of the project area along Snediker Avenue, the block frontage contains primarily two- to four-story homes, including two-story modular homes built in the late 1990s, mapped with an R6 zoning district. Further to the north and west of the project area, the East New York Industrial Business Zone contains low-rise industrial buildings, parking lots, and vacant land, and is mapped with M1-4 and M1-1 zoning districts. The area along the elevated tracks of the L-train, located one block west along Van Sinderen Avenue, is comprised of industrial and commercial uses, including auto body shops and warehouses.

To the immediate east of the project area along Hinsdale Street, the block frontage consists of primarily two-story houses dating to the late 19th century and vacant land, and is mapped with an R6 zoning district. Further east of the project area along Sutter Avenue, the corridor is lined with three- to six-story mixed-use buildings with ground-floor commercial and community facility uses with residential above, and the corridor is mapped primarily with C4-3 and R6/C1-3 zoning districts.

To the south of the project area along Blake Avenue is Genesis Homes, a four-story residential building with 150 units, developed in 1991 and operated by an affiliate of HELP USA. Southwest

along Snediker and Blake avenues are Genesis Neighborhood Plaza I and II, two five- and six-story residential buildings with a total of 150 units of affordable and supportive housing, which were developed in 2000 and 2010, respectively, and include set-asides for survivors of domestic violence, and formerly-homeless families and veterans. The blocks further south and east of the project area along Blake Avenue are comprised primarily of two- to three-story residential buildings, six-story New York City Housing Authority's Unity Plaza and Long Island Baptist Houses campuses, and the six-story Remeeder Houses complex. The majority of the surrounding area is mapped with R6 zoning districts, and R6/C2-3 and R6/C1-3 zoning districts along major neighborhood corridors.

The surrounding area also contains several public facilities, including the Hyde School charter elementary school located on the north side of Blake Avenue between Williams and Alabama avenues. Open space and recreational uses in the surrounding area include a small playground associated with the Long Island Baptist Houses and the playground of the Hyde School, as well as daycare and pre-kindergarten facilities to the east of the project area.

The surrounding area is well served by public transportation. The L subway line runs along Van Sinderen Avenue one block to the west and has a stop at Sutter Avenue, and the 3 subway line is located one-quarter mile to the southwest with a stop at Junius Street. The B14 bus runs east-west along Sutter Avenue.

HPD proposes to replace the existing HELP I Plaza shelter complex with an approximately 387,000 square-foot mixed-use development containing approximately 239,000 square feet of residential floor area, approximately 131,700 square feet of community facility floor area, approximately 12,300 square feet of commercial office space for shelter staff, and approximately 3,900 square feet of non-residential space fronting Sutter and Blake avenues. The proposed development would comprise four buildings: Building A would consist of a replacement, 146,000-square-foot family shelter with 195 units at the northern end of the development site; Building B would be an approximately 40,500-square-foot affordable and supportive housing building with 71 units on Hinsdale Street; Building C would be an approximately 58,000-square-foot affordable

housing building with 79 units on Hinsdale Street; and Building D would be a 142,000-square-foot affordable housing building with 176 units on Blake and Snediker avenues.

Building A – Family Shelter

Building A is a proposed nine-story family shelter located on the northern end of the development site, with a base height of 65 feet and a maximum building height of 92 feet (approximately 102 feet tall including bulkhead). A portion of the uppermost three stories would set back approximately 25 feet from the Sutter Avenue street wall, and a portion of the uppermost two stories would set back approximately 25 feet from the Hinsdale Street street wall. The building would set back approximately 10 feet at grade along Sutter Avenue and on a portion of Snediker Avenue, and portions of the development site would be landscaped. The building would contain approximately 126,000 square feet of community facility floor area, including 195 family shelter units; approximately 5,500 square feet of Use Group 4 community facility floor area, including a daycare facility on the ground floor; approximately 12,350 square feet of accessory office space at the ground floor for shelter staff; and approximately 1,835 square feet of ground floor retail space along Sutter Avenue. The shelter would have two entrances, one located near the corner of Sutter Avenue and Hinsdale Street and another located near the corner of Sutter and Snediker avenues. The ground floor retail or community facility use entrance would be located along Sutter Avenue. Amenities would include a children's playroom/parenting room and learning center/computer training center on the ground floor, and a multi-purpose room, two laundry rooms, and required storage for 15 bicycles in the cellar.

Building B – Supportive Housing

Building B is a proposed eight-story affordable and supportive housing building on Hinsdale Street immediately south of Building A, rising to a height of approximately 82 feet (approximately 92 feet including bulkhead). An at-grade setback of approximately 10 feet would be provided along Hinsdale Street, portions of which would be landscaped. Building B would contain approximately 40,450 square feet of residential floor area, consisting of 71 units of affordable housing (including 43 supportive units for families and individuals), accessory social services for building residents, and one superintendent's unit. The residential and community facility entrances would be located

along Hinsdale Street and amenities would include a community room on the ground floor, and a multi-purpose room, laundry room, and required storage for 36 bicycles in the cellar.

Buildings C and D – Affordable Housing

Building C is a proposed six-story residential building located on Hinsdale Street immediately south of Building B, rising to a height of approximately 62 feet (approximately 72 feet including bulkhead). An at-grade setback of approximately 10 feet would be provided along Hinsdale Street, portions of which would be landscaped. Building C would contain approximately 58,400 square feet of residential floor area consisting of 79 units of affordable housing with an entrance located along Hinsdale Street. Amenities in Building C would include a multi-purpose room, exercise room, laundry room, and required storage for 40 bicycles in the cellar.

Building D is a proposed 10-story building located along the western side of the development site, with frontage along Snediker and Blake avenues. Along Snediker Avenue, the building would be six stories, rising to a height of approximately 63 feet (approximately 73 feet including bulkhead), with the uppermost story set back seven feet from the street. Along Blake Avenue, the building would rise 10 stories, to a height of approximately 103 feet (approximately 113 feet including bulkhead), with a setback ranging between 22 to 27 feet above the eighth story. An at-grade setback of approximately 10 feet would be provided along Snediker Avenue, where portions of the front setbacks would be landscaped. The building would contain approximately 142,300 square feet of floor area and contain 175 units of affordable housing, including 12 ground-floor maisonette apartments. Approximately 2,100 square feet of ground floor local retail space would be located along Blake Avenue, while the residential entrances would be located along Blake and Snediker avenues. Amenities in Building D would include a multi-purpose room, community room, exercise room, laundry room, and required storage for 88 bicycles in the cellar.

At the center of the development site, in the rear yard of each building and primarily at-grade with the cellar level, there would be a 26,000-square-foot landscaped courtyard that would include trees, plantings, seating areas, and play areas, and a large sloping turf lawn. Approximately 7,000 square feet of this open space would be reserved for occupants of the family shelter building and daycare.

The proposed development would seek Enterprise Green Communities certification for all buildings. The affordable and supportive buildings (buildings B, C, and D) are expected to be built to NYSERDA Tier 2 standards and the two affordable buildings (buildings C and D) are expected to be built to Passive House standards. The applicants are proposing to maintain or plant 50 street trees pursuant to zoning requirements, and they are proposing no accessory off-street parking spaces, as the development site is located within a Transit Zone.

To facilitate the proposed development, the applicants are requesting four actions: a UDAAP designation, project approval, and disposition of City-owned property; a zoning map amendment to rezone the project area from C4-3, R6, and R6/C2-3 zoning districts to R7D/C2-4, R6A, and R7D/C1-4 zoning districts; a zoning text amendment to designate the site as an MIH Area; and a LSGD special permit to modify bulk regulations and redistribute floor area.

UDAAP (C 190409 HAK)

HPD proposes a UDAAP designation, project approval, and disposition of City-owned property to dispose of the development site (Block 3766, Lot 1), currently developed with a three-story family shelter building with 192 units, to HELP USA. HPD has advised that the UDAAP area designation and project approval were deemed necessary to enable the City to use General Municipal Law authority for certain actions required for the development of the proposed project.

Zoning Map Amendment (C 190410 ZMK)

HPD proposes to rezone the existing C4-3, R6, and R6/C2-3 zoning districts to R7D/C2-4, R7D/C1-4, and R6A zoning districts across the entire project area (Block 3766, Lots 1 and 49). The proposed zoning districts include an R7D/C2-4 district located within 150 feet of Sutter Avenue, where Building A would be built, an R7D/C1-4 district located within 100 feet of Blake Avenue, where a portion of buildings C and D would be built, and an R6A district covering the remaining midblock portion of the zoning lot, where Building B and portions of buildings C and D would be built.

R7D zoning districts facilitate contextual medium-density residential buildings, allowing a maximum residential FAR of 5.6 with Inclusionary Housing, and a maximum community facility

FAR of 4.2. R7D zoning districts with Inclusionary Housing allow a maximum building base height of between 60 and 95 feet, above which the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street, before rising to a maximum height of 115 feet.

The proposed C1-4 and C2-4 commercial overlays allow a range of local-serving commercial uses up to a maximum FAR of 2.0, have low off-street parking requirements, and typically result in ground-floor retail or service uses within mixed-use buildings. Mapping the C2-4 commercial overlay with an R7D zoning district would mandate non-residential uses on the ground floor.

R6A zoning districts typically facilitate contextual medium-density residential buildings, allowing a maximum residential FAR of 3.6 with Inclusionary Housing, and a maximum community facility FAR of 3.0. R6A zoning districts with Inclusionary Housing allow a maximum building base height of between 40 and 65 feet, above which the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street, before rising to a maximum height of 85 feet.

Zoning Text Amendment (N 190411 ZRK)

The proposed zoning text amendment would modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) Area on the entirety of Block 3766. The MIH Area would be mapped with Option 1. Option 1 requires that at least 25 percent of the residential floor area be provided as housing permanently affordable to households with incomes at an average of 60 percent of the area median income (AMI). Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI, and with no units targeted to households with incomes exceeding 120 percent of the AMI.

Zoning Special Permit (C 190421 ZSK)

The applicants are requesting a LSGD special permit pursuant to ZR section 74-743 to modify bulk regulations, as defined in the proposed drawing set included in the application, and to redistribute floor area across the development site. The applicants are proposing to shift approximately 20,000 square feet of community facility floor area from the R7D/C1-4 portion of the zoning lot and approximately 3,000 square feet of community facility floor area from the midblock R6A portion of the zoning lot to the R7D/C2-4 zoning district. The applicants have stated

redistributing the floor area across the zoning lot would facilitate the development of Building A. Additionally, pursuant to the LSGD drawings, the applicants are proposing to modify the proposed building envelopes to further limit the allowable building heights within the R6A portions of the zoning lot.

