THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT
OFFICE OF DEVELOPMENT

LOWER EAST SIDE III

URBAN RENEWAL PROJECT

FIRST AMENDED URBAN RENEWAL PLAN

MAY 1995
FIRST AMENDED

URBAN RENEWAL PLAN

LOWER EAST SIDE III

- URBAN RENEWAL AREA

Manhattan

Community District No. 3

May, 1995
HISTORY OF PRIOR APPROVALS

Original

City Planning Commission: January 14, 1987
Board of Estimate: February 26, 1987 (Cal. No. 4)

Amendments

First:

City Planning Commission: November 1, 1995 (C950511 HUM)
City Council: December 20, 1995 (Reso. No. 1434)
Mayor: January 26, 1996 (Cal. No. 22)
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<td>2: LAND USE PLAN, DATED MARCH, 1986, REVISED May, 1995</td>
<td></td>
</tr>
</tbody>
</table>
A: URBAN RENEWAL AREA

1. LEGAL AUTHORITY

The City of New York ("City") has designated the Lower East Side III Urban Renewal Area ("Area") pursuant to Section 504 of Article XV ("Urban Renewal Law") of the General Municipal Law of the State of New York ("State"). The Department of Housing Preservation and Development ("HPD") represents the City in carrying out the provisions of the Urban Renewal Law pursuant to Section 502(5) of the Urban Renewal Law Section 1802(6)(e) of the Charter.

2. BOUNDARY

The Area is located in Community District No. 3 in the borough of Manhattan and is generally bounded by (i) East 9th Street on the north, (ii) Avenue D on the east, (iii) East 8th Street on the south, and (iv) Avenue C on the west ("Project Boundary"). The Project Boundary is described in Exhibit A ("Project Boundary Description") and is shown on Map 1, ("Project Boundary Map"). The Project Boundary Map also shows all thoroughfares and street rights-of-way. The major streets include: East 8th Street, East 9th Street and Avenue C.

3. SITES

The properties located within the Project Boundary which have been or will be acquired by the City for redevelopment pursuant to this Plan ("Acquisition Parcels") are indicated on the Project Boundary Map and are listed in Exhibit B ("Properties To Be Acquired"). The properties located within the Project Boundary which will not be acquired by the City for redevelopment pursuant to this Plan ("Exempt Parcels") are indicated on the Project Boundary Map and are listed in Exhibit C ("Properties Not to be Acquired").

4. AREA

The Acquisition Parcels listed in Exhibit B comprise the entire Area and, as such, are the only properties to be redeveloped pursuant to this Plan. The Exempt Parcels listed in Exhibit C are not part of the Area and are not subject to the provisions of this Plan, notwithstanding the fact that they are located within the Project Boundary.

5. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to the Urban Renewal Law. The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity:

a. Vacant, substandard, and/or deteriorating buildings with high levels of code violations.

b. Safety hazards due to the presence of obsolescent and vacant buildings.
c. Vacant, unfenced, and insanitary lots.

d. Obsolete and dilapidated buildings and structures characterized by defective construction, outmoded design, physical deterioration, lack of proper sanitary facilities, and/or inadequate fire or safety protection.

e. Inadequate maintenance.

f. Abandoned or underutilized properties.
1. LEGAL AUTHORITY

The City, acting by and through HPD, has established this First Amended Lower East Side III Urban Renewal Plan ("Plan") for the redevelopment of the Area pursuant to Section 505 of the Urban Renewal Law.

2. STATEMENT OF COMPLIANCE

This Plan complies with Section 502(7) of the Urban Renewal Law, as more particularly set forth in the statement below:

a. Proposed Land Uses
   See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures
   See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights
   Not applicable.

d. Proposed Methods Or Techniques Of Urban Renewal
   See Section D.

e. Proposed Public, Semi-Public, Private, Or Community Facilities Or Utilities
   No significant adjustments or improvements in utilities or community facilities are contemplated, except as set forth in Section D.

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan
   No changes are proposed.

g. Proposed Program Of Code Enforcement
   See Section D.
h. Proposed Time Schedule For Effectuation Of Plan

<table>
<thead>
<tr>
<th>Project Activity</th>
<th>Estimated Commencement Date</th>
<th>Estimated Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition</td>
<td>September 1986</td>
<td>August 1994</td>
</tr>
<tr>
<td>Relocation of Site Occupants</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Demolition and Site Clearance</td>
<td>August 1986</td>
<td>November 1986</td>
</tr>
<tr>
<td>Site Preparation (Including Installation of Site Improvements)</td>
<td>November 1986</td>
<td>September 1995</td>
</tr>
<tr>
<td>Land Disposition</td>
<td>February 1987</td>
<td>September 1995</td>
</tr>
<tr>
<td>Project Completion</td>
<td></td>
<td>August 1999</td>
</tr>
</tbody>
</table>

3. OBJECTIVES

This Plan seeks to:

a. Redevelop the Area in a comprehensive manner, removing blight and maximizing appropriate land use.

b. Remove substandard and insanitary structures.

c. Remove impediments to land assemblage and orderly development.

d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area.

e. Provide new and/or rehabilitated housing.

f. Provide a Public Service Establishment and accessory parking for the regional safety of public housing residents.
C: LAND USE CONTROLS

1. LAND USE PLAN

The projected land uses in the Area are shown on Map 2 ("Land Use Plan").

