



CITY PLANNING COMMISSION

March 14, 2007 / Calendar No. 14

C 070132 PPM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) City-owned property located at 269 Henry Street (Block 288, Lot 80) pursuant to zoning, Community District 3, Manhattan.

* Section 197-d,b(2) eligible

The application for the disposition of one City-owned property was filed by the Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) on October 4, 2006.

BACKGROUND

The Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) submitted an application for the disposition of one (1) City-owned property, located at 269 Henry Street between Montgomery and Jackson Streets, pursuant to zoning. The subject property is located in the Lower East Side (Block 288, Lot 80), in Manhattan, Community District 3. The property includes a four-story building that was built and used as a firehouse until 2001, and which is currently vacant.

The building was occupied by FDNY Engine Company No. 15, which in November of 2001 relocated to a new facility three blocks to the north at Pitt Street and Delancey Street because renovation of the existing building was not feasible.

The subject property is situated in an R7-2 district. Directly to the west of the subject building are several low-rise buildings on Henry Street that serve as the headquarters of the Henry Street Settlement, a community organization that has been active in this location for over 100 years. To the east of the building is a large playground and P.S. 134.

The surrounding neighborhood is developed with a mix of uses. Some of the buildings on the subject block and on adjacent blocks are of a similar, low- to mid-rise scale, with ground floor retail and residential upper floors. The majority of buildings in the immediate area, however, are high-rise residential towers surrounded by open spaces, or large-scale, institutional properties.

ENVIRONMENTAL REVIEW

This application (C 070132 PPM) 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 Citywide Administrative Services (DCAS).

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

UNIFORM LAND USE REVIEW

This application (C 070132 PPM) was certified as complete by the City Planning Commission on November 13, 2006 and was duly referred to Community Board 3 and the 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 December 12, 2006 and on December 19, 2006, by a vote of 29 to 0 with 0 abstentions, adopted a resolution recommending disapproval with the following conditions:

- 1) To request that DCAS withdraw ULURP C070132 PPM and continue negotiating with HPD so that HPD can obtain this location for the purpose of developing a proposal for site control with Henry Street Settlement (a community organization of great and historic value to the Lower East Side); furthermore, to request that any disposition of this location by HPD be expressly for community facility use;
- 2) that if DCAS does not agree to withdraw ULURP C070132 PPM, the vote is to express that CB3 does not approve of disposing this property at auction according to this ULURP application for the reasons stated above, and that we recommend that all bodies that review this ULURP also do not approve it;
- 3) that regardless of the building's disposition, to note that the preservation of an 1850's NYC building for the community is an important and worthwhile goal unto itself.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation disapproving the application on January 19, 2007. In his recommendation, the Borough President stated that:

Due to the scarcity of city-owned property left to dispose, the firehouse site should only be considered for disposition to facilitate development that provides a clear community benefit. Therefore, this application should be withdrawn and resubmitted for disposition when a specific program of [the firehouse's] re-use is determined with input from the Lower East Side community.

City Planning Commission Public Hearing

On January 24, 2007 (Calendar No. 4), the City Planning Commission scheduled February 7, 2007, for a public hearing on this application (C 070132 PPM). The hearing was duly held on February 7, 2007 (Calendar No. 27). There were two speakers in favor and seven in opposition.

The Deputy Commissioner of DCAS stated that the proposed action would facilitate and accelerate future disposition, noting that discussions between HPD and the Henry Street Settlement were ongoing. She further stated that DCAS, at the request of HPD, has placed a hold on the property which would preclude its being sold while the hold remained in effect.

A representative of the Fire Department spoke about the background and existing condition of the firehouse, as well as the history of Engine Company 15, which had been the firehouse's sole occupant. His testimony included a summary of some of the quantitative and qualitative factors related to Engine Co. 15's relocation to a facility three blocks to the north, at Pitt Street and Delancey Street. He noted that the relocation facility was a more modern and therefore more efficient facility and that response times by the Company had not been negatively affected by the move.

The speakers appearing in opposition to the application included a representative of the City Council Member for District 1, the Manhattan Borough President's Office's Director of Land Use, the District Manager of Community Board 3 and a local resident.

The City Council Member's representative, citing the scarcity of available City-owned resources, recommended that DCAS withdraw the application and allow HPD to continue its discussions with the Henry Street Settlement. The Manhattan Borough President's Director of Land Use restated the

Borough President's recommendation of disapproval of the application. The District Manager of CB3 restated her board's recommendation.

The local resident also noted that the subject application would remove community participation from a ULURP process that could impact the future development of City-owned property. He recommended that the application be withdrawn, in order to allow HPD to continue its discussions with the Henry Street Settlement on a possible site proposal.

Representatives of the State Assembly Member for the 64th District and the U.S. Congress Member for the 14th District acknowledged DCAS's hold but urged continued discussions between HPD and the Henry Street Settlement.

A representative of the Henry Street Settlement provided a preliminary overview of her organization's intentions for the subject property. She noted that a variety of funding channels would be available to facilitate the development of future plans and that the Henry Street Settlement would be open to continuing discussions with HPD through either this or a future ULURP application.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of one City-owned property located on Henry Street between Montgomery and Jackson Streets, as modified, is appropriate.

The Commission notes that Engine Company 15 left the building and relocated at a modern facility three blocks to the north in 2001. The Commission notes that response times have not been

affected by the relocation, and that the provision of services is more efficient at the new location, which also houses FDNY Ladder Company 18 and the New York City Police Department (NYPD) 7th Precinct.

The Commission further notes that HPD had formally requested a hold on the subject property in November of 2006, and that DCAS has granted the hold. The Commission also notes that the Henry Street Settlement, which abuts the site, is interested in obtaining the site for its use; and that HPD and the Henry Street Settlement have been in discussions to develop a feasible program for the property that would return it to community use.

The Commission is therefore approving this disposition with the restriction that the site is disposed of only for use as a community facility. This restricted approval would facilitate the current discussions involving the Henry Street Settlement and any subsequent transfer of the property for a community facility use.

RESOLUTION

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that the disposition of one (1) City-owned property located at 269 Henry Street (Block 288, Lot 80) in the Borough of Manhattan, Community District 3, proposed in an application by the Department of Citywide Administrative Services, dated October 4, 2006, is approved with a restriction to community facility uses only.

The above resolution (C 070132 PPM), duly adopted by the City Planning Commission, on March 14, 2007 (Calendar No. 14), 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., ALFRED C. CERULLO, III,

LISA A. GOMEZ, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners

ANGELA R. CAVALUZZI, R.A., DOLLY WILLIAMS, Commissioners, Voting “No”

BETTY CHEN, NATHAN LEVENTHAL, Commissioners, Abstaining