ENVIRONMENTAL REVIEW

The application (C 190409 HAK), in conjunction with the applications for the related actions (C 190410 ZMK, N 190411 ZRK, and C 190421 ZSK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 19HPD058K. The lead agency is HPD.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on May 16, 2019.

UNIFORM LAND USE REVIEW

The application (C 190409 HAK), in conjunction with the applications for the related actions (C 190410 ZMK and C 190421 ZSK), were certified as complete by the Department of City Planning on May 20, 2019 and duly referred to Brooklyn Community Board 5 and the Brooklyn Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for the zoning text amendment (N 190411 ZRK), which were referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Brooklyn Community Board 5 did not hold a public hearing on the application and did not submit a recommendation.

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 190409 HAK) on July 2, 2019 and on September 11, 2019 issued a recommendation to approve the application with the following conditions:

"1. That the disposition of city-owned property pursuant to 190409 HAK be subject to the New York City Department of housing Preservation and Development (HPD) incorporating into its Land Disposition Agreement (LDA) or Regulatory Agreement with HELP Development Corporation a requirement that the development to be subject to the following:

   a. In order to file the New York City Department of Building (DOB) for the issuance of the Certificate of Occupancy (C of O) for the transitional shelter housing development, such application should be required to include a letter from the new York City Department of Homeless Services (DHS) that certifies that it has permanently ceased transitional shelter housing from any combination of cluster housing units and/or hotel room accommodations that were still in utilization in Brooklyn Community District 5 (CD5) and/or Brooklyn Community District 16 (CD 16) of not less than the number of units of housing/rooming units subject to the pending C of O.

   b. That initial occupancy of the transitional shelter housing facility be coordinated with DHS to realize placements prioritizing households formerly living in CD 5 or 16, households with children attending nearby schools, or households now accommodated in transitional shelter housing in CD 5 or 16.

   c. That for the supportive housing development, memorialize intent to identify (to the extent practical) potential tenants among former residents of in CDs 5 and 16, and/or those being accommodated in transitional housing these districts.

   d. That for the affordable housing development, memorialize intent to identify (to the extent practical) potential tenants among those former residents of in CDs 5 and 16, households with children attending nearby schools now housed in shelters and/or transitional housing the district.

   e. Reserve a percentage of multi-bedroom apartments to house formerly homeless families.

f. Increase the proportion of non-supportive, affordable housing units at 30, 40, 50, and 60 percent Area Median income (AMI) to not less than 50 percent of the housing units not set-aside for formerly homeless households.

g. Include within the supportive housing/low income building units at 40 and 50 percent AMI, and provide studio and/or one-bedroom units at such income tiers to increase housing lottery opportunities for seniors.

h. Memorialize strategies to target eligibility and outreach to seniors, including those who are formerly homeless, for studio and one-bedroom units with rents based on 30, 40, and 50 percent of AMI.

i. Utilize a combination of locally-based affordable housing development non-profits o serve in a role in promoting affordable housing lottery outreach and readiness.

j. Set aside the commercial space for one or more local non-profit organizations such as arts and/or cultural entities at below-market terms, as warranted.

k. Intended additional resiliency and sustainability measures as incorporating blue/green/white roof treatment, passive house construction principles, rain garden additions and preservation, and solar panels or panel readiness in the development.

2. A demonstration of HELP Development Corporation's commitment to coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of expanded tree pits and Dep rain gardens as part of the builders Pavement Plan, in consultation with Brooklyn Community board 5 (CB 5) and local elected officials.

3. Coordination of CROSS Brooklyn implementation with DEP, DOT, and NYC Parks for the installation of curb extensions at the northeast corner of Blake and Snediker avenues (where there is already a painted crosswalk), the northwest corner of Blake Avenue and Hinsdale Street, the southeast corner of Snediker and Sutter avenues, and/or the southwest corner of Hinsdale Street and Sutter Avenue either as part of a builders Pavement Plan or as treated roadbed sidewalk extensions.

4. Demonstration of HELP Development Corporation's commitment to enter into a standard DOT maintenance agreement for those intersections, and coordination with DEP, DOT, and NYC Parks regarding the provision of protected painted areas at the intersections of Blake Avenue and Hinsdale Street, Snediker and Sutter avenues, and/or Hinsdale Street and Sutter Avenue, with the understanding that such improvements would not proceed prior o consultation with CB 5 and local elected officials.
5. That the CPC and/or City Council modify the requested applications as follows:
    a. The application 190410 ZMK's proposed R7D districts along Blake and Sutter avenues be changed to R7A.
    b. The application 190421 ZSK for the granting of a large-scale general development special permit pursuant to New York City Zoning Resolution (ZR) Section 74-743 ("Special Provisions for Bulk Modification") be modified to conform with R7A zoning bulk and within the sections of the block proposed to be rezoned R6A, limit roof height to not more than 60 feet.

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) modify its affordable housing lottery community preference standards to include the school zone, thus capturing the population of public school children residing at City-funded or -operated shelters.
2. That HPD extend local preference to also include residents or portions of Brooklyn Community District 16 (CD 16) residing in the City Council District 42.
3. That the City Planning Commission (CPC) and/or the City Council call for the modification of the Mandatory Inclusionary Housing (MIH) section of the New York City Zoning Resolution (ZR) pertaining to MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status (allow for exceptions to the 30 percent of income threshold for households paying the same or more rent than what the housing lottery offers) to qualify for such affordable housing units pursuant to MIH."

City Planning Commission Public Hearing

On August 28, 2019 (Calendar No. 1), the City Planning Commission scheduled September 11, 2019 for a public hearing on this application (C 190409 HAK), in conjunction with the applications for the related actions (C 190410 ZMK, N 190411 ZRK and C 190421 ZSK). The hearing was duly held on September 11, 2019 (Calendar No. 27). Seven speakers appeared in favor of the application and one in opposition.

Three speakers from the project team spoke in favor of the application. A representative of HPD provided an overview of the proposed development and land use actions, including the existing and proposed zoning districts. A member of the applicant team also provided a description of the proposed development, emphasizing both the shelter and the social programs and space that would be available for community use. The project architect described the proposed design elements, noting that the proposed development would increase the number of entrances and activity on the streets. He also described the process of developing the massings of the proposed buildings in context of the surrounding are. A representative of the development team stated that the development team has an existing portfolio of facilities in the area, noting that the existing shelter on the development site was built as a temporary building and represents an important location for their operations. He also explained the relocation and transition plan for the families living in the existing shelter, the levels of affordability, the criteria that guided the design of the shelter, the proposed development's financing and the construction plan. Furthermore, the architect and applicant representative explained the rationale for separating the shelter open space from the rest of the courtyard, as well as the location of the ground-floor uses and the maintenance plan for the landscaped areas.

There were three additional speakers in support representing HELP USA. They described the existing conditions and programmatic needs of the existing shelter, noting that the typical population using their facilities are mother head-of-households with two children. They also described the existing supportive programs active in the area and the educational programs that would be available for the future tenants of the proposed development.

A Rockaways resident spoke in opposition to the proposed actions.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 190409 HAK) for the UDAAP designation, project approval and disposition of City-owned property, in conjunction with the applications for the related actions (C 190410 ZMK, N 190411 ZRK and C 190421 ZSK), is appropriate.

The proposed actions will facilitate the redevelopment of the existing HELP USA 192-unit family homeless shelter with four new buildings that will contain approximately 326 units of affordable housing, approximately 130,000 square feet of community facility floor area, including 195 shelter units, and approximately 12,000 square feet of accessory office space.

Given the site's proximity to the MTA L-train at Sutter Avenue, as well as retail and nearby community facilities, the site is an opportune location for supportive and affordable housing. Under MIH Option 1, the proposed development will be required to provide 25 percent, or approximately 59,000 square feet of floors area (81 units), as permanently affordable housing for families at an average of 60 percent of the AMI.

The existing 192-bed family shelter was originally built by HELP USA in 1988 to serve as safe, temporary housing for homeless families awaiting permanent affordable housing. However, while the building is well cared for and secure, and features a central landscaped recreation area for shelter residents, it has far outlived its intended 10-year lifespan.

The proposed actions will facilitate the redevelopment of the development site with a state-of-the-art shelter that will replace all existing family units and include a children's playroom, parenting room, computer and learning center, a multi-purpose room and social services rooms, as well as add 326 units of much-needed supportive and affordable housing. The buildings have been designed to maximize light and air to surrounding streets and buildings, as well as to create architectural and urban design variety and quality. The building entrances and ground-floor uses have been strategically located to maximize activation on the streets to provide access to retail and

social services, and to enhance safety for residents of the proposed development and the surrounding community.

The proposed development will support the City's efforts to revitalize the area with housing and services by adding new, much-needed affordable housing for working-class families with retail and social services near transit. The additional new residents will add to the customer base of local businesses in the surrounding area, helping to strengthen the local commercial shopping strip along Sutter and Blake avenues.

Zoning Map Amendment (C 190410 ZMK)

The Commission believes that the proposed zoning map amendment (C 190410 ZMK) to change the existing C4-3, R6 and R6/C2-3 zoning districts to R7D/C2-4, R6A and R7D/C1-4 zoning districts, is appropriate. R6A is a medium-density zoning district that facilitates mid-rise apartment buildings. R7D is a medium-density district intended for transit and retail corridors, that, when paired with a commercial 'overlay' district, requires non-residential uses on the ground floors of new buildings to promote an active and safe streetscape. C1-4 and C2-4 are commercial 'overlay' districts that allow local retail and services along neighborhood shopping corridors and have a reduced parking requirement.

The proposed residential districts will increase the maximum floor area ratio for residential uses to allow for more housing with requirements for permanent affordable housing in furtherance of the City's Housing New York affordable housing plan. The increased density is appropriate along the Sutter Avenue and Blake Avenue neighborhood retail corridors to promote new housing with affordable housing near local subway and bus service. The contextual envelopes of the proposed districts will ensure that the street wall of the proposed buildings will be consistent with the existing built character along the avenues. The proposed C1-4 and C2-4 zoning districts will front on the Blake Avenue and Sutter Avenue retail corridors, facilitating active ground floor spaces with needed retail and services to enliven these streets and enhance safety for building and neighborhood residents.

The Commission believes that these zoning map changes, in conjunction with the zoning text amendment designating a MIH Area, and the special permit to allow the modification of building heights and transfer of floor across zoning district boundaries, would allow for an appropriate density, building form and mix of uses for the project area.

