515 Blake Avenue
LR Item 3: Project Description
May 9, 2019

1. Introduction

The New York City Department of Housing Preservation ("HPD" or "Applicant") proposes a set of land use actions to facilitate the redevelopment of a City-owned site located at 515 Blake Avenue (Block 3766, Lot 1) ("Development Site") in the East New York neighborhood of Brooklyn, Community District 5. The approval of the proposed actions would facilitate the redevelopment of an existing 192-unit family homeless shelter as four new buildings with a total of approximately 324 affordable units plus two units for superintendents and a new homeless shelter building with approximately 195 units ("Proposed Development"). The Proposed Development will range from six to ten stories tall, and it will include retail and community facility uses on the ground floor. Specifically, HPD proposes the following actions:

1. Designation of an Urban Development Action Area ("UDAA"), approval of an Urban Development Action Area Project ("UDAAP"), and disposition of City-owned land;
2. A zoning map amendment to change a C4-3 district, an R6 district and an R6/C2-3 district to an R6A district, an R7D/C2-4 district, and an R7D/C1-4 district on the entirety of Block 3766 ("Project Area");
3. A zoning text amendment to designate a Mandatory Inclusionary Housing Area ("MIHA") for the Project Area; and
4. A large-scale general development special permit pursuant to ZR section 74-743 to waive bulk regulations pursuant to ZR section 77-22 to redistribute floor area across the Development Site that would result in buildings better suited to the surrounding context.

2. Background

On July 3, 2013, HPD issued the NYC Supportive Housing Request for Qualifications ("RFQ") in collaboration with the New York City Housing Authority and the New York City Health and Hospitals Corporation. The RFQ invited applicants to submit development qualifications for the design and construction of high-quality, new construction, supportive housing development projects on public sites available for disposition. The initiative served the goal of fostering diverse, thriving neighborhoods and building new affordable housing for all New Yorkers.

The Development Site is currently owned by the City of New York, and was conveyed to H.E.L.P. I of New York (an affiliate of HELP USA) by the New York State Urban Development Corporation pursuant to a deed dated February 26, 1987. The deed contains a clause providing that ownership of the Development Site would revert to the City of New York upon the earlier to occur of 10 years from the date of completion of the existing HELP I Plaza shelter, or such time after completion that HELP I Plaza was no longer being used as a shelter. More than 10 years have passed since the completion of HELP I Plaza shelter in 1988, meaning that ownership of the Development Site has reverted to the City pursuant to the deed, notwithstanding H.E.L.P. I of New York's continuous operation of HELP I Plaza for the past 30 years.

The Development Site is identified as Site 101A/101B in the East New York I Urban Renewal Plan, and it is designated for "residential and other uses in accordance with the Zoning Resolution." The original Plan received City Planning Commission approval on Dec. 6, 1985 (C860236HUK). The Plan will remain in effect until March 6, 2026. The Plan's First Amendment received City Planning Commission approval on March 11, 1992 (C910119HUK), the Second Amendment received approval on November 16, 1994 (C940120HUK), the Third Amendment received approval on September 11, 2013 (C130375HUK), and the Fourth Amendment received approval on January 9, 2019 (C1960039HUK).

The Development Site is approximately six blocks to the southwest of the East New York Neighborhood Plan rezoning area, which mapped new zoning districts in East New York to allow for new affordable and mixed-income housing and community facilities, encourage commercial development, and provide requirements for street-level activity on commercial corridors. The rezoning application (C160035ZMK) was approved on April 20, 2016.

3. Description of the Surrounding Area

The Project Area is located in the East New York neighborhood of Brooklyn in Community District 5. It comprises a full block bounded by Sutter Avenue to the north, Blake Avenue to the south, Hinsdale Street to the east, and Snediker Avenue to the west.

