File #: Res 0706-2018, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 706

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development ("HPD") and the decision of the City Planning Commission, ULURP No. C 180485 HAK, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Livonia Avenue/Chester Street (Block 3588, Lots 32, 33, 34, 35, and 36), Borough of Brooklyn, Community District 16, to a developer selected by HPD (L.U. No. 272; C 180485 HAK).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on November 2, 2018 its decision dated October 31, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") regarding city-owned property located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Livonia Avenue/Chester Street (Block 3588, Lots 32, 33, 34, 35, and 36), (the "Disposition Area"), approving:

a) pursuant to Article 16 of the General Municipal Law of New York State the designation of Disposition Area as an Urban Development Action Area;

b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and

c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related actions would facilitate the development of seven eight- and nine-story mixed-use buildings with approximately 724 units of affordable housing in the Brownsville neighborhood of Brooklyn, Community District 16, Borough of Brooklyn, (ULURP No. C 180485 HAK) (the "Application");

WHEREAS, the Application is related to applications C 180486 PCK (L.U. No. 273), a site selection and acquisition by the Department of Parks and Recreation (DPR) for a new community garden; N 180487 ZRK (L.U. No. 274), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area; C 180488 ZSK (L.U. No. 275), a zoning special permit pursuant to Section 74-743 of the Zoning Resolution (ZR) to allow bulk modifications within a large scale general development (LSGD), including lot coverage, distance between buildings modifications, and height and setback; C 180489 ZMK (L.U. No. 276), a zoning map amendment to rezone a portion of the project area from R6 to R7-2 and R7-2/C2-4; and C 180490 ZSK (L.U. No. 277), a zoning special permit pursuant to ZR 74-532 to waive the existing parking requirement within the

LSGD of accessory off-street parking spaces;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, by letter dated October 29, 2018 and submitted to the Council on October 30, 2018, HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of the project summary for the Project (the "Project Summary");

WHEREAS, HPD has advised that at the time the applications were submitted, the UDAAP area designation and project approval were deemed necessary to enable the City to utilize General Municipal Law authority for certain actions required for the development of the project;

WHEREAS, HPD subsequently decided that authority pursuant to Article XI of the Private Housing Finance Law (Housing Development Fund Companies Law) would be more appropriate for approval of the disposition of the Disposition Area and has requested approval of the disposition ULURP item above (item c), but has not requested approval of the UDAAP area designation or UDAAP project approval (items a and b);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on November 15, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued June 25, 2018 (CEQR No. 18DCP101K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise on the development sites Block 3589, Lot 21 (Development Site A); Block 3574, Lot 1 (Development Site B); Block 3588, Lots 27, 32, 33, 34, 35, 36 (Development Site C); Block 3573, Lot 1 (Development Site D); Block 3587, Lots 1 and 27 (Development Site E); Block 3602, Lot 12 (Development Site F); and Block 3560, Lot 1 (Development Site G) (E-485) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-485) and Negative Declaration.

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 180485 HAK and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council approves the sale of the Disposition Area to the Sponsor pursuant to Section 576-a(2) of the Private Housing Finance Law, upon condition that the Project shall be developed in a manner consistent with Project Summary submitted by HPD, copy of which is attached hereto and made a part hereof.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City

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Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

Adopted.

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

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on December 20, 2018, on file in this office.

….....….....
City Clerk, Clerk of The Council

PROJECT SUMMARY

1. **PROGRAM:** EXTREMELY LOW AND LOW INCOME AFFORDABILITY PROGRAM

2. **PROJECT:** Marcus Garvey Village

3. LOCATION:

a. BOROUGH: Brooklyn

b. COMMUNITY DISTRICT: 16

c. COUNCIL DISTRICT: 42 - Inez Barron

d. DISPOSITION AREA:

BLOCK	LOT(S)	ADDRESS(ES)
3587	27	753 Thomas S Boyland Street
		3588

32	Interior Lot - Chester St. btwn Livonia and Riverdale Aves.	3588	
33	Interior Lot - Chester St. btwn Livonia and Riverdale Aves.	3588	
34	Interior Lot - Chester St. btwn Livonia and Riverdale Aves.	3588	
35	Interior Lot - Chester St. btwn Livonia and Riverdale Aves.	3588	36
386 Chester Street			

4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of at least thirty (30) years following completion of construction, the Land Debt will be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.

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

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

7. **APPROXIMATE NUMBER OF UNITS:** 164 dwelling units plus one or two units for superintendents

8. **HOUSING TYPE:** Rental

9. **ESTIMATE OF INITIAL RENTS** Rents will be affordable to families earning from 30% to 60% of the area median income ("AMI") with up to 30% of the units affordable to families with incomes between 70% and 100% of AMI. Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.

10. **INCOME TARGETS** 30% to 60% of AMI with up to 30% of the units targeted to incomes between 80% and 130% of AMI

11. **PROPOSED FACILITIES:** Approximately 15,891 square feet of commercial space and/or community facility space

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

13. **ENVIRONMENTAL STATUS:** Negative Declaration

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14. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction

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