Zoning Text Amendment (N 190411 ZRK)

The Commission believes that the proposed zoning text amendment (N 190411 ZRK) is appropriate. The proposed action will designate a new MIH Area coterminous with the project area and be consistent with City objectives of promoting the production of affordable housing. With the proposed MIH Option 1, new developments within the project area will be required to permanently dedicate 25 percent of new residential floor area to affordable housing with average affordability at 60 percent of the AMI.

Zoning Special Permit (C 190421 ZSK)

The Commission believes that the proposed special permit (C 190421 ZSK) pursuant to ZR Section 74-743, modifying bulk regulations in the LSGD, is appropriate. The proposed building form, bulk and location of uses across the site will result in a site plan that is superior than what could be achieved pursuant to the proposed zoning districts.

The proposed special permit will lower the allowed heights of buildings on Snediker Avenue and Hinsdale Street, and require building setbacks at street level and after a maximum base height. Along Snediker Avenue and Hinsdale Street, the height of the proposed buildings within the R6A districts will be reduced from 85 feet to 68 feet and to six stories. The shelter building on Sutter Avenue and the buildings on Snediker Avenue will set back 10 feet from the street line. The proposed special permit will also allow the distribution of community facility floor area across the four buildings that share a single zoning lot without regard to the zoning district boundaries.

The Commission notes, that, in combination, these modifications by the special permit will result in a superior site plan. The site plan's widened sidewalks and lower building heights will provide more light and air to the surrounding streets and be more reflective of the built character across Snediker Avenue and Hinsdale Street from the development site. The distribution of community

facility floor area will facilitate the replacement of the existing shelter with a state-of-the-art family shelter and develop new, additional affordable housing. Furthermore, the proposed site plan would appropriately concentrate bulk and active uses along Sutter and Blake avenues to enhance the commercial uses and activity along these corridors. The proposed development will not unduly increase bulk on any one block, but rather will distribute bulk across the block to the northern and southern ends.

The surrounding streets do not typically contain heavy traffic volumes and the traffic resulting from the proposed development is expected to be low due to the proximity to public transit and nearby services. It is expected that the primary mode of transportation to and from the proposed development will be by transit or by walking from nearby areas. Sidewalks are adequate to handle the increased pedestrian traffic resulting from the proposed development, and residential and community facility entrances will be located along all sides of the streets to minimize any pedestrian congestion on the avenues, while also promoting active sidewalks.

Regarding the Borough President's recommendation that the proposed R7D districts be reduced to R6A, the Commission notes that the proposed R7D district along established retail and transit corridors represents a rational land use pattern that is sensitive to existing context while maximizing the opportunity to create housing on the development site. Any reduction to the proposed densities would also result in a reduction of floor area and the City's ability to provide family shelter, and supportive and affordable housing units for working families, as proposed. The Commission notes that the site plan and building controls of the special permit are devised in accordance with urban design principles developed in close coordination by Department of City Planning and HPD staff. The Commission also notes that the recommendation would reduce the community facility density further than the existing R6 zoning district, which would be beyond the scope of the proposed actions.

Regarding the Brooklyn Borough President's recommendation that filed drawings be modified, the Commission notes that the drawings submitted in the filed application represent a design that resulted from careful collaboration with the Department of City Planning's urban design staff to ensure an optimal site plan for the LSGD, with appropriate consideration given to the unique site

conditions and proposed program. Further, a reduction of the proposed heights would hinder the proposed project's ability to deliver important affordable housing units to the neighborhood, the borough and the city.

Regarding the Borough President's additional recommendations to reduce the number of cluster housing units in Community Districts 5 and 16, deepen overall project affordability, prioritize formerly homeless families and seniors, increase housing lottery support and outreach in the local community, improve the public realm, resiliency and sustainability, and set aside commercial space for non-profit organizations, the Commission notes that these recommendations are outside its purview and the scope of this application, though it does encourage the applicant to consider these recommendations and work with local stakeholders.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 515 Blake Avenue (Block 3766, Lot 1) in the Borough of Brooklyn as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further **RESOLVED,** that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

a) the designation of properties located at 515 Blake Avenue (Block 3766, Lot 1) as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council find that:

i. The present status of the area tends to impair or arrest sound development of the municipality;

ii. The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act, is necessary to enable the project to be undertaken; and

iii. The project is consistent with the policy and purposes stated in the Section 691 of the Urban Development Action Area Act, and

BE IT FURTHER RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration of this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 515 Blake Avenue (Block 3766, Lot 1) in Community District 5, Borough of Brooklyn, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 190409 HAK), duly adopted by the City Planning Commission on October 16, 2019 (Calendar No. 2), is filed with the Office of the Speaker, City Council and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, Esq., *Vice Chairman*
DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III, MICHELLE de la UZ, JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
120 Broadway, 31st Floor, New York, NY 10271
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 #: 515 BLAKE AVENUE – 190409 HAK, 190410 ZMK, 190411 ZRK, 190421 ZSK
Applications submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for a series of actions affecting a block bounded by Blake Avenue, Hinsdale Street, Snediker Avenue, and Sutter Avenue:

a. Pursuant to Article 16 of the General Municipal Law of New York State for the designation of property located at Block 3766, Lot 1 as an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) for such area, and pursuant to Section 197-c of the New York City Charter, for disposition of City-owned land
b. A zoning map amendment to eliminate a C2-3 overlay from an existing R6 district, change R6 and C4-3 districts to R6A and R7D, and establish C1-4 and C2-4 overlays on the southern and northern side of the block, respectively
c. A zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area for the project area
d. A grant of a Large-Scale General Development (LSGD) special permit pursuant to New York City Zoning Resolution (ZR) Section 74-743 ("Special Provisions for Bulk Modification") to waive bulk regulations pursuant to ZR Section 77-22 ("Zoning Lots not Existing Prior to Effective Date or Amendment of Resolution") to redistribute floor area across the development site in a more contextually appropriate manner

Such actions would facilitate the construction of four new buildings containing approximately 195 homeless shelter units and 324 affordable housing units, as well as commercial and community facility space in Brooklyn Community District 5 (CD 5).

COMMUNITY DISTRICT NO. 5 — BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE
☒ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

SEE ATTACHED

BROOKLYN BOROUGH PRESIDENT

September 10, 2019
DATE

RECOMMENDATION FOR: 515 BLAKE AVENUE – 190409 HAK, 190410 ZMK, 190411 ZRK, 190421 ZSK

The New York City Department of Housing Preservation and Development (HPD) submitted applications pursuant to Sections 197-c and 201 of the New York City Charter for a series of actions affecting a block bounded by Blake Avenue, Hinsdale Street, Snediker and Sutter avenues:

a. Pursuant to Article 16 of the General Municipal Law of New York State for the designation of property located at Block 3766, Lot 1 as an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP) for such area, and pursuant to Section 197-c of the New York City Charter, for disposition of City-owned land
b. A zoning map amendment to eliminate a C2-3 overlay from an existing R6 district, change R6 and C4-3 districts to R6A and R7D, and establish C1-4 and C2-4 overlays on the southern and northern side of the block, respectively
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Such actions would facilitate the construction of four new buildings containing approximately 195 homeless shelter units and 324 affordable housing units, as well as commercial and community facility space in Brooklyn Community District 5 (CD 5).

On July 2, 2019, Brooklyn Borough President Eric L. Adams held a public hearing on these applications. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the qualifying income range for prospective tenants for both the low-income and the supportive housing units, the anticipated rents for each unit type, and how long these units are required to be rented at affordable rates, the applicant clarified that the Extremely Low & Low-Income Affordability (ELLA) building would set aside 77 apartments for persons in the shelter system, at 30 percent Area Median Income (AMI) (with a mix of studios and one-bedroom units), which would be funded partly through HPD's OurSpace Initiative. Among the units not intended for formerly homeless households, there would be 13 at 30 percent AMI, 13 at 40 percent AMI, and 13 at 50 percent AMI, which would be partly cross-subsidized by units at 70 and 80 percent AMI. The HPD representative clarified that the 50 percent local preference policy would not apply to the 77 units intended for the formerly homeless. For units at 30 percent AMI, qualifying incomes would range from $20,166 to $29,961, while rents will range from $434 to $650 per month. For units at 40 percent AMI, qualifying incomes will range from $27,635 to $41,058, with monthly rents between $622 and $928. For units at 50 percent AMI, qualifying incomes would range from $35,104 to $52,155, while rents will range from $808 to $1,206. For units at 70 percent AMI, qualifying incomes will range from $50,042 to $74,349, with monthly rents between $1,181 and $1,759. For units at 80 percent AMI, qualifying incomes would range from $57,511 to $85,445, while rents would range from $1,367 to $2,037. Within the supportive and affordable housing building, 43 units, consisting entirely of studios, will be reserved for supportive housing tenants, with an additional 27 apartments (a mix of studios, as well as one- and two-bedroom units) will be offered to households at 60 percent AMI. Qualifying incomes for these apartments would range from $36,491 to $63,252, with monthly rents ranging from $844 to $1,484.

Borough President Adams noted that targeting rents to households earning an average of 60 percent AMI would disqualify too many East New York seniors who are rent burdened or at risk of displacement. In response to Borough President Adams' inquiry as to how the envisioned project financing could enable rents affordable to households at 30 and 40 percent AMI, the representative suggested varying the mix of studio and one-bedroom apartments within the 30 percent of low-income units set aside for the formerly homeless. Creating more one-bedroom units, and converting the studios to 30 and 40 percent AMI, would allow more family households to qualify for such units, and increase opportunities for seniors in the housing lottery. The representative also expressed interest in using Low Income Housing Tax Credits (LIHTC), which permit income averaging, to enable more one-bedroom units within the supportive housing component.

In response to Borough President Adams' inquiry as to whether one of the community's affordable housing administering agents would be used in the tenant selection process in order to ensure the highest level of participation from CD 5, and whether the applicant's marketing strategy would include a financial literacy campaign to assist local residents in becoming lottery-eligible, the applicant noted that the HELP Development Corporation has successfully retained the East New York Local Development Corporation (ENYLDC) as a housing ambassador on other projects. The developer expects to work with the non-profit to conduct lottery readiness efforts. The applicant also plans to hire additional property management staff to assist potential tenants in the lease-up process.

In response to Borough President Adams' inquiry as to what consideration has been given to providing affordable retail or community facility space for local arts and cultural non-profit organizations, the applicant disclosed that the development would have two commercial spaces, on Blake and Sutter avenues. The Sutter Avenue space is intended for small businesses and startups in the community, and would be underwritten at $5 per square foot (sq. ft.). The Blake Avenue space would be made available to community organizations at approximately $14 per sq. ft. The representative also recognized the importance of providing arts and cultural programming in the supportive housing building. The design would include a garden-level space intended as a theater or dance studio. The applicant is seeking to offer such space to a local arts organization for either a nominal rent or free of charge.

