



April 22, 2019/Calendar No. 6

C 190179 (A) HAR

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 539 Jersey Street/100 Brook Street (Block 34, Lot 1), as an Urban Development Action Area; and
 - b. an 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 a mixed-use development containing approximately 223 affordable residential units and commercial and/or community facility space, Borough of Staten, Community District 1.

Approval of three separate matters is required:

1. The designation of property located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) as an Urban Development Action Area; and
2. An Urban Development Action Area Project for such area; and
3. The disposition of such property to a developer selected by HPD.

The application (C 190179 (A) HAR), for Urban Development Action Area Project (UDAAP) designation and project approval and disposition of City-owned property was filed by HPD on February 1, 2019. Approval of the application would facilitate the development of approximately 223 affordable units, including 90 Affordable Independent Residences for Seniors (AIRS) and approximately 14,700 square feet of commercial and/or community facility space. In conjunction with several related actions, the application would support the Bay Street Corridor Neighborhood Plan, a comprehensive planning effort to foster a vibrant, mixed-use corridor with opportunities for affordable housing that connects the surrounding communities of St. George, Tompkinsville and Stapleton along a 20-block non-contiguous stretch of Bay Street in Community District 1, Staten Island.

On January 31, 2019, pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure rules, HPD filed an application (C 190179 (A) ZRR) to modify components of the Urban Development Area Action (UDAA) and Urban Development Action Area Project (UDAAP) (C 190179 (A) HAR) in response to information and feedback gathered during the public review process. On April 18, 2019, HPD withdrew the original application (C 190179 HAR). The modified application (C 190179 (A) HAR) is the subject of this report.

RELATED ACTIONS

In addition to this application (C 190179 (A) HAR) for a UDAAP designation, project approval and disposition of City-owned property that is the subject of this report, implementation of the proposed Bay Street Corridor Neighborhood Plan also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 190113 ZMR	Zoning map amendment;
N 190114 (A) ZRR	Zoning text amendments; and
C 190115 PPR	Disposition of City-owned property

BACKGROUND

A full background discussion and description of this project appears in the report on the related application for a zoning map amendment (C 190113 ZMR).

ENVIRONMENTAL REVIEW

The original application (C 190179 HAR), in conjunction with the related applications (C 190113 ZMR, N 190114 ZRR and C 190115 PPR) and modified applications (N 190114 (A) ZRR and C 190179 (A) HAR), 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 16DCP156R. The lead agency is the City Planning Commission.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS) dated April 11, 2019, appears in the report on the related application for a zoning map amendment (C 190113 ZMR).

UNIFORM LAND USE REVIEW

The original application (C 190179 HAR), in conjunction with the applications for related actions (C 190113 ZMR, N 190114 ZRR and C 190115 PPR) was certified as complete by the Department of City Planning on November 13, 2018 and duly referred to Staten Island Community Board 1 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 1 held a public hearing on January 8, 2019 on the application and by a vote of 33 in favor, 2 against and 0 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the Community Board's recommendations appears in the report for the related zoning map amendment (C 190113 ZMR).

Borough President Recommendation

The original application (C 190179 HAR), in conjunction with the related applications, was considered by the Staten Island Borough President, who issued a recommendation on February 21, 2019 approving the application with conditions.

A summary of the Borough President's recommendation appears in the report on the related application for a zoning map amendment (C 190113 ZMR).

City Planning Commission Public Hearing

On February 13 (Calendar Nos. 15 and 16), the City Planning Commission scheduled February 27, 2019 for a public hearing on the original application and the modified application (C 190179

HAR and C 190179 (A) HAR). The hearing was duly held on February 27, 2019 (Calendar Nos. 38 and 39), in conjunction with the hearings for the related actions.

There were several speakers as described in the report for the related zoning map amendment (C 190113 ZMR), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 190179 (A) HAR) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq.*). The designated WRP number is 15-123.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the proposed application for UDAAP designation, project approval and disposition of City-owned property is appropriate.

A full description of the Commission's consideration, and analysis of the issues, and the reasons for approving the application appear in the report for the related zoning map amendment (C 190113 ZMR).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 11, 2019, with respect to this application (CEQR No. 16DCP156R), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those project components related to environmental and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of this decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of the Waterfront Revitalization Program (WRP) policy and hereby determines that this proposed action is consistent with WRP policies; and be it further

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of the property at 539 Jersey Street/100 Brook Street (Block 34, Lot 1), in Community District 1, Staten Island, as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development have 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:

1. The designation of property located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) as an Urban Development Action Area; and

2. An Urban Development Action Area Project for such area; 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 described in this report, the application of the Department of Housing Preservation and Development, for the disposition on City-owned property located at 539 Jersey Street/100 Brook Street (Block 34, Lot 1) in Community District 1, to a developer selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 190179 (A) HAR), duly adopted by the City Planning Commission on April 22, 2019 (Calendar No. 6), 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*

**ALLEN P. CAPPELLI, ESQ., JOSEPH DOUEK, RICHARD W. EADDY,
HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ**, *Commissioners*

ALFRED C. CERULLO, III, ORLANDO MARIN, RAJ RAMPERSHAD, *Commissioners*,
VOTING NO

Application # **C 190179 HAR**

CEQR Number: 16DCP156R

Project Name: **Bay Street Corridor**

Borough(s): **STATEN ISLAND**

Community District Number(s): **1**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by The Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 539 Jersey Street a.k.a. 100 Brook Street (Block 34, Lot 1) as an Urban Development Action Area; and
 - Urban Development Action Area Project for such area; and
- 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 a mixed-use development containing approximately 108 affordable residential units and commercial and/or community facility space, Borough of Staten Island, Community District 1.