The Project Area is located at the intersection of a residential neighborhood and a manufacturing area. The surrounding area to the south, east, and immediate west of the Project Area is generally a low- to medium-density neighborhood containing a mix of residential, commercial, and

community facility uses. It is zoned predominantly R6 with C1-3 overlays mapped for a depth of 150 feet along Sutter Avenue and C2-3 overlays mapped for a depth of 150 feet along Blake Avenue. A C4-3 district is mapped for a depth of 150 feet along a six-block stretch of Sutter Avenue, including the Project Area. Approximately two blocks to the south of the Project Area, Livonia Avenue is mapped with a combination of R7A/C2-4 and R6/C2-3 districts. The area to the north of the Project Area is zoned M1-4, and the area to the west of the Project Area is zoned M1-1.

Significant residential uses in the surrounding area include Genesis Homes, a predominantly residential building developed in 1991 and operated by an affiliate of HELP USA. It occupies the entire block directly to the south of the Project Area across Blake Avenue. Immediately to the west of Genesis Homes, across Snediker Avenue, are two other HELP USA affiliate-operated buildings: Genesis Neighborhood Plaza I at 360 Snediker Avenue, which opened in 2000 and provides 52 apartments including a 25% set-aside for survivors of domestic violence, and Genesis Neighborhood Plaza II, which opened in 2010 and provides 98 apartments for formerly homeless families, with half of the units set aside for homeless veterans.

To the east of Genesis Homes is Unity Plaza, a complex of six-story apartment buildings owned and managed by the New York City Housing Authority ("NYCHA"), and NYCHA's six-story Long Island Baptist Houses. To the north of these NYCHA developments, across Blake Avenue and two blocks east of the Project Area, are the Remeeder Houses, which contain 260 residential units spread across four, six-story buildings.

The portion of Hinsdale Street fronting the Project Area to the east consists of two-story homes dating to the early 19th century with approximately 10'-deep front yards as well as a handful of vacant parcels. Four of these vacant parcels, located at 285-291 Hinsdale Street, are slated for infill development with three-story residential buildings pursuant to a separate HPD-sponsored Urban Development Action Area Project (C20175024HAK). The portion of Snediker Avenue fronting the Project Area to the west contains two- to four-story homes, including a row of two-story modular homes built in the late 1990s under the Nehemiah housing program.

Two blocks to the south of the Project Area includes affordable housing developments that are part of the Livonia Avenue initiative. Upon completion, it will comprise nine new buildings of at least seven stories each, and a combined total of approximately 710 units of affordable housing and 30,000 square feet of community and retail space.

Ground-floor commercial uses (local retail) are concentrated along Sutter Avenue, a commercial corridor. A small grouping of ground-floor commercial uses is also located along Blake Avenue on the block to the east of the Project Area. There are also two grocery stores, one with a large parking lot at Dumont Street between Junuis and Van Sinderen Avenues, and the other at the northeast corner of Junius and Sutter Avenues.

The areas to the north and further west of the Project Area consist primarily of vacant land, open storage of construction equipment, and one- to two-story warehouses. The elevated tracks of the L subway line run along Van Sinderen Avenue, one block to the west of the Project Area, and are adjacent to open tracks located below curb level serving the Long Island Railroad. The area along the elevated tracks is industrial in nature, comprising auto body shops and warehouses.

Community facility uses in the surrounding area include a daycare and pre-kindergarten facility located at the northeast intersection of Blake Avenue and Hinsdale Street, and the Hyde School charter elementary school located on the north side of Blake Avenue between Williams and Alabama Avenues. There is a church on Snediker Avenue between Sutter and Belmont Avenues. Open space and recreational uses in the surrounding area consist of a small playground associated with the Long Island Baptist Houses and the playground of the Hyde Charter School. Dr. Martin Luther King Jr. Playground occupies an entire block approximately nine blocks to the southeast of the Project Area.

The Project Area is served by the Sutter Avenue and Livonia Avenue stops on the L subway line, located one block northwest and two blocks southwest of the Project Area, respectively. The Junius Street stop on the 2 and 4 subway lines is approximately one-quarter mile to the southwest of the Project Area. The B14 bus runs in both directions along Sutter Avenue.

