



IN THE MATTER OF an application submitted by the New York City Police Department and Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 127 East 107th Street (Block 1635, Lot 17) for use as a police parking facility, Borough of Manhattan, Community District 11.

This application (C 170066 PCM) was filed on August 25, 2016, by the New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS) to facilitate the siting of a new police parking facility to be located in East Harlem, Manhattan Community District 11.

BACKGROUND

The NYPD and DCAS propose to acquire property located at 127 East 107th Street, in the East Harlem neighborhood of Manhattan Community District 11.

The NYPD's current parking facility is located at 127 East 107th Street (Block 1635, Lot 1) on a 27,853-square-foot City-owned vacant lot that is under the jurisdiction of the Department of Housing Preservation and Development (HPD). The NYPD has been using this lot as a parking facility since 2004, under an informal agreement with HPD. The parking facility is used in conjunction with several specialty response and investigative units located across the street at 104 East 107th Street. These units include the Manhattan North Traffic Enforcement Unit, the Firearm Suppression Division, the Emergency Services Unit Weapons of Mass Destruction Unit, the Central Robbery Division, and the Intelligence Division. These units respond within Manhattan and serve citywide. The NYPD currently parks Department-owned and leased vehicles, Emergency Response Unit vehicles, and storage containers on the project site. Parking that is close to the 104 East 107th Street facility is essential to maintain adequate services: it allows for constant surveillance of the property and convenient access to its vehicles, allowing for quick responses to emergencies.

The proposed acquisition site would be located within the parking garage for the Lexington Gardens II project (C 160336 ZMM, C 160337 ZRM, C 160338 ZSM, C 160339 ZSM, and C 160340 HAM), which was approved by the City Council on November 29, 2016. The siting of the proposed NYPD parking facility was planned to be included on a portion of the first level and the entire second level of a garage to be constructed as part of the Lexington Gardens II project. A portion of the garage was set aside for NYPD use in the approved Lexington Garden II development, and therefore the proposed NYPD parking facility does not require any modification to the approved general large scale development special permit (C 160338 ZSM) or related approvals.

The new parking facility will mitigate the loss of the NYPD's current parking facility at the Lexington Gardens II project site. The parking garage will contain 32 parking spaces; four of the spaces will be at-grade and the remaining 28 spaces will be located on the second floor. The garage will be dedicated for NYPD use and will have a private entrance from East 107th Street. There will be parking on the ground floor for four parking spaces with a ramp leading to the 28 additional spaces on the second floor. During the construction of Lexington Gardens II, the NYPD vehicles that are currently parked at the project site will be parked at an HPD-managed lot located on East 125th Street between Second and Third Avenues.

ENVIRONMENTAL REVIEW

This application (C 170066 PCM), 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 16HPD082M. The Lead Agency is the Department of Housing Preservation and Development.

Site selection and acquisition for the NYPD parking facility were considered as part of the earlier Environmental Assessment Statement (EAS) for the Lexington Gardens II project. After a study of the potential impacts of the proposed actions in the EAS, a Negative Declaration was issued

on June 1, 2016. A Revised Negative Declaration was issued on June 2, 2016. The Revised Negative Declaration supersedes the Negative Declaration issued on June 1, 2016.

A Technical Memorandum (001) was issued on October 11, 2016, in connection with the proposed actions, to address changes to the development program for the proposed project, and to update the Community Facilities and Services analysis to reflect new school enrollment projection data that was released during the public review period. The Technical Memorandum concludes that the changes in the proposed development program and the updated Community Facilities analysis would not result in any new significant adverse impacts.

UNIFORM LAND USE REVIEW

This application (C 170066 PCM) was certified as complete by the Department of City Planning on March 20, 2017, 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 did not hold a public hearing and did not submit a recommendation for this application.

Borough President Recommendation

This application (C 170066 PCM) was considered by the Manhattan Borough President, who on June 29, 2017, issued a recommendation to approve the application.

City Planning Commission Public Hearing

On June 21, 2017 (Calendar No. 2), the City Planning Commission scheduled July 12, 2017, for a public hearing on this application (C 170066 PCM). The hearing was duly held on July 12, 2017 (Calendar No. 19).

At the public hearing, two speakers from the applicant team testified in favor of the application; a representative from DCAS and a representative from the NYPD.

The DCAS representative described the requested action and why the facility was needed and stated that the proposed acquisition space would be acquired by a 20-year lease. The NYPD representative described the NYPD's special investigative and emergency service units assigned at 104 East 107th Street, and how the proposed police parking facility would better serve the NYPD's needs to deliver citywide law enforcement and emergency services from this location.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of the requested site selection and acquisition action is appropriate.