In response to Borough President Adams' inquiry regarding the incorporation of sustainable features such as blue, green, or white roof coverings, passive house design, permeable pavers, New York City Department of Environmental Protection (DEP) rain gardens, and/or solar panels, the applicant stated that rain gardens were recently installed along both Hinsdale Street and Snediker Avenue that will be preserved and protected during construction. The representative noted that two of the proposed buildings would be designed to passive house standards. The applicant is seeking to install planting tray systems on the intended white roofs, utilize detention tanks and the roof to retain water onsite, and implement other energy-efficient and water-conserving measures.

The representative noted that HELP intends to place every family in the shelter into permanent housing prior to demolition. In addition, supportive services would target crisis prevention, economic empowerment, health and wellness, individual and group counseling, substance abuse and mental health, as well as other concerns. Shelter residents would receive case management, financial literacy, and housing readiness as well as placement, among other services. The proposed shelter would also include a child care center that would be open to all families in the other three buildings, other HELP buildings in the area, and the community at large. Additionally, the organizations plans to relocate its domestic violence programs, which currently serve 4,000 people in East Brooklyn, to the proposed development.

Consideration

Brooklyn Community Board 5 (CB 5) has not yet taken a position on this application. The intended development site is a City-owned lot of 95,000 sq. ft. that covers approximately 95 percent of the affected block. The City parcel is currently occupied by HELP I Plaza, a three-story, 124,000 sq. ft. family shelter constructed in 1988. The building contains 192 transitional housing units, an early childhood education facility for approximately 80 children, staff offices, and a small hospital. The other lot, at the corner of Blake Avenue and Hinsdale Street, has an area of 5,000 sq. ft. and is improved with a four-story, 16-unit residential building. As the applicant does not own this site, it has been excluded from the proposed large-scale development application.

The New York State Urban Development Corporation (NYSUDC) conveyed the project site to HELP in 1987 to facilitate the construction of a homeless shelter with the provision that ownership would revert to the City 10 years after completion. The City is now seeking to dispose the site to enable the proposed development at 515 Blake Avenue.

The requested actions would replace the existing HELP I Plaza shelter complex with the four new buildings intended to contain approximately 387,100 sq. ft. of mixed-use development. The development would consist of a newly-constructed shelter to house 195 homeless households, a supportive housing-funded building, and two affordable housing buildings. These affordable and supportive developments would provide for approximately 326 housing units. The developments would contain a child care facility, social service offices, as well as approximately 16,300 sq. ft. of commercial area, including approximately 12,350 sq. ft. within the shelter building reserved for office use, and 3,940 sq. ft. for retail occupancy on Blake and Sutter avenues. The proposed development includes 26,000 sq. ft. of interior open space consisting of plantings, seating areas, and a play area. Approximately 7,000 sq. ft. would be accessory to the shelter, while the remaining 19,000 sq. ft. would be utilized by the other buildings.

The intended new shelter facility would be along Sutter Avenue, extending between Hinsdale Street and Snediker Avenue, and extend for 140 feet along those roads. The building would rise to a height of nine stories (92 feet), with 1,835 sq. ft. for a retail store fronting Sutter Avenue. The facility would provide enclosed storage for 15 bicycles.

The mixed supportive and low-income housing building would be constructed on the east side of the development site, with approximately 115 feet of frontage on Hinsdale Street. The building would rise to a height of eight stories (82 feet), with 71 dwelling units. According to the application, 43 of these would be supportive housing units, 27 would be affordable housing units for singles and families, and the remaining unit would be for the building's super. Social services for the supportive housing residents would be delivered onsite. The building would provide enclosed storage for 36 bicycles.

The smaller of the two affordable housing buildings would be constructed immediately south of the building containing the supportive housing units along Hinsdale Street. The building would rise to a height of six stories (62 feet) with 79 dwelling units. The larger of the two affordable housing buildings would be constructed along the Blake and Snediker avenue frontages. The building would rise to a height of six stories (63 feet) on Snediker Avenue and 10 stories (103 feet) on Blake Avenue. It would contain 175 affordable housing units, and approximately 2,100 sq. ft. for a retail store fronting Blake Avenue. Together, there would be enclosed storage for 128 bicycles in these buildings. Also, they would provide 77 housing units reserved for the formerly homeless out of 255 affordable housing units.

The development block is split between two zoning districts. The northern portion, comprising approximately 30,000 sq. ft., falls within a C4-3 district that spans Sutter Avenue between Snediker and Pennsylvania avenues. The middle and southern portion is located in an R6 district, with a C2-3 overlay mapped to a depth of 150 feet on the north and south sides of Blake Avenue.

The current zoning does not permit the proposed bulk and height for the envisioned 515 Blake Avenue development. As such, the applicant is seeking to modify the existing non-contextual C4-3 and R6/C2-3 zones to contextual districts that enable higher-density. With entire block proposed to be mapped as an MIH Area, permanent affordable housing floor area would be required for a percentage of the newly-constructed residential development. For the Sutter Avenue-facing portion, the proposed rezoning would change the C4-3 district to R7D/C2-4. An R7D district, also regulated by the MIH provisions, has a maximum community facility floor area ratio (FAR) of 4.2, and up to 5.6 FAR with residential use. On the Blake Avenue side, the proposed rezoning would change the R6/C2-3 district to R7D/C1-4, which would also be mapped to a depth of 100 feet. This would permit the proposed 10-story affordable housing building. The mid-block portion would be changed from R6, a height-factor zoning district, to R6A, which permits a maximum height of 80 feet and an FAR of 3.6 pursuant to MIH.

In all, the requested zoning map amendments would result in three new zoning districts on the block. In addition to these actions, the applicant seeks a special permit to redistribute up to 20,000 sq. ft. of floor area from the Blake Avenue-oriented R7D/C1-4 district, and up to 3,000 sq. ft. from the midblock R6A district to the Sutter Avenue-oriented R7D/C2-4 district. Doing so would concentrate a greater percentage of the LSGD bulk on the block's Sutter Avenue frontage, and correspondingly, reduce the height of the proposed development's midblock portions. The LSGD generally stipulates a smaller maximum building envelope along side streets than the absolute height permitted by the zoning district, in order to preserve the low-rise scale of buildings on those streets, and maintain their access to light and air. The suggested justification is that the grant of the special permit would facilitate an overall better relationship between the proposed buildings and the built context of the adjacent streets. In addition, redistribution of floor area in the manner described would result in an arguably better site plan for the proposed shelter, and a more modern shelter facility based on design concepts derived from City-sponsored public discussions.

It should be noted that while these changes would facilitate a higher-density development than what is currently permitted, the requested R6A and R7D districts would mandate contextual building envelopes according to New York City Zoning Resolution (ZR) Quality Housing regulations. Such street wall building massing with absolute building heights is not required by the existing zoning.

The surrounding context is low- to medium-density with a mix of commercial, industrial, and residential fabric. The East New York Industrial Business Zone (IBZ) is contained within an M1-4 district that extends along the north side of Sutter Avenue. The IBZ block directly across the street from the proposed shelter building also contains commercial use. This area also contains a predominance of one-family homes, most notably the two-story modular houses on Snediker Avenue built through the Nehemiah housing program in the late nineties. Denser residential uses of up to six stories can be found south of Blake Avenue. These are primarily affordable housing developments operated by HELP USA, including Genesis Homes at 330 Hinsdale Street (built in 1991), Genesis Neighborhood Plaza I at 360 Snediker Avenue (built in 2000), and Genesis Neighborhood Plaza II at 350 Snediker Avenue (built in 2010). In addition, there are three New York City Housing Authority (NYCHA) sites: Unity Plaza, Long Island Baptist Houses, and Redeemer Houses. Finally, there are many community facilities, such as churches, homeless shelters, and schools.

The proposed development is one of several significant affordable and supportive housing projects taking shape in the area as a result of the East New York Neighborhood Plan, approved in 2016. These include cluster sites throughout Brownsville and East New York involving the disposition of City-owned vacant land to affordable housing developers, and Marcus Garvey Village, an LSGD of seven buildings containing more than 500 units, primarily along Livonia Avenue in CD 16. The CD 16 section of the Livonia Avenue corridor is also slated for improvements such as commercial activation, cultural programming, and traffic calming measures.

Brooklyn is one of the fastest growing communities in the New York metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of longtime residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through the creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites.

Moreover, in East New York, and across New York City, there is a pressing need for affordable and stable housing, among elderly adults, first-time homebuyers, homeless households, low-income families, single college graduates, and those with special needs. Increasing the supply of affordable apartments for a range of incomes and household types in mixed-use buildings is a critical strategy for promoting a sustainable neighborhood and city.

Borough President Adams supports the development of underutilized land for productive uses that address the City's need for additional affordable housing. The land use actions would be consistent with Mayor de Blasio's goal of achieving 300,000 affordable housing units over the next decade, according to "Housing New York: A Five-Borough, Ten-Year Plan," through the development of affordable and supportive housing for the city's most vulnerable residents.

Borough President Adams also supports the strategy of integrating supportive housing into a community by interspersing such units in the same building with low-income housing units for larger households, with 40 percent of occupants being families that typically earn up to 60 percent AMI. This proposal is generally consistent with recent City policy changes that blend supportive housing units within affordable housing developments that target 40 percent of apartments to low-income households. Tenants are assigned to such apartments through the City's affordable housing lottery, which includes 50 percent local preference, for occupants earning up to 80 percent AMI based on recent modifications to the LIHTC. As a mission-driven non-profit developer, HELP Development Corporation would be expected to ensure capable administration of the proposed housing as a permanent affordable and supportive housing resource.

In areas where new developments can be realized on City-owned sites, Borough President Adams supports the disposition of such sites for affordable housing development. Borough President Adams also seeks for such housing to remain permanently affordable in order to minimize the loss of affordable housing across the borough. Where HPD has designated for-profit companies to develop affordable housing, the duration of such affordable housing is often driven by financial considerations. Standard regulatory agreements used by government agencies typically span 30 or 50 years. When these terms expire and tenants move out, the units are no longer required to remain affordable. The disposition of the 515 Blake Avenue property to an affordable housing developer and social services provider would be predicated on the entering into a 60-year regulatory agreement with HPD would ensure that all 255 units within the two affordable housing units would remain affordable much longer than comparable developments.

