



CITY PLANNING COMMISSION

March 26, 2008/ Calendar No. S2

C 080152 HAM

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 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43), 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 property located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, and 146), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) to a developer selected by HPD;

to facilitate the development of eight buildings, tentatively known as East Harlem South Cluster, with approximately 213 residential units, commercial and community facility space, to be developed under the Department of Housing Preservation and Development's Cornerstone Program in the Borough of Manhattan, Community District 11.

Approval of three separate matters is required:

1. The designation of properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of

the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) as an Urban Development Action Area;

2. An Urban Development Action Area Project for such areas; and
3. The disposition of properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, and 146), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) to a developer selected by HPD.

The application for the Urban Development Action Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on November 2, 2007.

Approval of this application would facilitate the development of eight scattered sites tentatively known as the East Harlem Clusters.

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

The Project Area consists of underutilized vacant 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 and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

RELATED ACTION:

In addition to the proposed UDAAP designation, project approval and disposition of city-owned property, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 080151 ZMM: Zoning Map Amendment from an existing R7-2 district to an R8A district.

BACKGROUND

The Department of Housing Preservation and Development (HPD) seeks approval of an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of nine city-owned properties for sites. Additionally, HPD is seeking to rezone part of the proposed UDAAP area from an existing R7-2 district to an R8A district. These requested actions would facilitate the development of eight scattered sites with community facility and commercial space.

Area and Project Description

The subject sites are located within the boundaries of East 112th Street to the north, Fifth Avenue to the west, Third Avenue to the east, and East 99th Street to the south in East Harlem Community District 11. The proposed project sites, which consist of nine city-owned properties and one privately-owned property, are located within an R7A, R7-2, R7-2/C1-5 and R7-2/C1-4 zoning districts and the lots are currently vacant. The requested actions would facilitate the development of eight buildings with approximately 213 residential units, commercial and community facility space.

Site A is located at 64-68 East 111th Street between Madison and Park avenues. The subject site, which consists of two city-owned lots (Block 1616, Lots 146, and 49) and one privately owned lot (Block, Lots 42) has approximately 191,000 square feet of lot area and is zoned R7-2. The proposed project site is abutted by a one story commercial building that fronts on Madison Avenue and a vacant three-story building to the east. The proposed project will provide approximately 117 co-operative units in a twelve-story building.

The project will include approximately 110,463 square feet of residential floor area, 7,276 square feet of community facility floor area and approximately 902 square feet of indoor and outdoor recreation space. The proposed project will have approximately 87 affordable units. At the time of certification the 87 affordable units were in the following income bands: 58 units will be affordable at 80% of the Area Median Income (AMI), 29 units will be affordable at 130% of the AMI, 29 units would be market-rate and 1 unit will be reserved for the building's superintendent. Additionally, there will be 17 at-grade and 44 below grade accessory parking spaces. Site A is zoned R7-2 but is proposed for rezoning to R8A in the related application (C 080151 ZMM).

Site E is located at 75 East 110th Street between Madison and Park avenues. The subject site, which consists of one city-owned lot (Block 1616, Lot 31), has approximately 2,018 square feet of lot area and is zoned R7-2. The lot is currently a community garden. The proposed subject site abuts a five story building to the west and a two story commercial building to the east. The proposed project will provide approximately 29 market-rate condominium units in a nine-story building. The project will include approximately 26,294 square feet of residential floor area, approximately 1,028 square feet of community facility floor area and approximately 750 square

feet of outdoor recreational space.

Both sites, A and E, are part of Site 25B of the Milbank Frawley Circle East Harlem Urban Renewal Area and the proposed development is consistent with the Urban Renewal Plan.

Site B is located at 1663 Madison Avenue between East 110th and East 111th streets. The subject site, which consists of one city-owned vacant lot (Block 1616, Lot 51), has approximately 2,375 square feet of lot area and is zoned an R7-2/C1-4. The proposed project site is flanked by two one-story commercial buildings. The proposed project will provide approximately 8 market-rate condominium units in a nine-story building. The project will include approximately 12,101 square feet of residential floor area, approximately 1,862 square feet of commercial floor area and approximately 825 square of outdoor recreational space. Site B is zoned R7-2 but is proposed for rezoning to R8A in the related application (C 080151 ZMM). The subject site is part of Site 25B of the Milbank Frawley Circle East Harlem Urban Renewal Area and the proposed development is consistent with the Urban Renewal Plan.