The proposed acquisition site is located at 127 East 107th Street and comprises a portion of the first level and the entire second level of a parking garage that will be constructed for the larger Lexington Gardens II project (C 160338 ZSM). The new NYPD garage will offset the loss of the NYPD's current parking facility at the site. The parking garage will contain 32 parking spaces; four of the spaces will be at-grade and the remaining 28 spaces will be located on the second floor. The garage will be dedicated for NYPD use and will have a private entrance from East 107th Street.

The new NYPD parking facility will be in the same location as its current parking facility. The requested acquisition action would enable the NYPD to remain at this location, which would ensure that the NYPD can maintain the levels of service it needs for the specialty investigative and emergency service units located at 104 East 107th Street, which is located opposite the proposed parking facility.

The Commission notes that the Borough President submitted a recommendation to approve this application and that Community Board 11 did not hold a public hearing or submit comments on this application. However, during its review of the Lexington Gardens II project, the Board vocally expressed support for the police parking facility and welcomed the NYPD's continued presence in the area. In her recommendation, the Borough President states that "The proposed NYPD garage

will eliminate the Department’s need for parking on the sidewalk and create a safer experience for pedestrians along this section of the avenue,” with which the Commission concurs. Therefore, the Commission believes that the requested site selection and acquisition action, is appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment, 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 and findings described in this report, the application submitted by the New York City Police Department and Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 127 East 107th Street (Block 1635, Lot 17) for use as a police parking facility, Borough of Manhattan, Community District 11, is approved.

The above resolution (C 170066 PCM), duly adopted by the City Planning Commission on August 9, 2017 (Calendar No. 31) 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*

RAYANN BESSER, IRWIN G. CANTOR, P.E.,

ALFRED C. CERULLO, III, CHERYL COHEN EFFRON,

MICHELLE DE LA UZ, JOSEPH DOUEK,

RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARÍN, LARISA ORTIZ, *Commissioners*



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Gale A. Brewer, Borough President

June 29, 2017

Marissa Lago, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Re: Application No. C 170066 PCM - NYPD 107th Street Parking Facility

Dear Chair Lago:

I write in regard to the application submitted by the New York City Police Department (NYPD) and Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 127 East 107th Street (Block 1635, Lot 17) for use as a police parking facility.

This action is related to a previous application (C 160340 HAM) by the New York City Department of Housing Preservation and Development ("HPD" or "the Applicant") and its proposed development partner Lexington Gardens Owners LLC ("the Owner") to development a mixed-use affordable housing project ("Lexington Gardens II") on the block bounded by Lexington Avenue, East 108th Street, Park Avenue, and East 107th Street (Block 1635, Lots 1, 7, 16, and 17) in the East Harlem neighborhood, Community Board 11 (CB 11) in the Borough of Manhattan. The New York City Council adopted the related application on November 29, 2016.

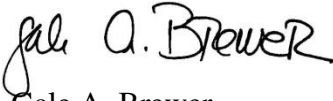
As part of the final building programming for Lexington Gardens II, one of two new parking facilities incorporated into the mixed-use affordable housing project would be constructed to replace an existing municipal surface parking lot. The existing surface parking area held 88 NYPD and HPD vehicles. In addition to normal fleet parking, the NYPD uses this space for authorized trucks, two sea storage containers, and two portable light towers.

After careful review, I believe the site selection and acquisition of this property is a practical solution to addressing both the needs of the city agencies and the development project. As stated in my September 16, 2016 recommendation of a conditional approval for Lexington Gardens II, this strategy allows the development of much need affordable housing in East Harlem while also ensuring the NYPD would be able to maintain its fleet in nearly the same location. The new garage would remain in close proximity to existing NYPD offices including the NYPD's 23rd Precinct located at 162 East 102nd Street between Lexington Avenue and Third Avenue and the Manhattan North Traffic Enforcement Unit located at 104 East 107th Street between Park Avenue and Lexington Avenue.

The proposed garage would also improve mobility and accessibility of pedestrians along Park Avenue. Currently the NYPD uses the sidewalk for parking official vehicles and equipment, creating an unsafe environment both in terms of the perception of danger and by physical impediments which force pedestrians to enter the roadway to traverse the east side of Park Avenue. The proposed NYPD garage will eliminate the Department's need for parking on the sidewalk and create a safer experience for pedestrians along this section of the avenue.

Acquisition of this garage will also provide a solution with predictable costs for warehousing municipal vehicles that serve East Harlem. This makes long-term financial sense given the alternative of leasing a private garage. Therefore, I recommend approval of C 170066 PCM.

Sincerely,



Gale A. Brewer