



## CITY PLANNING COMMISSION

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September 10, 2003/Calendar No.21

C 030475 HUM

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**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, **for the 1<sup>st</sup> Amendment to the Milbank Frawley Circle East Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area**, Borough of Manhattan, Community District 11.

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The application for First Amendment to the Milbank Frawley Circle East Urban Renewal Plan was filed by the Department of Housing Preservation and Development on May 16, 2003, to modify supplementary controls on a portion of Site 35B by eliminating the requirement of a 100 foot building setback from Park Avenue. Site 35B is located on Block 1622, which is bounded by Park and Madison avenues, East 116<sup>th</sup> and East 117<sup>th</sup> streets. The proposed action would facilitate the development of the Olga Mendez Apartments, a proposed 75-unit development for persons of low-income. The project site comprises a portion of Site 35B and is located in East Harlem, Manhattan Community District 11.

The proposed plan;

1. Modifies supplementary controls on redevelopment located in Section C: subsection (3a) Controls on Specific Sites by eliminating the requirement of a 100 foot building setback from Park Avenue on Site 35B.
2. Has been modified to conform to the current HPD language, terminology and methodology for urban renewal plans.

3. Updates the timetable for the implementation of the Plan.

These changes would facilitate development of a 75-unit low-income rental project, the Olga Mendez Apartments, on part of Site 35B, Borough of Manhattan, Community District 11.

### **RELATED ACTIONS**

In addition to the First Amendment to the Milbank Frawley Circle East Urban Renewal Plan 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 030441 HAM** UDAAP designation and project approval and the disposition of city-owned property, to facilitate the development of the Olga Mendez Apartments.

### **BACKGROUND**

The Milbank Frawley Circle Urban Renewal Area was approved by the City Planning Commission on August 16, 1967. The plan was amended on August 19, 1992, to create the Milbank Frawley Circle-East Urban Renewal Plan, which is the subject of the proposed action.

The urban renewal area comprises 33 designated sites within the 18-block area generally

bounded by Park and Fifth avenue, from East 107<sup>th</sup> to East 125<sup>th</sup> streets.

On Block 1622, the proposed amended urban renewal plan would change the supplementary controls on Site 35B, by eliminating the requirement of a 100-foot building setback from Park Avenue. Under the current urban renewal plan, residential development is prohibited within 100 feet of Park Avenue. The proposed amendment would facilitate development of the Olga Mendez Apartments, a portion of which, is proposed to be built within 100 feet of Park Avenue.

A full background discussion and description of this project appears in the report on the related application for UDAAP designation and project approval and the disposition of city-owned property (C 030441 HAM).

## **ENVIRONMENTAL REVIEW**

This application (C 030475 HUM ) 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 030HPD010M. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 14, 2003.

### **UNIFORM LAND USE REVIEW**

This application (C 030475 HUM) was certified as complete by the Department of City Planning on June 2, 2003, and was duly referred to Community Board 11 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 11 held a public hearing on this application on June 17, 2003, and on that date, by a vote of 30 to 5 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on July 22, 2003.

### **City Planning Public Hearing**

On July 23, (Calendar No. 13), the City Planning Commission scheduled August 13, 2003, for a public hearing on this application (C 030475 HUM). The hearing was duly held on August 13, 2003 (Calendar No.15), in conjunction with the public hearing on the application for the related action (C 030441 HAM).

There were a number of speakers, as described in the report on the related application for UDAAP designation and project approval and the disposition of city-owned property (C 030441 HAM), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area is appropriate.

The proposed First Amendment to the Milbank Frawley Circle East Urban Renewal Plan would change the supplementary controls on Site 35B by eliminating the requirement of a 100-foot building setback from Park Avenue. Under the current urban renewal plan, residential uses may not be developed within 100 feet of the Metro-North elevated right-of-way, which runs along Park Avenue. The proposed urban renewal amendment would remove the 100 foot building setback requirement for Site 35B, to facilitate the development of the Olga Mendez Apartments, a proposed 75-unit development for persons of low-income.

A further statement of the Commission, including a full consideration and analysis of the issues appear in the report on the related application, C 030441 HAM.

## 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**, that the City Planning Commission finds that the proposed Amended Milbank Frawley Circle East Urban Renewal Plan is an appropriate plan for the area involved.

The City Planning Commission certifies that the Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area complies with the provisions of Section 502, Article 15 of the General Municipal Law of New York State, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives.

The Commission further certifies that the Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area is in conformity with the findings and designation of the Milbank Frawley Circle East Urban Renewal Area as adopted by the City Planning Commission on August 16, 1967. The Commission certifies its unqualified approval of the Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area, pursuant to Section 505, Article 15 of the General Municipal Law of New York State;

**RESOLVED**, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, the Uniform Land Use Review Procedure, and Section 505, Article 15 of the General Municipal Law of New York State, and after due consideration of the appropriateness of this action, that the proposed Amended Urban Renewal Plan for the Milbank Frawley Circle East Urban Renewal Area, Community District 11, Borough of Manhattan, submitted by the Department of Housing Preservation and Development on May 16, 2003 is approved.

The above resolution (C 030475 HUM), duly adopted by the City Planning Commission on September 10, 2003 (Calendar No.21), 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**  
**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY,**  
**ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO,**  
**KAREN A. PHILLIPS, JOSEPH B. ROSE, DOLLY WILLIAMS,**  
Commissioners