



CITY PLANNING COMMISSION

August 27, 2008/ Calendar No. 15

C 080331 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 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, 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 mixed use project, tentatively known as the East 125th Street Development, with residential, retail and publicly accessible open space, Borough of Manhattan, Community District 11.

Approval of three separate matters is required:

1. The designation of property located at 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, as an Urban Development Action Area; and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property to a developer to be 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 on March 17, 2008.

The requested action, in conjunction with the related actions, would facilitate the development of

the East 125th Street Development, a mixed-use project with commercial, residential and cultural/arts uses, and public open space.

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, 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 ACTIONS

In addition to the application for the Urban Development Action Area designation and Project approval and disposition of city-owned property, which is the subject of this report (C 080331 HAM), implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

- C 080332 HUM:** 15th Amended Harlem-East Harlem Urban Renewal Plan
- C 080333 ZMM:** Zoning Map Amendment from M1-2, R7-2 and C4-4, to C6-3
- M 850772(D) ZAM:** Modification to East Harlem Triangle Large Scale Residential Development Plan (LSRD).
- N 080334 ZCM:** Special Transit Land Use District Certification
- N 090083 HGM:** Additional Property Designation, Harlem-East Harlem Urban Renewal Area

BACKGROUND

A full background discussion and description of the East 125th Street Development appears in the report for the related application for the 15th Amendment to the Harlem-East Harlem

Urban Renewal Plan, C 080332 HUM.

ENVIRONMENTAL REVIEW

This application, in conjunction with the related applications (C 080332 HUM, C 080333 ZMM, M 850772(D) ZAM and N 080334 ZCM) were 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 07DME025M. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding (DME).

A summary of the environmental review and Final Environmental Impact Statement (FEIS) appears in the report for the related application for the 15th Amendment to the Harlem-East Harlem Urban Renewal Plan, C 080332 HUM.

UNIFORM LAND USE REVIEW

This application (C 080331 HAM), in conjunction with the applications for the related actions (C 080332 HUM, and C 080333 ZMM), was certified as complete by the Department of City Planning on March 24, 2008, 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), along with the related non-ULURP applications (M 850772(D) ZAM and N 0080334 ZCM), which was sent to the board and the Borough President for information and review.

Community Board Public Hearing

Community Board 11 held a public hearing on this application on May 20, 2008, and on May 28, 2008, by a vote of 30 to 0 with 0 abstentions, adopted a resolution recommending disapproval of the application with conditions.

A summary of the recommendations of Community Board 11 appears in the report on the related application for the 15th Amendment to the Harlem-East Harlem Urban Renewal Plan, C 080332 HUM.

Borough President Recommendation

This application (C 080331 HAM) was considered by the Manhattan Borough President, who issued a recommendation for conditional disapproval on July 2, 2008.

A summary of the Borough President's recommendation appears in the report on the related application for the 15th Amendment to the Harlem-East Harlem Urban Renewal Plan, C 080332 HUM.

City Planning Commission Public Hearing

On July 2, 2008 (Calendar No. 2), the City Planning Commission scheduled July 23, 2008 for a public hearing on this application (C 080331 HAM). The hearing was duly held on July 23, 2008 (Calendar No. 27), in conjunction with the hearing on the applications for the related actions (C 080332 HUM, C 080333 ZMM). There were eight speakers in favor and four in opposition, as described in the report for the related application (C 080332 HUM) and the hearing was closed.

CONSIDERATION

The Commission believes that the application for Urban Development Action Area designation and Project (UDAAP) approval, and disposition of City-owned property, in conjunction with the related actions, is appropriate.

A full consideration and analysis of the issues, and reasons for approving this application appear in the report on the related application for the 15th Amendment to the Harlem-East Harlem Urban Renewal Plan, C 080332 HUM.

RESOLUTION

The City Planning Commission finds that the proposed designation of city-owned property located at 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), conforms to the objectives and provisions of the 15th Amended Harlem-East Harlem Urban Renewal Plan (C 080332 HUM) which is being considered concurrently with this application, and be it further

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 15, 2008, with respect to this application, the City Planning Commission finds that the requirements of Part 617 of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written

statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

WHEREAS the Department of Housing Preservation and Development has recommended the designation of property located at 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, 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 **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 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, 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 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 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 Section 691 of the Urban Development Action Area Act.

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 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, Borough of Manhattan, Community District 11, to a developer to be selected by HPD is approved (C 080331 HAM).

The above resolution (C 080331 HAM), duly adopted by the City Planning Commission on August 27, 2008 (Calendar No. 15), 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, FAICP, Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, MARIA M. DEL TORO,
NATHAN LEVENTHAL, SHIRLEY A. McRAE, JOHN MEROLO, Commissioners
KAREN A. PHILLIPS, Commissioner Voting No