4. Description of the Project Area

All of Block 3766 is included in the Project Area. The northern portion of the Project Area, within 150 feet of Sutter Avenue, is located in a C4-3 zoning district (R6 residential district equivalent), which allows an FAR of 3.4 for commercial uses and 2.43 FAR for residential uses, and is generally mapped in regional shopping areas where a continuous retail street frontage is desirable. The remainder of the Project Area is located in an R6 zoning district, a medium-density

residential district that can be developed using Height Factor or Quality Housing bulk regulations. The portion of the R6 district within 150 feet of Blake Avenue is mapped with a C2-3 commercial overlay, which allows 2.0 FAR of commercial development and allows a wide range of uses, such as neighborhood retail and service establishments (for example, food stores and drug stores) to funeral homes and repair shops for consumer goods.

The Project Area encompasses all of Block 3766, which is bounded by Sutter Avenue to the north, Blake Avenue to the south, Hinsdale Street to the east, and Snediker Avenue to the west. The block consists of two tax lots: Lots 1 and 49. Lot 1, the Development Site, is approximately 95,000 square feet and has frontages along all four streets bounding the block. Lot 49 is a 5,000 square-foot parcel located at the southeast corner of the block, with 100 feet of frontage on Blake Avenue and 50 feet of frontage on Hinsdale Street.

Lot 49 is occupied by a four-story, 16-unit residential building constructed in 1930 and most recently renovated in 2005. The building is privately owned. It will be included in the area of the zoning map amendment, but will not be part of the large-scale general development. The 2005 renovation was carried out pursuant to a Regulatory Agreement with HPD, which included construction financing as well as Low-Income Housing Tax Credits. In connection with this financing, nine of the 16 units in the building are limited to low-income families for a period of 30 years.

5. Description of the Development Site

The Development Site is a City-owned lot that is currently occupied by HELP I Plaza, a three-story family shelter complex operated by an affiliate of HELP USA that includes 192 shelter units, a daycare and early childhood education facility, staff offices, a small hospital, and an outdoor central courtyard with play equipment. The complex was constructed in 1988 and contains approximately 124,000 gross square feet (gsf). The aging building lacks a dignified entrance, has a fortress-like urban design that does not fit well within the neighborhood context, and is based on a shelter typology which is now outdated.

6. Description of the Proposed Development

The Proposed Development would replace the existing HELP I Plaza shelter complex on the Development Site with an approximately 387,089 square-foot mixed-use development consisting of four new buildings. The four buildings are herein referred to as “Building A” (shelter), “Building B” (affordable housing including supportive units and affordable units), “Building C” (affordable housing fronting Hinsdale Street), and “Building D” (affordable housing fronting Snediker Avenue).

Overall, the Proposed Development will contain approximately 239,065 square feet of residential floor area, consisting of approximately 324 units of affordable housing (plus two units for superintendents); approximately 131,729 square feet of Use Group 3 and 4 community facility floor area consisting of approximately 195 shelter units, a daycare facility, and social service offices; approximately 12,354 square feet of commercial office space for shelter staff; and approximately 3,941 square feet of local retail uses fronting on Sutter and Blake Avenues.

Building A would be located at the northern end of the Development Site, with 200 feet of frontage along Sutter Avenue, 139.7 feet of frontage along Hinsdale Street, and 139.7 feet of frontage along Snediker Avenue. Building A would have nine stories, rising approximately 92 feet (approximately 102 feet tall including bulkhead). The proposed maximum building envelope would allow a building height of up to 105 feet (which is equal to the maximum building height permitted within the R7D district). Building A would contain approximately 126,205 square feet of Use Group 3 community facility floor area consisting of approximately 195 family shelter units; approximately 5,524 square feet of Use Group 4 community facility floor area consisting of a daycare facility on the ground floor; approximately 12,354 square feet of commercial office space at the ground floor for shelter staff; and approximately 1,835 square feet of ground floor retail space along Sutter Avenue. A portion of the uppermost three stories would be set back approximately 25 feet from the Sutter Avenue street wall, and a portion of the uppermost two stories would be set back approximately 25 feet from the Hinsdale Street street wall. Amenities in Building A include a children’s playroom/parenting room and learning center/computer training center on the ground floor, and a multi-purpose room, and two laundry rooms at the cellar level. Per ZR § 36-711 and ZR § 25-811, enclosed storage for 15 bicycles will be provided at the cellar level.