Site F is located at 169 East 111th Street between Lexington and Third avenues. The subject site, which consists of one city-owned vacant lot (Block 1639, Lot 28), has approximately 3,028 square feet of lot area and is zoned R7A. The proposed project will provide approximately 15 market-rate condominium units in a nine-story building. The proposed project site is flanked by a four story residential building and a six-story building. The project will include approximately 12,112 square feet of residential floor area, and 1,350 square feet of open space, which will be located in the rear yard.

Site G is located at 155 East 109th Street between Lexington and Third avenues. The subject site, consists of one city-owned vacant lot (Block 1637, Lot 23), has approximately 2,523 square feet of lot area and is zoned R7-2/C1-5. The proposed project will provide approximately 13 market-rate condominium units in a seven-story building. The proposed project site is flanked by a privately owned four-story vacant building and vacant lot. The project will include approximately 10,092 square feet of residential floor area and 625 square feet of open space.

Site H is located at 315 East 111th Street between First and Second avenues. The subject site, which consists of one city-owned vacant lot (Block 1683, Lot 10), has approximately 2,523 square feet of lot area and is zoned R7A. The proposed project will provide approximately 13 market-rate condominium units in a seven-story building. The proposed project site is adjacent to a six-story residential building and a vacant one story commercial building formerly used as an auto repair shop. The project will include approximately 10,092 square feet of residential floor area, and 625 square feet of open space.

Site I is located at 1642 Madison Avenue between East 110th and East 109th streets. The subject site, which consists of one city-owned vacant lot (Block 1615, Lot 55), has approximately 1,900 square feet of lot area and is zoned R7-2/C1-4. The proposed project will provide approximately 5 market-rate condominium units in a six-story building. The proposed project site is adjacent to a five-story residential building and a four-story residential building, both with ground floor commercial uses. The project will include approximately 6,282 square feet of residential floor area, 1,510 square feet of ground floor commercial floor area and 600 square feet of open space.

The project site is part of Site 24B of the Milbank Frawley Circle East Harlem Urban Renewal Area and the proposed development is consistent with the Urban Renewal Plan.

Site J is located at 166 East 100th Street between Lexington and Third avenues. The subject site, which consists of one city-owned vacant lot (Block 1627, Lot 43), has approximately 2,523 square feet of lot area and is zoned R7A. The proposed project will provide approximately 13 market-rate condominium units in a seven-story elevator building. The proposed project site is adjacent to a five-story building and a privately owned vacant lot. The project will include approximately 10,092 square feet of residential floor area, and 625 square feet of open space.

Requested Actions

Proposed UDAAP and Disposition of City-owned Property (C 080152 HAM)

HPD is seeking an Urban Development Action Area designation and project approval, and the disposition of nine city-owned properties. The subject sites are located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43). All of the sites are currently vacant and are located in areas where the predominated use is residential with some commercial uses along Lexington, Third and Second avenues.

Zoning Map Amendment (C 080151 ZMM)

Additionally, HPD proposes a zoning map amendment changing from R7-2 to R8A, on the south side of East 111th Street between Park and Madison avenues. The existing R7-2 zoning designation allows a maximum residential FAR of 3.44, a maximum commercial FAR of 2.0 and a maximum community facility FAR of 6.5. The proposed R8A is a contextual zoning district that permits a maximum residential FAR of 6.02, a maximum commercial FAR of 2.0 and a maximum community facility FAR of 6.5. The proposed R8A requires buildings to be constructed at or near the street line, requires a building base height of between 60 and 85 feet and has a maximum overall building height of 120 feet. The additional FAR would allow the applicant to provide an additional 51 affordable units and provide a community facility space.

ENVIRONMENTAL REVIEW

This application (C 080152 HAM), in conjunction with the application for the related action (C 080151 ZMM) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 08HPD001M. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on November 1, 2007.

