



## **CITY PLANNING COMMISSION**

July 27, 2005/Calendar No. 13

C 050383 HAK

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**IN THE MATTER OF** an application submitted by the 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 433-441 DeWitt Avenue (Block 4318, Lots 31-34), 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 433, 437, and 441 DeWitt Avenue (Block 4318, Lots 31-32 and 34) to developer selected by HPD;

to facilitate development of a four-story building tentatively known as the PSCH DeWitt Residence, with approximately 19 studio apartments for low income persons with mental illness, to be developed under the HUD Section 811 Supportive Housing for Persons with Disabilities Program, Borough of Brooklyn, Community District 5.

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Approval of three separate matters is required:

1. The designation of 433-441 DeWitt Avenue (Block 4318, Lots 31, 32, 33, and 34), Borough of Brooklyn, Community District 5, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of 433, 437, and 441 DeWitt Avenue (Block 4318, Lots 31, 32, and 34) to a developer selected by HPD.

The application was submitted by the Department of Housing Preservation and Development (HPD) on March 22, 2005.

Approval of this application would facilitate construction of a four-story building that would be used as a residential facility for low income persons with mental illness, to be developed through the HUD Section 811 Supportive Housing for Persons with Disabilities Program.

The Department of Housing Preservation and Development states in its application that:

The UDAAP Area consists of underutilized vacant land 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 UDAAP Area 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 Article 16 of the General Municipal Law.

## **BACKGROUND**

The Commission approved this project on June 9, 2004 (C040203HAK); however, this project was withdrawn before City Council action. HPD subsequently submitted this application on March 22, 2005 (C050383HAK).

433 - 441 DeWitt Avenue (Block 4318, Lots 31, 32, 33, and 34) are four vacant lots totaling 7,600 square feet (95 feet wide x 80 feet deep) located on the northeast corner of DeWitt Avenue and Malta Street in East New York, Community District 5. The disposition of Lots 31, 32, and 34, assembled with the previously ULURP approved Lot 33 (C861010PPK approved by the City Planning Commission on September 17, 1986 and the Board of Estimate on September 17, 1986), would facilitate the construction of the PSCH DeWitt Residence, an approximately 13,440 square-foot, four-story elevator building with 19 fully furnished studio apartments, which includes an apartment for the superintendent. The site is located on a primarily residential block in an R6 zoning district at the edge of an M1-1 light manufacturing district.

Block 4318 contains two-story residences, newly-built, market-rate housing, one irregular, vacant city-owned lot under the jurisdiction of DCAS, and a city-owned residence under the jurisdiction of HPD. The area to the south is developed with warehouses, auto repair shops, and other light manufacturing facilities. To the west is a block of two- and three-story privately owned residences, one new residential building, and a scattering of privately-owned vacant lots. To the north, on Linden Boulevard, is a residential area of mostly two-story residences with newly constructed homes built under HPD's "Nehemiah" home ownership program.

The proposed PSCH DeWitt Residence, to be developed through the HUD Section 811 Supportive Housing for Persons with Disabilities Program, would provide housing for low income persons with mental illness who have demonstrated the ability to live successfully in the community with the support that would be provided on site. Residents are typically expected to reside in the facility for 18 to 24 months. The project would also provide lounge areas, a communal meeting room, kitchen, and staff offices. There would be 24-hour access to services on-site, maintenance of the building and grounds, a night-time security guard, and on-site parking. Educational and vocational training and recreational opportunities are services that would be provided on and off site to residents. In addition, residents would have assistance in budgeting their resources and managing their medication regimen.

The subject property is located near public transportation. "L" train subway service is available at New Lots and Van Sinderen avenues about four blocks away. The B15 bus, which connects Bed-Stuy and JFK Airport, runs on New Lots Avenue two blocks away, and the B20 bus, which connects Ridgewood and East New York, runs along Pennsylvania Avenue four blocks away. Local shopping is available along Linden Boulevard and on Pennsylvania Avenue.

## **ENVIRONMENTAL REVIEW**

This application (C 050383 HAK) 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 Environmental Quality Review (CEQR) Rules for Procedure of 1991 and Executive Order No. 91 of 1977 . The designated CEQR number is 03HPD008K. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on March 7, 2003.

## **UNIFORM LAND USE REVIEW**

This application (C 050383 HAK) was certified as complete by the Department of City Planning on April 25, 2005, and was duly referred to Community Board 5 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

The Community Board submitted a letter of approval on May 18, 2005 with the condition that the project:

“Must have an advisory board with members of the community and the community district board.”

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application.

### **City Planning Commission Public Hearing**

On June 22, 2005 (Calendar No. 3), the City Planning Commission scheduled July 13, 2004 for a public hearing on this application (C 050383 HAK). The hearing was duly held on July 13, 2005 (Calendar No. 23). There were three speakers in favor of the application and none in opposition.

The three speakers in favor of the application were the Executive Vice-President, Director of Community Outreach, and Assistant Director of Programs at PSCH, Inc. They discussed the facility's daily operation and reaffirmed their commitment to establish a community advisory board.

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

## **CONSIDERATION**

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

The application would facilitate the development of PSCH DeWitt Residence, a four-story building with 18 studio apartments for persons with mental illness and low income, to be developed through the HUD Section 811 Supportive Housing for Persons with Disabilities Program. The approval of this application would facilitate the return of these lots to private ownership and would enable the sponsor to expand the range of services provided by that organization. Disposition would make possible the return of this property to productive use and the elimination of its blighting influence on the neighborhood. Approval of this application would enable this city-owned property to be developed with a use that would serve the needs of Community District 5 and the City of New York.

In response to the Community Board's recommendation and comments submitted by the Borough President, PSCH, Inc. stated at the public hearing and in response to the Borough President's concerns that it would form a Community Advisory Task Force. This task force would be able to convey any concerns by residents directly to the operators of the facility. In addition to address the Borough President's concerns, PSCH, Inc. would provide a security guard in the evening to maintain safety in its facility as well as the surrounding community and provide a trained staff person at all times. Furthermore, PSCH, Inc. would conduct outreach and sensitivity training with the local police precinct similar to what they do at their facility in Greenpoint, Brooklyn.

## **RESOLUTION**

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

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 433-441 DeWitt Avenue (Block 4318, Lots 31-34), 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) 433-441 DeWitt Avenue (Block 4318, Lots 31-34) the designation of, as an Urban Development Action Area;
- b) an Urban Development Action Area Project for such area;

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

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives if any, to be provided by the municipality pursuant Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The policy is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law

**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 of city-owned property located at 433-441 DeWitt Avenue (Block 4318, Lots 31, 32, and 34), 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 050383 HAK), duly adopted by the City Planning Commission on July 27, 2005 (Calendar No. 13), 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.

**AMANDA BURDEN, AICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice-Chairman**  
**ANGELA BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**  
**ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL,**  
**LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS,**  
**DOLLY WILLIAMS, Commissioners**