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

The meaning of the technical terms used in this Plan to establish controls on development (including, but not limited to, permitted uses, limits on building bulk, and required off-street parking and loading) will be as defined in the Comprehensive Amendments to the Zoning Resolution of the City, as published in the City Record on November 10, 1960 and approved by resolution of the City's Board of Estimate on December 15, 1960, as amended ("Zoning Resolution").

The zoning of the Area will be as set forth in the Zoning Resolution. The proposed amendments to the Zoning Map set forth in Section D.6 will have no force or effect until they are approved pursuant to Sections 200 and 197-c of the Charter and become a part of the Zoning Resolution. The predominant zoning of the Area at present is residential (R7-2). With respect to any property acquired or to be acquired in accordance with this Plan, in any case in which a specific control of the Plan conflicts with a provision of the Zoning Resolution, the Zoning Resolution will govern until acquisition and the more restrictive of the two will govern after acquisition.

a. Permitted Land Uses

As shown in the Land Use Plan, the following uses will be permitted in the Area in accordance with the additional regulations, controls, and restrictions set forth in this Plan, and all other uses will be excluded:

(1) Residential

Housing and accessory uses such as off street parking, community playrooms, play areas, etc. Also permitted are appurtenant community facilities. Uses will be permitted in accordance with the Zoning Resolution.

(2) Public Service Establishment

A Police Service Area facility and accessory parking uses will be permitted in accordance with the Zoning Resolution.

b. Additional Regulations, Controls, and Restrictions

(1) Building Bulk and Parking

Building bulk (including, but not limited to, zoning room, lot coverage, floor area, open space, height, and setback requirements) and parking requirements will be as required by
the Zoning Resolution, except as is more restrictively set forth below. Proposals by redevelopers will be subject to the review and approval of HPD as set forth in Section E.

(2) Urban Design Objectives

It is the intent of this Plan that, to the extent deemed feasible by HPD, (i) the Area should be developed in a manner compatible with or beneficial to the surrounding community, (ii) the project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern, (iii) low rise buildings should be preferred for family occupancy, (iv) low to medium rise buildings should be preferred for adult and elderly occupancy, and (v) in areas with exceptionally strong or uniform street character, the new construction should enforce the existing urban pattern.

(3) Underground Utility Lines

Any existing overhead telecommunications, electrical, and cable network lines in the Area will be removed and relocated underground and all new or additional telecommunications, electrical, and cable network lines will be placed underground, unless HPD determines that such placement underground is either unnecessary or infeasible.

c. Environmental Review

All projects for the redevelopment of the Area are subject to the requirements of Article 8 ("SEQRA") of the State's Environmental Conservation Law, 6 N.Y.C.R.R. Part 617, 62 R.C.N.Y. Chapter 5, and Mayoral Executive Order No. 91 of August 24, 1977, as amended.

Any project for the redevelopment of the Area which requires a future discretionary act (including, but not limited to, the decision to provide funding) by the United States ("Federal") government will also be subject to the requirements of the National Environmental Policy Act at 42 U.S.C. 4321 ("NEPA"). NEPA is implemented through (i) regulations at 40 CFR 1500-1508 governing all Federal projects, (ii) supplementary regulations at 24 CFR 50 governing projects funded by the Federal Department of Housing and Urban Development ("HUD"), and (iii) supplementary regulations at 24 CFR 58 governing projects using Federal Community Development Block Grant, Rental Rehabilitation, or Housing Development Grant funds. The Federal environmental review process must consider, where applicable, criteria, standards, policies, and regulations concerning noise impact, historic properties, flood plains, wetlands, coastal zones, air quality, water quality, wildlife, endangered species, and solid waste.
D: RENEWAL ACTIONS

1. ACQUISITION

   a. Legal Authority

      All properties to be acquired in accordance with this Plan will be
      acquired pursuant to Section 506 of the Urban Renewal Law in
      accordance with the State's Eminent Domain Procedure Law.

   b. Properties Acquired or to be Acquired Pursuant to this Plan

      The properties located within the Project Boundary which have been
      or are to be acquired by the City pursuant to this Plan are listed
      in Exhibit B and are shown on Map 1.