UNIFORM LAND USE REVIEW

This application (C 080152 HAM), in conjunction with the related application (C 080151 ZMM), was certified as complete by the Department of City Planning on December 3, 2007, and was duly referred to Community Board 11 and the Manhattan 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 11 held a public hearing on this application (C 080152 HAM) along with the related application (C 080151 ZMM) on January 15, 2008, and on that date, by a vote of 21 to 6 with 2 abstentions, adopted a resolution recommending conditional disapproval of this application with the following comments:

“The proposed project.....to develop housing on sites scattered throughout East Harlem, does not provide enough affordable housing, at levels of affordability which are appropriate for our community residents, and unnecessarily concentrates the affordable units in one building.”

Borough President Recommendation

This application (C 080152 HAM) along with the related application (C 080151 ZMM) was considered by the Manhattan Borough President who, on March 3, 2008, issued a recommendation approving the application with the following conditions:

- The applicant and the City should work to retarget the highest ‘affordable’ income bands to the community-oriented target of at or below 130% of the AMI; and
- that the applicant dedicates the community facility space for a local non-profit.

City Planning Commission Public Hearing

On February 27, 2008 (Calendar No. 2), the Commission scheduled March 12, 2008 for a public hearing on this application (C 080152 HAM). The hearing was duly held on March 12, 2008 (Calendar No.36) in conjunction with the hearing for the related action (C 080151 ZMM). There were five speakers in favor and none in opposition.

A representative from HPD spoke in favor and described the history of the proposed project and how it evolved since the time of the original RFP. She also explained how the assemblage of the privately-owned property would allow for additional affordable units and a large community facility space.

A second representative from HPD described how the project's income mix has changed and that HPD was currently in discussion with the local councilmember and the borough president related to this issue.

The project's developer described the proposed project and the outreach to the community board. He also stated the difficulties of providing affordable units on the proposed scattered sites.

The Director of Land Use for the Borough President also spoke in favor and restated the Borough President's conditional recommendation. He also stated and confirmed that an on-going dialogue is occurring between HPD, the local councilmember, and the borough president concerning the project's income mix.

Finally, the HPD's Director of the Manhattan Planning also confirmed HPD's continued outreach to the community board concerning the new proposed targeted incomes.

There were no other speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of three city-owned properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) and the related application(C 080151 ZMM), to facilitate the development of eight buildings with commercial and community facility space, is appropriate.

The Commission notes that the proposed project will provide homeownership housing opportunities within Community District 11. Additionally, the proposed project contributes to the on-going revitalization that has been occurring throughout Community District 11. The Commission believes that the proposed rezoning from an existing R7-2 district to an R8A district will facilitate additional affordable units as well as community facility space on site. The Commission also notes, although HPD has revised the proposed affordable targeted incomes, 30 units at 80% of the AMI, 42 units at 130% of the AMI, and 15 units at 175% of the AMI, the proposed 87 affordable units have not changed.

In response to concerns raised during the public review, HPD, in a letter dated March 25, 2008, stated:

Councilmember Mark-Viverito and the Borough President are working to commit an additional \$2 million to the project, which would eliminate the 175% AMI band altogether. HPD has remained in contact with the CB to keep them apprised of the project's evolution and will present the final project to them when the budget has been resolved.

This application would facilitate the development of eight scattered sites with approximately 213 units with commercial and community facility space. Approval of this application would return these lots to private ownership and eliminate the blight influence of vacant lots on the block. Additionally, the approval of this application would provide additional community and retail services, enhancing the overall quality of life of the community.

RESOLUTION

The City Planning Commission finds that the proposed designation of City-owned property located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; conforms to the objectives and provisions of the Milbank Frawley Circle East Urban Renewal Area (C 030475 HUM) approved October 15, 2003 by the City Council; and be it further

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of properties located at The designation of properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) in Community District 11, Borough of Manhattan, 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 The designation of properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block

1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) as an Urban Development Action Area; and

- b) an Urban development Action Area Project for such areas; 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 sound development of the municipality;
- b) 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
- c) 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 described in this report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned properties located at 64-66 and 72 East 111th Street (Block 1616, Lots 49, and 146), part of the Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B

of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43) in Community District 11, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080152 HAM).

The above resolution (C 080152 HAM), duly adopted by the City Planning Commission on March 26, 2008 (Calendar No. S2), 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 M. BURDEN, AICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, ANGELA R.CAVALUZZI,R.A.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. MCRAE,
JOHN MEROLO, KAREN A. PHILLIPS, Commissioners

IRWIN G. CANTOR, P.E., Commissioner, Recused