Borough President Adams supports zoning actions that result in a permanently affordable residential floor area. As a result of the proposed text amendment to designate this block an MIH area, a percentage of the development would be permanently affordable. Under the ownership of the HELP Development Corporation, a mission-driven affordable housing provider, it is anticipated that all such floor area would remain affordable in perpetuity, consistent with the policies of Borough President Adams.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates 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 the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis.

Borough President Adams supports the development of permanent housing opportunities for those seeking refuge in transitional accommodations. Together, the 43 supportive housing units and the intended 77 units reserved for the formerly homeless at 515 Blake Avenue would provide permanent housing opportunities for such households.

Borough President supports the development of sound housing facilities with support services to shelter those affected by homelessness. While he seeks to have such households placed in permanent housing, Borough President Adams supports the City's efforts to create a supply of accommodations that would enable the administration to rapidly liquidate its portfolio of cluster apartments and shelter hotels. Furthermore, he believes the ultimate goal should be to reduce overall system capacity through homeless prevention measures combined with an increased supply of affordable housing for those who would be otherwise unable to secure it.

Additionally, promoting Brooklyn-based businesses, including those that qualify as LBEs and MWBEs, 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 who are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs who meet or exceed standards per Local Law 1 (no less than 20 percent participation).

As 515 Blake Avenue funding includes financing for which HPD contributes no less than $2 million, HELP Development Corporation would be required to participate in HPD's MWBE Building Opportunity Initiative's Build Up program, and meet the State's additional labor participation requirements. Borough President Adams believes that, based on the Build Up program and State requirements, there would be reasonable opportunities to address demonstrated disparities in LBE/MWBE participation in affordable housing development process. Development projects that receive HPD subsidies are required to spend at least one quarter of HPD-supported costs on certified MWBEs during the course of design and construction. Developers may adopt a goal higher than the minimum.

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 who 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).

Borough President Adams believes that the site could accommodate greater density than what is currently built. The development block is well-served by public transportation. The closest subway line is the 14th Street-Canarsie Local L train, at the Sutter Avenue station. The Seventh Avenue Express 2 and 3 trains are available at Junius Street and Pennsylvania Avenue stations on Livonia Avenue, seven blocks away. The B14 bus travels along Sutter Avenue, stopping directly in front of the development. The Blake and Sutter avenue block fronts are suitable for height oriented along these end-of-block roads.

Borough President Adams is generally supportive of the proposed development. However, he believes that its development should be dependent on a reduction of the number of transient cluster housing and/or shelter units in CDs 5 and 16, as well as how those homeless and formerly homeless that would be benefiting from the development would be identified. In addition, he seeks permanently affordable housing opportunities for formerly homeless with children, providing more opportunities for seniors, maximizing community opportunity to secure affordable housing, providing opportunity for local cultural

entities, incorporating resilient/sustainable energy and stormwater management practices, and advancing Vision Zero policies. With regard to the affordable housing lottery, Borough President Adams believes that HPD should modify its community preference standards to include the local homeless student population, and for this project, extend local preference for the affordable housing lottery to residents of Brooklyn Community District 16 (CD 16), within the 42nd City Council District. Additionally, he calls on the City Planning Commission (CPC) and the City Council to modify MIH regulations so as to qualify rent-burdened households for affordable housing developed pursuant to MIH.

Achieving a Reduction in the Number of Transient Cluster Housing and/or Shelter Units in CDs 5 and 16

According to the Coalition for the Homeless, New York City's homeless shelter population has risen to more than 60,000 individuals, of whom one third are children. These numbers speak to the challenge of providing safe and sufficient transient accommodations for those in need. Borough President Adams supports Mayor de Blasio's plan to move away from substandard cluster housing and hotels for homeless families and individuals, by establishing additional transient shelter accommodations in newly constructed and renovated developments. This initiative has resulted in several built and planned facilities in Brooklyn, including 271 Rogers Avenue in Crown Heights, 535 and 555 Fourth Avenue in South Slope, as well as 2200 Neptune Avenue in Coney Island. These projects are representations of ongoing intent that will allow the City to close inadequate facilities, while addressing the growing need for sleeping accommodations until permanent housing can be secured.

Borough President Adams understands that on a per-unit basis, providing transient shelter housing is not cost-effective compared to efforts that result in the creation of permanently affordable housing. Moreover, such developments often provide targeted supportive services that municipal shelters do not. While there tends to always be a need for transient shelter housing, it should be a priority to reduce the duration of shelter stays, as well the high number of people utilizing such accommodations.

Borough President Adams supports the construction of transient shelter accommodations at the proposed Sutter Avenue location. However, he believes that the City should continue to advance actions that would minimize the reliance on a costly shelter system. He seeks the advancement of a more cost-efficient and more humane model that prioritizes homeless avoidance through initiatives such as City-provided legal representation in Housing Court, extensions of expiring affordable housing regulatory agreements, as well as an enhanced supply of newly-developed permanent housing. It has been documented that providing housing units at affordable rents, including units designed and produced to accommodate supportive housing populations, are less expensive than maintaining transient shelter accommodations. Such housing provides stable housing stock to serve the homeless population while also integrating residents into the community.

Borough President Adams recognizes the need for supportive housing options to accommodate circumstantially homeless families and individuals, including persons with various addictions, and/or cognitive and/or physical disabilities. Borough President Adams has been a champion of the many supportive housing proposals that have come before him during the ULURP process and especially endorses those developments that mix low-income apartments and supportive family/individual housing units on the same floors. In addition, he has been a strong advocate for HPD's Our Space Initiative, in which 10 to 20 percent of the affordable housing in a development is set aside for formerly homeless and/or shelter households.

The 515 Blake Avenue proposal includes 43 supportive housing units as part of the intended supportive/low-income building fronting Hinsdale Street near Sutter Avenue and 77 units intended for those previously residing in transient accommodations, scattered through the low-income buildings fronting Blake and Snediker avenues, and Hinsdale Street. As more permanent units become available, steps should be taken to reduce the capacity of area transient shelters consisting of cluster apartments

and/or hotels. The proposed development presents a three-pronged opportunity to realize such capacity reduction including long-term affordable housing solutions, inclusive of supportive housing, for formerly homeless households, as well as newly-constructed transient shelter accommodations. This development warrants strong consideration for phasing out transitional shelters, including cluster housing units and/or hotel room accommodations in the Brownsville and East New York communities. While Borough President Adams understands that the reconstruction of the existing shelter is an important part of the proposed project, he seeks to relieve the burden of homeless shelters and transitional housing in CDs 5 and 16, and better integrate homeless families and individuals into the neighborhood.

Borough President Adams believes that the HELP Development Corporation's ability to provide new shelter units at 515 Blake Avenue should be contingent upon a corresponding reduction in transitional shelter housing capacity in Brownsville and/or East New York. Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from HPD clarifying how its Land Disposition Agreement (LDA) or Regulatory Agreement with the HELP Development Corporation would ensure that the proposed development is subject to the following requirement: That, in order to file for a Certificate of Occupancy (C of O) for the transitional shelter housing development with the New York City Department of Buildings (DOB), the developer be required to provide a letter from the New York City Department of Homeless Services (DHS) certifying that it has permanently ceased transitional shelter housing from any combination of active cluster housing units and/or hotel room accommodations in CDs 5 and 16, of not less than the number of shelter units subject to the pending C of O.

Maximizing Community Prioritization for the Proposed Sutter Avenue Transient Shelter Housing Units

Among those seeking refuge in the City's transitional shelters are households that formerly resided in CD 5 or 16, those with children who attend local schools, and those in local transitional shelters. Such households would greatly benefit from opportunities to return to the area, or secure better transitional accommodations within the proposed development. For example, for households with children attending local schools, re-establishing residency in CD 5 or 16 would likely reduce absenteeism, and improve educational attainment. Households already in transitional shelter accommodations in Brownsville or East New York could secure high quality transient shelter accommodations with better amenities and services.

The intended 195 transient shelter housing units in the Sutter Avenue-facing building would be filled via DHS referrals to HELP USA. Borough President Adams believes that the redevelopment of the HELP USA shelter facility should help stem displacement of families and individuals with a connection to the area. He calls on DHS to incorporate such considerations into standard operating procedures for its referral process. Doing so would enable the agency to identify households with communal ties to Brownsville and East New York, and maximize their occupancy of the proposed Sutter Avenue shelter.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from HPD clarifying how its LDA or Regulatory Agreement with the HELP Development Corporation would memorialize intent to coordinate initial occupancy of the transitional shelter housing with DHS so as to prioritize households formerly living in CD 5 or 16, families with children attending nearby schools, or persons residing in transitional shelter housing within CD 5 or 16, for placement in the new facility.

Maximizing Community Prioritization for both the Low-Income and Supportive Housing Units Allocated for Households Formerly Residing in Transient Shelter Housing

In addition to the intended 195 transient shelter units on Sutter Avenue, the proposed development will provide 43 units of single-person occupancy supportive housing and 77 units of affordable housing

for formerly homeless households. Borough President Adams believes that these units represent an important opportunity to create stable accommodations for shelter residents, and reduce the possibility of future displacement.

Regardless of whether they reside in transitional or stable accommodations, families and individuals develop support systems within their community. When households are displaced from familiar neighborhoods, they lose vital support systems, and endure longer commutes to jobs and schools. Longer travel times can bring about other hardships, especially for homeless families that require child care arrangements.

Borough President Adams is especially concerned about homeless students, who comprise a significant percentage of the school-age population in Brownsville and East New York. Research indicates that students living in temporary accommodations face greater challenges in attaining academic success. Relative to their non-homeless counterparts, these students tend to miss more days of school, resulting in high absentee rates, poor academic performance, and reduced graduation rates. These students are also more likely to lack access to technology such as computers to aid with homework assignments, as well as access to a quiet space for schoolwork and study. Commuting between a school and family shelter creates a significant time burden for many students, making it difficult to participate in enrichment activities such as community and extracurricular experiences.

As with the transient shelter housing units, Borough President Adams believes that DHS should work to place households connected to CDs 5 and 16 in these apartments, including those formerly residing in Brownsville and East New York, those with children attending local schools, and those residing in transient shelters in the area.

Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from HPD clarifying how its LDA or Regulatory Agreement with the HELP Development Corporation would memorialize intent to coordinate initial occupancy of the transitional shelter housing with DHS to prioritize households formerly living in CD 5 or 16, families with children attending nearby schools, or persons residing in transitional shelter housing within CD 5 or 16, for placement in the new facility.

