



CITY PLANNING COMMISSION

June 7, 2006 / Calendar No. 5

C 060311 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 276 East 3rd Street (Block 372, Lot 11) 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 the development of a four-story building, tentatively known as the Post Graduate Center for Mental Health, with approximately nine residential units, Community District 3, Borough of Manhattan.

Approval of three separate matters is required:

1. the designation of property located at 276 East 3rd Street (Block 372, Lot 11) 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 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 January 31, 2006.

Approval of this application would facilitate the development of a four-story, children's community residence building, with sleeping accommodations for eight program participants and one ground-floor residential unit for a live-in program staff person. The project is tentatively known as the Post Graduate Center for Mental Health.

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

The Project Area consists of underutilized 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, unsanitary, 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.

BACKGROUND

The Department of Housing Preservation and Development (HPD) is seeking an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of city-owned property for a site located at 276 East 3rd Street (Block 372, Lot 11). The site is located in the East Village neighborhood of Manhattan within Community District 3. The lot is zoned R7-2 with a C2-5 commercial overlay, which allows a base FAR of 3.44 for residential development and 6.5 for community facility development.

The proposed project consists of one four-story building. 276 East 3rd Street is a 23-foot wide lot on the south side of the street between Avenue C and Avenue D. The site is adjoined by five- and six-story mixed-use buildings and is currently vacant. The building would be developed under the New York State Office of Mental Health (NYSOMH) and operated as a non-profit institution with sleeping accommodations for emotionally disturbed children and adolescents, ages 12 through 18.

The project is intended to provide a home- and family-like environment for program participants and would be staffed 24 hours per day, 7 days per week. The sponsor intends to have up to 13 full-time staff assigned to the residence, including one live-in program staff person (the “house parent”), giving priority to qualified community residents. Participating children will attend public schools in the area and in other school districts, depending on their individual educational needs. A resident

who has not made the transition to independent living or has not been otherwise appropriately placed before turning 18 “ages out,” for placement in a more age-appropriate setting. The building’s rear yard will have approximately 736 square feet of open space, accessible to all residents.

The surrounding area is characterized by mid-rise, multi-family residential buildings, community facilities and scattered vacant lots. Many of the residential buildings have ground-floor retail uses which serve local shopping needs, and many of the vacant lots, particularly those in the midblock areas, are active community gardens. The site is close to a number of bus routes that run along the avenues and East Houston Street. A station of the F subway line is located at First Avenue and Houston Street, about a 15-minute walk from the site.

ENVIRONMENTAL REVIEW

This application (C 060311 HAM) 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 lead agency is the Department of Housing Preservation and Development.

This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 060311 HAM) was certified as complete by the Department of City Planning on February 6, 2006, and was duly referred to Manhattan Community Board 3 and the Manhattan Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure

(ULURP) rules.

Community Board Public Hearing

Community Board 3 held a public hearing on this application on March 21, 2006, and on March 28, 2006, by a vote of 31 to 0 with 0 abstentions, adopted a resolution recommending approval of the application with the following condition:

To approve this ULURP (# 060311 HAM) conditioned upon HPD keeping the community use similar to or for affordable housing for low income residents in perpetuity.

Borough President Recommendation

This application was considered by the Manhattan Borough President who issued a recommendation approving the application on April 26, 2006.

City Planning Commission Public Hearing

On April 26, 2006 (Calendar No. 6), the City Planning Commission scheduled May 10, 2006 for a public hearing on this application (C 060311 HAM). The hearing was duly held on May 10, 2006 (Calendar No. 24). There were two speakers in favor and none in opposition.

The project sponsor's Director of Programs and Residential Development appeared in favor of the project. The Manhattan Borough President's Director of Land Use reiterated the Borough President's support for the proposal.

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

CONSIDERATION

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

This application would facilitate the development of a non-profit facility with sleeping accommodations, providing a family-like setting and therapeutic environment for eight emotionally-disturbed adolescents, who no longer require a more restrictive, institutional setting but who may not yet be ready to return to their families or transition to independent living. The project will provide 736 square feet of landscaped open space for residents in the rear yard. The proposal will provide needed new units of supportive housing to the East Village community.

In response to the Commission's concerns over initial plans, which showed the building set back from the existing streetwall as established by its neighboring buildings, the applicants revised the proposal to align the building's front façade with the properties on either side.

The return of this vacant lot to productive use would eliminate its blighting influence on the neighborhood and would enable this city-owned property to be developed with uses that would serve the needs of Manhattan Community District 3 and the City of New York.

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 property located at 276 East 3rd Street (Block 372, Lot 11), 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 property located at 276 East 3rd Street (Block 372, Lot 11) as an Urban Development Action Area; and
- b. an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council finds 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 to 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; and

BE IT FURTHER RESOLVED, 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 property located at 276 East 3rd Street (Block 372, Lot 11), Community District 3, Borough of Manhattan, to a developer selected by HPD, is approved.

The above resolution (C 060311 HAM), duly adopted by the City Planning Commission on June 7, 2006 (Calendar No. 5), 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, 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