      The properties comprising the sites numbered 1 and 2, as
      identified on the Land Use Plan, have been or are to be acquired
      with Federal and State assistance. All such properties will be
      subject to (i) HUD approval of the redeveloper, (ii) the
      provisions of the Uniform Relocation Assistance and Real Property
      Acquisition Policies Act of 1970 (42 U.S.C. 4601), as amended
      ("Uniform Relocation Act"), and (iii) State disposition
      requirements. However, such properties will not be subject to
      NEPA unless their redevelopment involves a future discretionary
      act of the Federal government. All other properties, as
      identified on the Land Use Plan, have been or will be acquired
      with City funds, without Federal or State assistance.

   c. Properties Acquired Through Other Means

      Acquisition Parcels acquired by the City through authority other
      than that set forth in this Plan will be subject to the
      restrictions of this Plan and will be developed in accordance with
      this Plan. Exempt Parcels acquired by the City not will be
      subject to the restrictions of this Plan.

   d. Properties Not to be Acquired

      The properties located within the Project Boundary which will not
      be acquired by the City pursuant to this Plan are listed in
      Exhibit C and shown on Map 1. Such properties will not be
      redeveloped pursuant to this Plan and will not be subject to the
      land use controls imposed pursuant to this Plan.

2. RELOCATION

   Relocation of residential and commercial residents is anticipated.

   a. HPD will relocate site occupants in compliance with all applicable
      laws and regulations, including, but not limited to, Section 505
      (4)(e) of the Urban Renewal Law. Occupants of sites acquired or
      to be redeveloped with Federal funding, if any, will alternatively
      receive benefits and services pursuant to the Uniform Relocation
      Act.
b. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

3. DEMOLITION AND/OR REHABILITATION

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation in accordance with the objectives and requirements of this Plan. Properties designated for rehabilitation are indicated in Exhibit B and shown on Map 2. Rehabilitation will be undertaken in conformance with HPD's Design Guidelines for Multi-Family Housing/Substantial Rehabilitation.

4. LAND DISPOSITION

Properties acquired will be disposed of for redevelopment in accordance with this Plan, including the provisions set forth in Section E.

5. CODE ENFORCEMENT

Throughout the Area, there will be a continuous program of enforcement of applicable existing laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction. All properties will be required to meet at least the minimum standards contained in all applicable laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction.

6. ZONING MAP AMENDMENTS

Zoning Map Amendments may be necessary to implement the land use and redevelopment proposals of this Plan. Such rezonings will be undertaken pursuant to Sections 200 and 197-c of the Charter.

7. UTILITIES

Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply will be provided in accordance with the requirements of the City's Department of Environmental Protection ("DEP"). Sanitary and storm sewers will conform to the requirements contained in the "Rules and Regulations Governing the Construction of Private Sewers and Drains" of DEP's Bureau of Sewers.

8. PUBLIC, SEMI-PUBLIC, AND PRIVATE COMMUNITY FACILITIES

The land uses of the Area will be residential and commercial. Land or space may be made available for public or non-profit institutions providing community services. A Police Service Area facility and accessory parking will be provided. In addition, some new housing may have incorporated within it private community facilities for the use of residents.
E: REDEVELOPER OBLIGATIONS

1. RECORDABLE AGREEMENTS

The disposition instruments for any land in the Area to be redeveloped in accordance with this Plan will contain (i) covenants which incorporate this Plan by reference and require compliance with the terms and restrictions set forth herein, and (ii) covenants running with the land which require compliance with Section E.4.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

Each redeveloper, its successors and assignees of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument whereby such land or any part thereof is restricted upon the basis of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy thereof, and (ii) will comply with all applicable federal, state and local laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

5. DESIGN REVIEW

Prior to commencement of construction, each redeveloper will be required to submit site plans, landscape plans, architectural drawings, outline specifications, and schedules of materials and finishes for the construction of improvements on the land, all in sufficient detail to permit determination of compliance with the intent and controls of this Plan and the design and character of proposed construction, for the review and approval of HPD, in consultation with the New York City Housing Authority. Each redeveloper will submit any material change thereafter proposed for the review and approval of HPD, in consultation with the New York City Housing Authority, prior to commencement of construction of such change. Final working drawings will be submitted before construction begins.
6. **RESTRICTION ON TRANSFER PRIOR TO COMPLETION**

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. **COOPERATION WITH HPD**

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project.

8. **COOPERATION WITH OTHER CITY AGENCIES**

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. **CERTIFICATE OF COMPLETION**

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.
MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to Section 505 of the Urban Renewal Law and Section 197-c of the Charter.