Building B is proposed on the east side of the Development Site, immediately south of Building A with 114 feet of frontage along Hinsdale Street. Building B would have eight stories, rising approximately 82 feet (approximately 92 feet including bulkhead). The proposed maximum building envelope would allow a building height of up to 85 feet (which is equal to the maximum

building height permitted within the R6A district) to provide a small degree of design flexibility to account for any changes necessitated by field conditions. Building B would contain approximately 40,454 square feet of residential floor area, consisting of approximately 70 units of affordable housing (plus one superintendent's unit), including approximately 43 supportive units and 27 affordable housing units for families and singles, and accessory onsite social services for building residents. Amenities in Building B include a community room on the ground floor and a multi-purpose room, and laundry room at the cellar level. Per ZR § 36-711 and ZR § 25-811, enclosed storage for 36 bicycles will be provided at the cellar level

Building C would be located immediately south of Building B, with 184.25 feet of frontage along Hinsdale Street. Building C would be six stories, rising approximately 62 feet (approximately 72 feet tall including bulkhead). The proposed maximum building envelope would allow a building height of up to 68 feet (which is 17 feet lower than the maximum building height permitted within the R6A district) to preserve light and air along the lower-rise mid-block. At the portion of the lot within 100 feet of Blake Avenue, the proposed maximum building envelope would also allow for a height of up to 68 feet (which is 47 feet lower than the maximum building height permitted within the R7D district). Building C would contain approximately 58,422 square feet of residential floor area consisting of approximately 79 units of affordable housing. Amenities in Building C include a multi-purpose room, exercise room, and laundry room at the cellar level. Per ZR § 36-711 and ZR § 25-811, enclosed storage for 40 bicycles will be provided at the cellar level.

Building D is proposed along the western side of the Development Site, with 350 feet of frontage along Snediker Avenue and 94.3 feet of frontage along Blake Avenue. Building D would be six stories, rising approximately 63 feet (approximately 73 feet tall including bulkhead) along Snediker Avenue, with the uppermost story being set back seven feet from the street. The proposed maximum building envelope would allow a building height of up to 68 feet (which is five feet lower than the maximum building height permitted within the R6A district) to provide a small degree of design flexibility to account for any changes necessitated by field conditions. Along Blake Avenue, Building D would have 10 stories, rising approximately 103 feet (approximately 113 feet tall including bulkhead), with an approximately 22-foot to 27-foot setback occurring above the eighth story. The proposed maximum building envelope would allow a building height of up to 108 feet (which is seven feet lower than the maximum building height permitted within the R7D district) to provide a small degree of design flexibility to account for any changes necessitated by field conditions. The building would contain approximately 142,295 square feet of floor area, consisting of approximately 140,189 square feet of residential floor area and approximately 175 units of affordable housing (plus one unit for a superintendent), and approximately 2,106 square feet of ground floor local retail space along Blake Avenue. The building would include ground-floor maisonette apartments with front doors and front yard areas opening directly onto Snediker Avenue to increase the feeling of personal ownership of residents and provide more "eyes on the street" for neighborhood safety. Amenities in Building D include a multi-purpose room, community room, exercise room, and laundry room at the cellar level. Per ZR § 36-711 and ZR § 25-811, enclosed storage for 88 bicycles will be provided at the cellar level.

At the center of the Development Site, in the rear yard of each building and aligning with the cellar level, there would be a shared landscaped courtyard containing approximately 26,000 square feet of outdoor open space. This space would provide both active and passive recreational uses for occupants of the Proposed Development. Approximately 7,000 square feet of the courtyard would be utilized by the occupants of Building A, and would include trees and other plantings, seating areas, and a play area for the proposed daycare space. The remaining approximately 19,000 square feet would be utilized by the remaining three buildings, and would consist of trees and other plantings, a large sloping turf lawn, and seating areas.

The Proposed Development will achieve 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 II standards and the two affordable buildings (Buildings C and D) are expected to be built to Passive House standards. Pursuant to ZR § 26-41, 50 street trees are required, which will be achieved through a mix of newly planted and existing trees.