Applicant(s): Department of Housing Preservation and Development 100 Gold Street New York, NY 10038		Applicant's Representative: Eunice Suh NYC Housing Preservation & Development 100 Gold Street New York, NY 10038	
Recommendation submitted by: Staten Island Community Board 1			
Date of public hearing: January 8, 2019		Location: All Saints Episcopal Church, 2329 Victory Blvd.	
Was a quorum present? YES ☒ NO ☐		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: January 8, 2019		Location: All Saints Episcopal Church, 2329 Victory Blvd.	
RECOMMENDATION ☐ Approve ☐ Disapprove ☒ Approve With Modifications/Conditions ☐ Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 33 # Against: 2 # Abstaining: Total members appointed to the board: 46			
Name of CB/BB officer completing this form 		Title Chairman	
		Date 1/22/2019	

Community Board #1 Staten Island Recommendations

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- C 190179 HAR – Bay Street Corridor, disposition of property located at 539 Jersey Street, Sanitation Garage.

Motion made and seconded to approve with the following conditions:

A full remediation of the site be done and,

a daycare center and/or supermarket and/or community center be built for the neighborhood on the first floor of the building with on-site parking.

Roll call vote taken. Vote passed to approve application with conditions 33-2-0.

Application #: C 190179 HAR	Project Name: BAY STREET CORRIDOR Urban Dev't Action Area
CEQR Number: 16DCP156R	Borough(s): STATEN ISLAND Community District Number(s): 1

Please use the above application number on all correspondence concerning this application

Docket Description:

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

- Pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 539 Jersey Street, aka 100 Brook Street (Block 34, Lot 1) as an Urban Development Action Area, and;
 - Urban Development Action Area, and;
- Pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by the HPD;

to facilitate a mixed-use development containing approximately 108 affordable residential units and commercial and/or community facility space; Borough of Staten Island, Community District 1.

RECOMMENDATION:

☐ Approve	☒ Approve with Modifications / Conditions
☐ Disapprove	☐ Disapprove with Modifications / Conditions

Explanation of Recommendation, Conditions or Modification:

Be it resolved that the Borough President of Staten Island, pursuant to Section 197-c of the New York City Charter, recommends that the City Planning Commission and City Council **approve** the referenced land use action with the following conditions and modifications:

- That in order to facilitate the disposition of city-owned property at Tax Block 34, Tax Lot 1, known as 539 Jersey Street, and to make housing available to the broadest sample of end-users and include the widest band of incomes, the City Planning Commission (CPC), the New York City Department of Housing Preservation and Development (HPD) and City Council support and require all available Mandatory Inclusionary Housing (MIH) options for the re-development of this city-owned property. The current housing market conditions will support new construction but not the feasibility of reaching lower-income levels without the use of subsidy. With the creation of moderate-income housing contributing to neighborhood housing affordability, CPC and the City Council should choose to apply the Workforce Option and other available options in addition to Options 1 and 2. Imposing all available options to provide availability from 40% to 115% of Area Median Income (AMI) establishes the broadest housing plan with opportunities for both affordability and workforce housing. Subsidy should also be considered for workforce housing when deeper affordability is pursued in response to specific needs. These options will provide permanent affordability and the greatest opportunities for affordability to families of all income bands where the city can control the most diversified and desired outcomes into the future.
- That prior to the Urban Development Action Area Program (UDAAP) designation, the CPC and City Council require and articulate restrictions to be incorporated in the property deed, including the addition of mandatory design requirements, facilities and community needs into the development programming for the city-owned property, prior to disposition as indicated herein:
 - All open spaces are publically-accessible from dawn to dusk.
 - All access walkways be connected to the city sidewalk system at all street frontages
 - Outdoor play areas and minimum equipment and accessibility standards be developed and required
 - A neighborhood recreation center is designed and programmed in concert with community input and constructed with direct accessibility from appropriate public open spaces
 - All proposed retail facilities along Jersey and Brook Streets meet the diverse service and community facility needs of the local community

Related Application(s): C 190113 ZMR, C 190114 ZRR, C 190114A ZRR, C 190115 PPR

Address all questions about this Recommendation to:

OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

Address: 10 Richmond Terrace, Room G-12
Staten Island, NY 10301

Phone: 718-816-2112

 James S. Oddo President, Borough of Staten Island	02/21/2019 Date
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