Incorporating Permanently Affordable Housing Opportunities for Formerly Homeless Family Households

According to the Coalition for the Homeless, families make up nearly three-quarters of the municipal shelter population. Borough President Adams believes that new housing opportunities for the formerly homeless should reflect the needs of families, as well as individuals. According to the represented bedroom mix, 515 Blake Avenue would provide 36 studios and 41 one-bedroom apartments for the formerly homeless, as well as 43 studios for formerly homeless persons requiring supportive services. Such a mix would not accommodate families with children. Borough President Adams believes that it is essential that households with children taking refuge in transient shelters be accommodated among the bedroom types being provided, to maximize their chances of securing permanent affordable housing. Single-person households in shelters generally require both permanent accommodations and social services. Supportive housing accommodations are often designed with the assumption of single-person occupancy, which results in studios and/or one-bedroom units.

Borough President Adams believes that the proposed development should prioritize providing homeless families with children the opportunity to transition from the DHS shelter system into permanent affordable housing. Given the need for family-sized units, and the developer's intent to provide 43 supportive housing studios at 515 Blake Avenue, there is no compelling rationale to configure the 77 units reserved for the formerly homeless as studios and one-bedroom units.

Therefore, Borough President Adams seeks to right-size the bedroom mix within the floor area earmarked for formerly homeless households, by setting aside a percentage of two- and three-bedroom units within 515 Blake for formerly homeless families with children. This can be achieved by reducing the number of studio and one-bedroom units, while reconfiguring such floor area into units with more rooms.

Borough President Adams believes that, prior to considering the application, the City Council should obtain commitments, in writing, from HPD clarifying how its LDA or Regulatory Agreement with the HELP Development Corporation would memorialize intent to set aside a percentage of multi-bedroom units for formerly homeless families.

Providing More Deeply-Affordable Housing, Including Units for Senior Citizens

Achieving Deeper Affordability for More Apartments

As represented at Borough President Adams' hearing, the (non-supportive) affordable housing units at 515 Blake Avenue would be targeted to households at 30, 40, 50, 70, and 80 percent AMI. According to HPD, 30 percent of the units would be set aside for the formerly homeless; 15 percent would be offered at 30, 40, and 50 percent AMI (with five percent at each tier); 26 percent would set at 70 percent AMI, and 29 percent would be targeted at 80 percent AMI. Excluding the supportive housing units, this means that just over 21 percent of the affordable housing units would be available to households at 30 to 50 percent AMI.

Given that 32 percent of CD 5 residents are severely rent-burdened, Borough President Adams is concerned that, even with local preference for at least 50 percent of the units, 515 Blake Avenue would not provide sufficient opportunity for East New York households. Borough President Adams is concerned that even with local preference intended for at least 50 percent of the units, too few East New York residents in need of affordable housing would qualify for these apartments.

Borough President Adams believes that, in order to provide more opportunities for residents of CD 5, and to strive to achieve and perhaps exceed the 50 percent local preference mark, a substantial number of units in excess of 60 percent AMI should be set aside for qualifying households with incomes at less than 60 percent AMI, including more at such 30, 40, and 50 percent AMI categories. However, he realizes that reducing the rent roll would not result in a financially viable, affordable housing development. Therefore, in order to balance the goals of the project and make it more affordable to East New York households while maintaining financial viability, a percentage of the units would need to be targeted toward moderate-income households earning up to 80 percent AMI. Consistent with the applicant's financing model, this would help offset the reduced rent roll based on incorporating additional units with rents at 30, 40, and 50 percent AMI, as well as introducing 60 percent AMI qualifying units.

In March 2018, Congress modified the LIHTC program to allow income averaging. Under the rules, developers utilizing the credit may target households at up to 80 percent AMI in order to offset lower rents for low-income households, provided that the average income/rent limit in the project does not exceed 60 percent AMI. As an additional requirement, at least 40 percent of the units in an LIHTC project must have an average income level of no more than 60 percent AMI and the rents for these units must not exceed 30 percent of the qualifying income level.

Borough President Adams believes that income averaging presents an opportunity to achieve a greater number of affordable units for households with earnings not exceeding 50 percent AMI. Therefore, in order to provide more units at lower AMIs, the City Council should obtain commitments, in writing, from HPD clarifying how its LDA with HELP Development Corporation would memorialize the inclusion of additional non-supportive, affordable housing units at 30, 40, and 50 percent AMI, as well as

introducing qualifying units at 60 percent AMI, which would jointly account for no less than 50 percent of the non-supportive affordable housing units.

Targeting Deeper Affordability, for Smaller Units, to Senior Citizen Households

Another rationale for increasing the number of units at 30, 40, and 50 percent AMI is the pressing need to provide affordable housing for an aging population with limited financial means. Older New Yorkers are a rapidly growing segment of the city's population, with more than 300,000 seniors residing in Brooklyn. As noted in the New York City Department of City Planning (DCP)'s Zoning for Quality and Affordability (ZQA) study, New York's senior population is expected to grow 40 percent by 2040. The study noted that lotteries conducted by HPD for senior housing developments drew 60 applicants for every senior apartment. According to a recent study by LiveOn NY, there are 200,000 New Yorkers aged 62 and older on the City's affordable housing waiting lists, while the average wait for a senior apartment is seven years.

Providing opportunities for seniors to secure quality affordable housing and remain in their communities is a priority for Borough President Adams. In an era in which the Federal government has moved away from funding affordable housing for seniors, too few affordable apartments for seniors are being produced, leaving tremendous demand for age-based affordable housing in Brooklyn. As a result, many elderly households are experiencing an increased rent burden to remain in their homes, exhausting their life savings just to keep up with day-to-day living until they are unable to remain in the areas where they have lived for many years.

While Borough President Adams typically seeks a 50/50 blend of studios, one-bedroom, two-bedroom, and three-bedroom units, he believes that when studio and one-bedroom apartments are rented at or below 40 percent AMI, such apartments might be more affordable to senior households. As proposed, the building fronting Hinsdale Street nearest to Sutter Avenue is being funded through the supportive housing program. It would contain 43 supportive housing units for the formerly homeless, which could be occupied by a formerly homeless senior based on supportive housing needs as well as 27 one- and two-bedroom affordable housing units at 60 percent AMI. Rents for such units would present a condition where senior households would be unlikely to qualify for the affordable apartments. As for the two low-income affordable housing buildings fronting Blake and Snediker avenues and Hinsdale Street off Blake Avenue, these buildings would contain a total of 255 affordable housing units, with 77 apartments reserved exclusively for the formerly homeless households. These formerly homeless apartments are envisioned to consist of 36 studios and 41 one-bedroom units. It is possible that such units might be occupied by formerly homeless elderly households. Of the remaining 178 units, 78 percent would be set at 70 and 80 percent AMI, including 66 one-bedroom units. For the remaining units, only 39 units would be at 30, 40, and 50 percent AMI, with most intended for family occupancy. Therefore, senior households would realistically have extremely limit access to even qualify for these the affordable housing lottery units.

In terms of supportive housing-funded projects HPD is not required to distribute bedroom types evenly among income tiers. Also, given the income averaging flexibility afforded to LIHTC projects, HPD would have extensive latitude to adjust the bedroom mix so as to generate more studios and one-bedroom apartments, and target such units at primarily 40 percent AMI, with some at 50 percent AMI. This would result in more affordable rental opportunities for seniors living on modest pension and Social Security income. Therefore, in order to maximize opportunities for seniors, the building being funded through the supportive housing program should be re-envisioned by HPD and HELP Development Corporation as a means to diversify the bedroom mix of the 27 low-income housing units through the introduction of studio units, and earmarking such studio and some one-bedroom units for 40 and 50 percent AMI household income limits.

Regarding both low-income buildings, Borough President Adams believes that for the units not reserved exclusively for formerly homeless households, the recommended increase in the percentage of all units offered at 30, 40, and 50 percent AMI, in tandem with the introduction of some studio units, would avoid restricting senior households' access to the affordable housing lottery. It is reasonable to assume that such AMI priorities, combined with a greater share of studio and one-bedroom apartments at 515 Blake Avenue, as well as a targeted marketing campaign, would result in a larger proportion of lottery apartments awarded to senior households.

Therefore, in order to accommodate senior citizen households, the City Council should obtain commitments, in writing, from HPD clarifying how its LDA or Regulatory Agreement with HELP Development Corporation would memorialize the inclusion of studios and one-bedroom units at 40 and 50 percent AMI within the supportive housing/low-income building. The LDA or Regulatory Agreement should also clarify what assistance would be provided to senior households, including those who are formerly homeless, to increase their eligibility for studio and one-bedroom units at 30, 40, and 50 percent AMI within the entire development.

Maximizing Community Participation in the Affordable Housing Lottery

It is Borough President Adams' policy to advocate for affordable housing non-profits to play a contributing role in maximizing community participation in neighborhood affordable housing opportunities, including serving as administering agents for new developments involving low- and moderate-income housing. When mission-driven non-profits play a role in affordable housing projects, such developments are likely to remain permanently affordable.

As the developer, HELP Development Corporation would enter into a regulatory agreement with HPD to govern the project's affordable housing plan. It would be charged with ensuring that all 255 non-supportive affordable housing units comply with the regulatory agreement. This may involve verifying a prospective tenant household's qualifying income, and approving the rents of affordable housing units. HELP Development Corporation would attest to HPD that the initial lease-up of the affordable housing units is consistent with the income requirements, and follow up to ensure compliance.

Borough President Adams recognizes that CD 5 is served by several non-profit housing advocates that could supplement the developer's efforts. These include CAMBA, East Brooklyn Congregations (EBC), the LDCENY, and MHANY, all of which have proven track records of marketing affordable housing units and promoting affordable housing lottery readiness through educational initiatives.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments, in writing, from HPD that its LDA or Regulatory Agreement with HELP Development Corporation would memorialize utilizing one or more locally-based affordable housing development non-profits to serve a role in promoting affordable housing lottery outreach and readiness.

Set Aside Portion of Commercial Space for Local Cultural Entities

Borough President Adams believes that development on City-owned land should seek to maximize public benefit such as affordable housing. He also recognizes that, like residents, local businesses and cultural organizations benefit from affordable rents that allow them to remain in the community.

It is one of Borough President Adams' policies to assist community-based non-profit organizations with securing affordable space. These organizations play an important role in the neighborhoods they serve, though it is too often a challenge to secure sufficiently affordable space in order to grow and maintain their operations. Many cultural organizations have contacted Borough President Adams seeking assistance in securing space to expand and sustain their programming. In response to those concerns,

Borough President Adams' policy is to review discretionary land use actions for their appropriateness to promote cultural activities.