Pursuant to ZR § 25-251, accessory off-street parking is not required for "Income-Restricted Housing Units" within a Transit Zone and will not be provided.

7. Actions Necessary to Facilitate the Project

1. <u>Designation of an Urban Development Action Area and Approval of an Urban Development Action Area Project</u>
The Development Site consists of underutilized property which 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 Development Site is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article16 of the General Municipal Law.

Disposition of City-Owned Property
The Development Site will be conveyed to a developer to be selected by HPD.

2. Zoning Map Amendment
HPD is seeking approval of a zoning map amendment for the Project Area to change an R6 district, a C4-3 district, and an R6/C2-3 district to an R6A district, an R7D/C2-4 district, and an R7D/C1-4 district. The proposed rezoning will permit the proposed residential, commercial, and community facility uses on the proposed Development Site.

The Project Area contains one City-owned lot that makes up the Development Site (Block 3766, Lot 1) and one privately owned lot (Block 3766, Lot 49). The proposed rezoning area will cover the entire block between Sutter Avenue, Blake Avenue, Hinsdale Street, and Snediker Avenue.

The proposed zoning districts include an R7D/C2-4 district located within 150 feet of Sutter Avenue at the northern end of the block; an R7D/C1-4 district located within 100 feet of Blake Avenue at the southern end of the block; and an R6A district covering the remaining midblock portion of the zoning lot. The R7D/C2-4 district and R7D/C1-4 district will facilitate medium density residential zoning that will allow an FAR of up to 4.2 or up to 5.6 with Inclusionary Housing. The R6A zoning district will facilitate medium density residential zoning that will allow an FAR of up to 3.0 or 3.6 with Inclusionary Housing. The proposed R6A and R7D districts are contextual districts. In R7D districts the maximum building base height is between 60 and 85 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 its maximum height of 100 feet. New buildings in R6A and R7D districts are required to line up with adjacent structures to maintain the street wall. The proposed building heights of the four buildings are in compliance with the proposed zoning. The ground floor commercial space will serve residents of the neighborhood with local retail and community facility uses.

The R6A and R7D districts are appropriate because they strike a balance between providing a moderate amount of additional density needed to support the proposed mix of uses in the Proposed Development, while also ensuring that the built form of the Proposed Development is one that is contextual with the built character of the neighborhood, and in particular, one that has a defined street wall consistent with the built character along Sutter and Blake Avenues. At the midblock of the Project Area, the proposed R6A district is consistent with the surrounding R6 district mapped within the surrounding area. Notably, the R6A and R7D zoning districts would mandate Quality Housing regulations and impose maximum building heights where there currently is no height limit under the existing zoning.

The proposed overlays are appropriate because the Project Area is surrounded by existing commercial districts. In particular, at the north side of the Project Area, along Sutter Avenue, a C4-3 district is mapped to a depth of 150 feet and C1-3 overlays are mapped on both sides of the street to a depth of 150 feet between Pennsylvania Avenue and Hendrix Street, before changing to a C2-3 overlay between Hendrix Street and Shepard Avenue. Sutter Avenue is an established commercial corridor and the introduction of the 150-foot deep C2-4 overlay at the north side of the Project Area would be consistent with the existing ground-floor commercial uses and commercial zoning along Sutter Avenue. At the south side of the Project Area, along Blake Avenue, C2-3 overlays are mapped on both sides of the street between Van Sinderen Avenue and Wyona Street (with the exception of Block 3790). Although Blake Avenue does not have a significant commercial presence, the introduction of neighborhood retail at the Proposed Development would be consistent with the ground floor commercial uses on the north side of Blake Avenue on the block to the immediate east of the Project Area. Furthermore, mapping the C1-4 overlay at a depth of 100 feet along the Blake Avenue frontage of the Project Area would prevent the potential intrusion of commercial uses onto the residential side streets. Finally, the reduction of required parking provided by the C1-4 and C2-4 overlays (compared with C1-3 and C2-3 overlays in the vicinity) is appropriate due to the proximity of public transit to the Project Area.