2. MINOR CHANGES

Where literal enforcement of the restrictions set forth in this Plan would result in unnecessary hardship, would involve practical difficulties, or would constitute an unreasonable limitation beyond the intent and purpose of this Plan, HPD may authorize such minor changes of the terms of these restrictions as conform with the intent and purpose of this Plan; provided, however, that (i) no variations or modifications will be less restrictive than applicable Federal, State, and City laws, codes, ordinances, and regulations, and (ii) concurrence is obtained from the City Planning Commission ("CPC").

3. MERGERS AND SUBDIVISIONS

The merger and/or subdivision of any of the development sites in the Area will be permitted where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of the subdivided development site, if any, is marketable and developable in accordance with this Plan and with all applicable laws, codes, ordinances, and regulations. The merger and/or subdivision of a development site will not require review or approval by CPC, but the Urban Renewal Plan, as modified to indicate such merger and/or subdivision, will be filed with the Department of City Planning for information purposes.
G: DURATION OF PLAN

This Plan will remain in effect for a period of forty (40) years from the
date of the original approval of this Plan, until January 14, 2027, except
as provided in Section F.
EXHIBIT A

Lower East Side III Urban Renewal Project
Manhattan Tax Block 378
Tax Lots 1, 14, 15, 16, 17, 19, 20, 21, 23, 24, 26, 27, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 59, 60, 62 and 63

Beginning at the corner formed by the intersection of the easterly line of Avenue C with the northerly line of East 8th Street;

1. Running thence northerly, along the easterly line of Avenue C for 70 feet 6 inches to the southerly line of Tax Lot 4 in Manhattan Tax Block 378 as shown on the Tax Map of the City of New York for the Borough of Manhattan, New York County, as said Tax Map existed on May 7, 1993;

2. Thence easterly, along the southerly line of Tax Lot 4 for 83 feet to the easterly line of Tax Lot 4;

3. Thence northerly, along the easterly line of Tax Lot 4 for 17 feet 5 inches to the southerly line of Tax Lot 10;

4. Thence easterly, along the southerly line of Tax Lot 10 for 100 feet to the easterly line of Tax Lot 10;

5. Thence northerly, along the easterly line of Tax Lot 10 for 100 feet to the southerly line of East 9th Street;

6. Thence easterly, along the southerly line of East 9th Street for 325 feet to the westerly line of Tax Lot 28;

7. Thence southerly, along the westerly line of Tax Lot 28 for 93 feet 11 inches to the northerly line of Tax Lot 43;

8. Thence westerly, along the northerly line of Tax Lot 43 for 20 feet to the westerly line of Tax Lot 43;

9. Thence southerly, along the westerly line of Tax Lot 43 for 93 feet 11 inches to the northerly line of East 8th Street;

10. Thence westerly, along the northerly line of East 8th Street for 488 feet to the point of place of beginning, the aforesaid distance being more or less.

The above described area is known as Tax Lots 1, 14, 15, 16, 17, 19, 20, 21, 23, 24, 26, 27, 46, 48, 49, 50, 51, 52, 53, 54, 55, 56, 59, 60, 62 and 63 in Manhattan Tax Block 378.
### EXHIBIT B

**PROPERTIES TO BE ACQUIRED**

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<th>Disposition Site No.</th>
<th>Block</th>
<th>Lots</th>
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<td>378</td>
<td>p.o.17,19,20,21,23,24,26,27,46,48-54.</td>
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<td>2</td>
<td>378</td>
<td>1,14,15,16, p.o.17,55,56,59,60,62,63.</td>
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</tbody>
</table>

There are no properties to be rehabilitated.
EXHIBIT C
PROPERTIES NOT TO BE ACQUIRED

None
FACT SHEET
Lower East Side III Urban Renewal Area
First Amendment
May, 1995

Reasons for Amendment

To expand the boundary of the Urban Renewal Project Area through the acquisition of two lots (378/1 and 378/63).

To create Site 2 from a portion of Site 1 and add the two lots to Site 2.

To allow a Public Service Establishment commercial use, Use Group 6D, on Site 2. The previous plan established a use that was entirely residential; the proposed plan would establish residential use on Site 1 and commercial use on Site 2.

To facilitate the new construction by the New York City Housing Authority of a Police Service Area facility, with accessory parking, to be known as Police Service Area No. 4 (PSA #4).

Substantial Changes

1. Addition of History of Prior Approval page.

2. Addition of Public Service Establishment as a permitted Land Use.

3. Revision of the timetable for effectuation of the plan.

4. Change in Boundary Description to reflect the expanded Urban Renewal Project Plan.

5. Revision of Exhibit B "Properties to be Acquired" to reflect the expanded Urban Renewal Project Area.

6. Revision of Map 1 (Project Boundary).

7. Revision of Map 2, (Land Use Plan).

General Changes

1. The language and format of the plan has been changed to conform to the agreement between HPD and the City Planning Commission.

Pages Affected

Maps 1, 2, Exhibits A, B, History Page
Pages 4, 5, 10, 11