In June 2016, Borough President Adams released "All the Right Moves: Advancing Dance and the Arts in Brooklyn," a report examining the challenges facing artists in the borough, along with accompanying recommendations. The report highlighted the benefits of arts and dance, including maintaining physical fitness and enjoying creative self-expression, as well as contributions to the vibrant culture of Brooklyn. Borough President Adams finds many challenges facing the local arts community, such as an absence of diversity — fewer than half of the individuals working in dance in Brooklyn are people of color based on 2000 United States Census data. Additionally, funding for the arts has decreased dramatically in New York City in recent years, including by 37 percent from the New York State Council of the Arts (NYSCA), 15 percent from the National Endowment for the Arts (NEA), and 16 percent from the New York City Department of Cultural Affairs (DCLA).

Data show that such cultural activities create a variety of positive contributions, including combating the borough's high rate of obesity — as of 2016, 61 percent of adults are overweight or obese, according to the New York State Department of Health (NYSDOH) — and helping children succeed in school, a finding supported by research released by the Citizens' Committee for Children of New York, Inc. Demand for cultural programs continues to grow across Brooklyn. A 2015 report from the Center for an Urban Future found a 20 percent increase in attendance at events organized by local cultural institutions since 2006.

Borough President Adams believes that the location of the proposed development is well-suited for inclusion of community and cultural activities. The presence of such uses at 515 Blake Avenue would benefit tenants of the proposed shelter, the supportive housing units, and the affordable housing buildings.

As proposed, 515-Blake Avenue would contain approximately 3,165 sq. ft. of commercial floor area. Borough President Adams believes that a portion of such space could be marketed to local arts or cultural groups, and/or locally-based community organizations. However, he is aware that such uses cannot afford to compete with the rent that retail uses would likely pay to lease at this location.

HELP Development Corporation has expressed interest in offering commercial space within 515 Blake Avenue to arts/cultural organizations and local businesses at reduced rents. Borough President Adams seeks to memorialize such intent as part of the proposed development. Therefore, prior to considering the application, the City Council should obtain commitments, in writing, from HPD that its LDA or Regulatory Agreement with HELP Development Corporation would memorialize setting aside a portion of the commercial space for local non-profit organizations such as arts and/or cultural entities at below-market lease terms, as warranted.

Furthermore, to the extent that the City Council seeks to provide below-market rents to accommodate such arts and/or cultural organizations, HELP Development Corporation should actively solicit such organizations, based on reasonable lease terms, as determined in consultation with CB 5 and local elected officials.

Advancing Resilient and Sustainable Energy and Stormwater Management Policies

It is Borough President Adams' sustainable energy policy to promote opportunities that utilize blue/green/white roofs, solar panels, and/or wind turbines, as well as passive house construction. He encourages developers to coordinate with the New York City Mayor's Office of Sustainability, NYSERDA, and/or the New York Power Authority (NYPA) at each project site. Such modifications tend to increase energy efficiency and reduce a development's carbon footprint. Development at 515 Blake Avenue offers opportunities to explore resiliency and sustainability measures such as incorporating

blue/green/white roof finishes, passive house construction principles, and solar panels in the development.

Furthermore, as part of his flood resiliency policy, Borough President Adams also encourages developers to introduce best practices to manage stormwater runoff such as incorporating permeable pavers and/or establishing rain gardens that advance DEP green infrastructure strategy. Borough President Adams believes that sidewalks with nominal landscaping and/or adjacent roadway surfaces are potential resources that could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy. In addition, blue/green roofs, permeable pavers, and rain gardens would divert stormwater from the City's water pollution control plants.

According to the "NYC Green Infrastructure 2017 Annual Report," green infrastructure plays a role in addressing water quality challenges and provides numerous economic, environmental, and social benefits. The required Builders Pavement Plan provides an opportunity to incorporate rain gardens along the development's Blake Avenue, Hinsdale Street, Snediker Avenue, and/or Sutter Avenue frontages. Such installation could help advance DEP stormwater strategies, and subsequently enhance the operation of the 26th Ward Wastewater Treatment Plant during wet weather. In addition to compensating for the loss of a large permeable surface, the installation of rain gardens would provide a significant streetscape improvement on Blake Avenue, Hinsdale Street, Snediker Avenue, and/or Sutter Avenue.

Borough President Adams believes it is appropriate for HELP Development Corporation 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 coordination on this matter.

During construction, the applicant intends to preserve and protect rain gardens that were recently installed along both Hinsdale Street and Snediker Avenue. The proposed buildings that will be designed to passive house standards are consistent with Borough President Adams' policies. The represented installation of planting tray systems on the intended white roofs, along with the utilization of detention tanks as measures to retain water onsite, and the planned implement of other energy-efficient and water-conserving measures are also consistent with his policies.

Borough President Adams believes that HPD should codify in its LDA or Regulatory Agreement with HELP Development Corporation such additional resiliency and sustainability measures, including addition DEP rain gardens and protecting recently established rain gardens, intent to incorporate passive house construction principles, and encourage solar panels or panel readiness in the development. The City Council should further seek demonstration of HELP Development Corporation's commitment to coordinate with DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation and preservation of DEP rain gardens as part of a Builders Pavement Plan, in consultation with CB 5 and local elected officials.

Advancing Vision Zero Policies

Borough President Adams supports Vision Zero policies, including practices that extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulbouts or neckdowns, make drivers more aware of pedestrian crossings and encourage them to slow down.

In 2015, Borough President Adams also launched his own initiative, Connecting Residents on Safer Streets (CROSS) Brooklyn. This program supports the creation of bulbouts or curb extensions at dangerous intersections in Brooklyn. During the program's first year, $1 million was allocated to fund five dangerous intersections in Brooklyn. By installing more curb extensions, seniors will benefit because more of their commutes will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadways will benefit from safer streets.

The proposed development at 515 Blake Avenue is in close proximity to child care centers, houses of worship, playgrounds, and schools. Given the mixed commercial, community facility, and residential character of the surrounding blocks, the proposed development's scale, the number of residents expected to occupy the new housing units, and users of the proposed retail space, it is important to implement traffic calming measures around the block.

Per his CROSS Brooklyn initiative, Borough President Adams believes there is an opportunity to implement curb extensions at the following intersections: the northeast corner of Blake and Snediker avenues (where there is already a painted crosswalk), the northwest corner of Blake Avenue and Hinsdale Street, the southeast corner of Snediker and Sutter avenues, and/or the southwest corner of Hinsdale Street and Sutter Avenue. Such enhancements would facilitate safe pedestrian crossings to and from 515 Blake Avenue.

With regard to these intersections, Borough President Adams recognizes that the costs associated with the construction of sidewalk extensions can be exacerbated by the need to modify infrastructure and/or utilities. Therefore, where such consideration might compromise feasibility, Borough President Adams would urge DOT to explore the implementation of either protected painted sidewalk extensions defined by a roadbed surface treatment or sidewalk extensions as part of a Builders Pavement Plan. If the implementation meets DOT's criteria, the agency should enable HELP Development Corporation to undertake such improvements after consultation with CB 5, as well as local elected officials, as part of its Builders Pavement Plan. The implementation of a sidewalk extension through roadbed treatment requires a maintenance agreement that indemnifies the City from liability, contains a requirement for insurance, and details the responsibilities of the maintenance partner. Borough President Adams would expect HELP Development Corporation to commit to such maintenance as an ongoing obligation.

Borough President Adams believes that prior to considering the application, the City Council should obtain commitments, in writing, from HPD that its LDA or Regulatory Agreement with HELP Development Corporation would coordinate CROSS Brooklyn implementation with DEP, DOT, and NYC Parks for the installation of curb extensions at the northeast corner of Blake and Snediker avenues (where there is already a painted crosswalk), the northwest corner of Blake Avenue and Hinsdale Street, the southeast corner of Snediker and Sutter avenues, and/or the southwest corner of Hinsdale Street and Sutter Avenue, either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions. The City Council should further seek demonstration of HELP Development Corporation's commitment to enter into a standard DOT maintenance agreement for those intersections. In addition, HELP Development Corporation should consult with DEP, DOT, and NYC Parks regarding the provision of protected painted areas at the intersections of Blake Avenue and Hinsdale Street, Snediker and Sutter avenues, and/or Hinsdale Street and Sutter Avenue. Finally, DOT should confirm that implementation of both improvements would not proceed prior to consultation with CB 5 and local elected officials.

Appropriate Building Massing and Zoning

While the existing zoning would allow heights in excess of 12 stories, only the NYCHA "towers in the park"-style Van Dyke Houses campus reflects such building typology in the area. Those buildings are set back from the adjoining streets and surrounded by substantial open areas. The existing zoning also allows a contextual development option that encourages six- to seven-story buildings on wider streets and four- to five-story buildings for smaller sites (typically less than 10,000 sq. ft.) along narrow streets. Recent street wall-oriented construction in the area has been six to seven stories along the short ends of blocks. However, much of the built context is two- to three-story homes, which is even lower than what is permitted by the underlying zoning.

As part of the proposed project, the HELP Development Corporation is seeking to construct buildings of approximately 105 feet in height with eight stories on Blake and Sutter avenues, and six to eight stories elsewhere along Hinsdale Street and Snediker Avenue. However, the application drawings mandate lower heights for various sections of 515 Blake Avenue to accommodate neighborhood character and urban design considerations.

Borough President Adams agrees that for this development, more height and bulk should be allowed and oriented to the Blake and Sutter avenues short street frontages. Nevertheless, he believes that that the proposed R7D district should be modified to a more appropriate R7A MIH designation, which includes a height limit of nine stories and 95 feet. He concurs that the permitted floor area of the R6A district is appropriate for the project's mid-block frontages. However, he is concerned that portions of the Hinsdale Street and Snediker Avenue buildings include sections (with nominal street wall setbacks) in excess of six stories.

Therefore, Borough President Adams believes that for a portion of the project area, the requested zoning should be modified to promote bulk and height more consistent with the ZR's contextual development regulations for narrow streets. The properties on either side of Hinsdale Street and Snediker Avenue are significantly under-built according to what is permitted by their zoning. However, even if these parcels were to be redeveloped with new buildings, they would still be limited to four stories or a fifth floor, subject to the ZR dormer rule and street wall setback provisions. Borough President Adams believes that a six-story height limit, including street wall setbacks, would provide a reasonable transition for the Hinsdale Street and Snediker Avenue frontages. Such mid-block height restriction should be codified in the special permit application drawings.

It should be noted that such a reduction in height along the block's narrow streets would result in the loss of height for the supportive housing building. As such floor area provides for much needed permanently supportive housing as well as low-income housing that provides more flexible bedroom mix when taking into consideration AMI, such recommendation regarding building height is not meant to reduce the overall floor area of this building. Rather, in order to be more contextually responsive, Borough President Adams believes that such supportive housing floor area should generally be retained by having a longer and/or wider building footprint that would reduce the footprint of the neighboring affordable housing building.