The proposed rezoning will facilitate the redevelopment of underutilized land and allow for the redevelopment of a modern shelter. The redevelopment of this land will allow for the productive use of the Development Site and create much needed affordable housing, as part of the Mayor's *Housing New York Plan*. The mapping of a C2-4 commercial overlay along Sutter Avenue and a C1-4 commercial overlay along Blake Avenue will facilitate the provision of ancillary local retail and commercial facilities that will serve the residents of the Proposed Development and bring additional retail benefits to the surrounding residential community.

3. Zoning Text Amendment

HPD proposes to map the Project Area as a MIHA by adding the area to the maps of MIHAs in Appendix F of the Zoning Resolution. An MIHA requires permanently affordable housing within new residential development, enlargements, and conversions from non-residential to residential use. Within the proposed MIHA, all housing developments, enlargements and conversions that meet the criteria set forth in the Mandatory Inclusionary Housing Program must comply with one of the following options pursuant to Zoning Resolution Section 23-154:

Mandatory Inclusionary Housing consists of two main options: under Option 1, at least 25 percent of residential floor area must be permanently affordable housing units affordable to households with income at a weighted average of 60 percent of average median income ("AMI"); under Option 2, at least 30 percent of residential floor area must be permanently affordable housing units affordable to households with income at a weighted average of 80 percent of AMI. In combination with these two options, two other options may be utilized. A "Deep Affordability Option" may be utilized under which at least 20 percent of residential floor area contains housing units permanently affordable to households with income at a weighted average of 40 percent of AMI. A "Workforce Option" also may be utilized provided that at least 30 percent of residential floor area contains housing units permanently affordable to households with income at a weighted average of 115 percent, with five percent of residential floor area kept affordable to households with income at an income band of 70 percent of AMI and another 5 percent of residential floor area permanently affordable to households with an income band of 90 percent of AMI. Other restrictions apply to the Deep Affordability and Workforce Options.

The Proposed Development will comply with MIH Option 1 by setting aside at least 25 percent of its residential floor area for permanently affordable housing units.

4. Large Scale General Development

The proposed LSGD will apply only to the Development Site. It will allow the distribution of floor area across four proposed buildings that share a single zoning lot. Specifically, up to 20,000 square feet of floor area from the southern R7D/C1-4 district and up to 3,000 square feet of floor area from the midblock R6A district would be transferred to the northern R7D/C2-4 district to facilitate the development of the shelter in Building A. The distribution of floor area requested would result in a better site plan and a better relationship between the proposed buildings and adjacent streets and surrounding buildings than would be possible without such distribution. This is particularly important along Snediker Avenue and Hinsdale Street, where bulk has been shifted away from the midblock to respect the neighboring lower scale residential character. Distributing the floor area in this manner would also preserve light and air reaching the adjoining streets and fostering a sense of openness. New commercial and community facility space along Sutter and Blake Avenues will bring needed retail and services to neighborhood and building residents and enliven these streets.

Within the proposed LSGD, the following modifications are requested of bulk modifications to allow for the design of the Proposed Development:

- ZR § 77-22 to allow for the distribution of floor area without regard for zoning district boundary lines pursuant to ZR § 74-743(a)(1);

The above modification contributes to a better site plan that will foster a better relationship among the proposed buildings and open areas to adjacent streets by providing height relief in the midblock and shifting bulk to the avenues, which will be enlivened by additional commercial and community facility uses. The proposed LSGD will thus benefit both the occupants of the LSGD and the surrounding neighborhood.

8. Conclusion

HPD is seeking designation of an Urban Development Action Area and approval of an Urban Development Action Area Project, the disposition of City-owned land, a zoning map amendment, a zoning text amendment, and a Large Scale General Development special permit to facilitate the development of four new mixed-use residential buildings with approximately 324 units of affordable housing plus two units for superintendents, an approximately 195-unit shelter, and ground floor commercial and community facility space. The proposed project is a direct response to Mayor De Blasio's *Housing New York: A Five-Borough, Ten-Year Plan* (as well as the updated *Housing New York 2.0* plan that outlines goals for an additional 100,000 affordable homes), through the preservation and development of affordable housing for the city's most vulnerable residents, as well as addressing the needs of the City's homeless population.