Therefore, Borough President Adams believes that the CPC and/or City Council should modify the proposed zoning districts along Blake and Sutter avenues from R7D to R7A. In addition, the application for the grant of a large-scale general development special permit pursuant to ZR Section 74-743 ("Special Provisions for Bulk Modification") should be modified to conform with R7A zoning bulk, and within the sections of the block proposed as R6A, to limit roof height to 63 feet. Such changes should be reflected in application documents U-001 Proposed Site Plan, U-002 North, South, East & West Bldg. Elevations (Illustrative), U-003 N, S, E & W Courtyard Elevation (Illustrative), U-004 Sections I, U-005 Sections II, and U-007 Neighborhood Elevations.

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

New York City's community preference policy requires that 50 percent of affordable units filled through affordable housing lotteries be reserved for residents in the local community. There are additional pathways for priority lottery selection such as United States Armed Forces veteran status, certain disabilities, and other categories. Given the significant increase in the number of homeless families with school-aged children entering the public shelter system, Borough President Adams believes it is appropriate for HPD to extend local lottery preference to include the school zone attended by children of households residing at immediate and neighboring City-funded or -operated homeless shelters.

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 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 schools with more than 18 percent of the enrollment categorized as STH. Earlier this year, a New York University study found that during the 2016-2017 school year, nearly one in ten New York City students in kindergarten through fifth grade experienced homelessness.

Many parents and students find it important to maintain school continuity despite the circumstances faced by households dependent on the City's homeless shelter system. Borough President Adams believes that it should be the City's responsibility to take action that would eliminate or reduce such hardships. One such action would be to enable economically-challenged households with children in public schools to qualify for community local preference based on where the children attend school. According to the Institute for Children, Poverty, and Homelessness (ICPH), there are multiple public schools within several blocks of the proposed development, in Community School District (CSD) 19, where the proportion of homeless students is nearly 20 to 50 percent.

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

Community Preference: Extend to Community District 16 Residents Living Within the 42nd City Council District

City local preference policy is at times unfair to community residents who live just beyond the border of a community district. The proposed development is located in close proximity to the boundary of CD 5 and CD 16. Community members living on nearby blocks west of Van Sinderen Avenue are also in need of quality affordable housing, and the new development would not only be apparent, but consequential for residents of both districts.

Given the site's proximity to the border shared with CD 16, Borough President Adams believes that HPD should extend the local preference to portions of both community districts that fall within the 42nd Council District. This is particularly important given that the residential neighborhoods in both districts include small buildings that are not subject to rent protection laws. Borough President Adams believes that, in tandem with his recommendations for deeper affordability, 515 Blake Avenue could serve as a relocation resource to those at risk for displacement. Therefore, prior to the vote of the City Council, HPD should provide a written commitment advising that in addition to residents of CD 5, local preference be given to residents of CD 16 who live within the 42nd District.

Accommodating Rent-Burdened Households in Lieu of Strict Area Median Income Standards

Data shows that more than 80 percent New York City households earning 50 percent of AMI or less are rent-burdened. The crisis is even worse among the lowest income citizens, those making 30 percent of AMI or less, currently $23,310 for a family of three. Among this population, well over 50 percent pay more than half of their income toward rent. More than one-fifth of New York City households — over two million people — earn less than $25,000 a year and almost one-third earn less than $35,000. As the City's housing crisis grows worse, the burden falls most heavily on these low-income households, many of them senior citizens.

There are residents living in rented apartments within CD 5 who reside in unregulated housing, or regulated apartments subjected to a legal regulated rent increase in which landlords have been renting below the legally-permitted regulatory rent (preferential rent) and have been seeking to increase rent at lease renewal according to the legal amount permitted.

For ZIP code 11207, disclosed data from the New York City Rent Guidelines Board (RGB) dated June 1, 2017 lists 1,405 such units, representing 37 percent of all rent-stabilized units. The continued significant increase in rents has resulted in an increased rent burden and/or residential displacement. Therefore, there is a pressing need to provide more affordable housing units in this area.

In this section of CD 5, too many households fall into low- and very low-income categories and are often rent-burdened. According to an analysis by the ICPH, 28 percent of households in CD 5 spend 50 percent of more of their income on rent, making them severely rent-burdened. Given the risk for displacement, the City should take steps to increase the probability that rent-burdened households qualify for as many affordable housing lotteries as possible.

A strict rent-to-income requirement of not exceeding 30 percent of income for yearly rent payment ends up disqualifying many income-challenged households from the affordable housing lotteries. As a result, these rent-burdened households do not meet the housing lottery's minimum household earnings because too often they are already paying the same rent, or are in excess of the rent stated for the affordable housing unit. Thus, the requirement to pay no more than 30 percent of household income is actually hurting people who are already living in substandard housing and are paying more than 30 percent of their income toward housing.

As first noted in his East New York Community Plan ULURP response, Borough President Adams believes that it is time to break the mold in which families that are already paying too much rent for substandard housing are disqualified. Borough President Adams seeks to qualify rent-burdened households to be eligible for selection through the housing lottery process. Such eligibility would ensure rent-burdened households receive the maximum opportunity to secure regulated affordable housing units, expanding the number of eligible households for government-regulated affordable housing lotteries.

One means to address rent burden should be achieved by amending the ZR to adjust the AMI qualifications so they include such households that would maintain or reduce their rent burden. For such lotteries resulting from MIH housing lottery offerings, DCP needs to amend the ZR to allow for exceptions to the 30 percent of income threshold so that households that are burdened, though paying the same or more rent than the lottery unit rent, would be eligible to live in affordable, newly-produced, and quality housing accommodations.

Borough President Adams believes that the CPC and/or the City Council should echo his call to seek the modification of the MIH section of the ZR pertaining to MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status to qualify for such affordable housing units pursuant to MIH.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to Section 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application with the following conditions:

1. That the disposition of City-owned property pursuant to 190409 HAK be subject to the New York City Department of Housing Preservation and Development (HPD) incorporating into its Land Disposition Agreement (LDA) or Regulatory Agreement with HELP Development Corporation a requirement that the development to be subject to the following:

    a. In order to file with the New York City Department of Buildings (DOB) for the issuance of the Certificate of Occupancy (C of O) for the transitional shelter housing development, such application should be required to include a letter from the New York City Department of Homeless Services (DHS) that certifies that it has permanently ceased transitional shelter housing from any combination of cluster housing units and/or hotel room accommodations that were still in utilization in Brooklyn Community District 5 (CD 5) and/or Brooklyn Community District 16 (CD 16) of not less than the number of units of housing/rooming units subject to the pending C of O

    b. That initial occupancy of the transitional shelter housing facility be coordinated with DHS to realize placements prioritizing households formerly living in CD 5 or 16, households with children attending nearby schools, or households now accommodated in transitional shelter housing in CD 5 or 16

    c. That for the supportive housing development, memorialize intent to identify (to the extent practical) potential tenants among those former residents of in CDs 5 and 16, and/or those being accommodated in transitional housing these districts

    d. That for the affordable housing development, memorialize intent to identify (to the extent practical) potential tenants among those former residents of in CDs 5 and 16, households with children attending nearby schools now housed in shelters and/or transitional housing the district

    e. Reserve a percentage of multi-bedroom apartments to house formerly homeless families

    f. Increase the proportion of non-supportive, affordable housing units at 30, 40, 50, and 60 percent Area Median Income (AMI) to not less than 50 percent of the housing units not set-aside for formerly homeless households

    g. Include within the supportive housing/low-income building units at 40 and 50 percent AMI, and provide studio and/or one-bedroom units at such income tiers to increase housing lottery opportunities for seniors

    h. Memorialize strategies to target eligibility and outreach to seniors, including those who are formerly homeless, for studio and one-bedroom units with rents based on 30, 40, and 50 percent of AMI

    i. Utilize a combination of locally-based affordable housing development non-profits to serve in a role in promoting affordable housing lottery outreach and readiness

j. Set aside the commercial space for one or more local non-profit organizations such as arts and/or cultural entities at below-market lease terms, as warranted

k. Intended additional resiliency and sustainability measures such as incorporating blue/green/white roof treatment, passive house construction principles, rain garden additions and preservation, and solar panels or panel readiness in the development

2. A demonstration of HELP Development Corporation's commitment to coordinate with the New York City Department of Environmental Protection (DEP), New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the installation of expanded tree pits and DEP rain gardens as part of the Builders Pavement Plan, in consultation with Brooklyn Community Board 5 (CB 5) and local elected officials

3. Coordination of CROSS Brooklyn implementation with DEP, DOT, and NYC Parks for the installation of curb extensions at the northeast corner of Blake and Snediker Avenues (where there is already a painted crosswalk), the northwest corner of Blake Avenue and Hinsdale Street, the southeast corner of Snediker and Sutter avenues, and/or the southwest corner of Hinsdale Street and Sutter Avenue either as part of a Builders Pavement Plan or as treated roadbed sidewalk extensions.

4. Demonstration of HELP Development Corporation's commitment to enter into a standard DOT maintenance agreement for those intersections, and coordination with DEP, DOT, and NYC Parks regarding the provision of protected painted areas at the intersections of Blake Avenue and Hinsdale Street, Snediker and Sutter avenues, and/or Hinsdale Street and Sutter Avenue, with the understanding that such improvements would not proceed prior to consultation with CB 5 and local elected officials

5. That the CPC and/or City Council modify the requested applications as follows:

   a. That application 190410 ZMK's proposed R7D districts along Blake and Sutter avenues be changed to R7A

   b. That application 190421 ZSK for the granting of a large-scale general development special permit pursuant to New York City Zoning Resolution (ZR) Section 74-743 ("Special Provisions for Bulk Modification") be modified to conform with R7A zoning bulk and within the sections of the block proposed to be rezoned R6A, limit roof height to not more than 60 feet

Be it further resolved:

1. That the New York City Department of Housing Preservation and Development (HPD) modify its affordable housing lottery community preference standards to include the school zone, thus capturing the population of public school children residing at City-funded or -operated shelters

2. That HPD extend local preference to also include residents of portions of Brooklyn Community District 16 (CD 16) residing in the City Council District 42

3. That the City Planning Commission (CPC) and/or the City Council call for the modification of the Mandatory Inclusionary Housing (MIH) section of the New York City Zoning Resolution (ZR) pertaining to MIH-designated areas to be adopted with a requirement that permits households with rent-burdened status (allow for exceptions to the 30 percent of income threshold for households paying the same or more rent than what the housing lottery offers) to qualify for such affordable housing units pursuant to MIH