



## CITY PLANNING COMMISSION

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May 24, 2006 / Calendar No. 4

C 060281 HAM

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**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 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53), 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 lots to a developer to be selected by HPD;

to facilitate the development of two, six-story buildings, tentatively known as Fabria Houses, with approximately 37 residential units, Community District 3, Borough of Manhattan.

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Approval of three separate matters is required:

1. the designation of property located at 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53), 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 9, 2006.

Approval of this application would facilitate the development of two, six-story buildings containing a total of 37 residential units for individuals and families with low incomes. The project is tentatively known as Fabria Houses.

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

The Disposition Area consists of underutilized vacant land, which 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 Disposition 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 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53). The sites are located in the East Village neighborhood of Manhattan within Community District 3. Both lots are zoned R7-2 which allows a base FAR of 3.44.

The proposed project consists of two buildings. 212-214 East 7<sup>th</sup> Street is a 50-foot wide lot on the south side of the street between Avenue B and Avenue C. The site is adjoined by two six-story residential buildings and is currently used for parking. The structure proposed for the site would contain 18 residential units and would rise to a height of 60 feet (six stories). At a height of 40 feet above the street, the building would set back 11 feet from East 7<sup>th</sup> Street to provide a terrace space at the fifth floor, though the building's façade would rise another ten feet to reflect the heights of neighboring buildings. The building would provide a 32-foot-deep landscaped recreation space in the required rear yard.

The second building would be constructed on a 50-foot-wide vacant lot at 617-619 East 9<sup>th</sup> Street between avenues B and C. The property is located on the north side of the street. A six-story residential building is adjacent to the east of the site, while a 6-story former public school that is now vacant is adjacent to the west. The proposed structure would rise six stories to a height of 60 feet. It would contain 19 residential units and 577 square feet of space on the ground floor to be shared by residents of the two buildings subject to this application. The building would also provide a terrace facing East 9<sup>th</sup> Street above a setback at the fifth floor. A 32-foot-deep landscaped rear yard would also be available for use of building tenants.

Both buildings would be developed pursuant to Quality Housing regulations and provide laundry facilities and street trees in addition to the ground floor shared space at the 9<sup>th</sup> Street building and the landscaped open space at both buildings.

Each of the 37 apartments would be rented to households of various low income levels, all at or below 60% of median income. 21 of the units would be set aside for households referred by NYCHA from its Section 8 waiting list. Six units would be reserved for formerly homeless households referred by HPD under its emergency housing program. The remaining ten units would be rented to low-income households. An office in the basement of the 9<sup>th</sup> Street building would be dedicated for onsite services as required, and the sponsor provides services available to tenants of all of its properties at facilities less than a mile north of the site.

The sponsor will seek funding from a combination of equity raised through the syndication of federal low income housing tax credits, conventional bank mortgage financing and New York City's

420c real estate tax exemption program.

The surrounding area is characterized by five-and six story residential buildings. Many, especially along the avenues, have ground floor retail uses which provide local convenience shopping. Some vacant sites are mixed in along the midblocks. Tompkins Square Park lies across Avenue B to the west of the properties.

Both sites are close to a number of bus routes that run along the avenues and East 10<sup>th</sup> Street. Stops along the No. 6 and R, L and F trains are accessible by walks of less than 15 minutes.

#### **ENVIRONMENTAL REVIEW**

This application (C 060281 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 060281 HAM) was certified as complete by the Department of City Planning on January 23, 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 February 14, 2006, and on February 28, 2006, by a vote of 32 to 1 with 0 abstentions, adopted a resolution recommending approval of the application with the following condition:

To approve this ULURP (# 060281 HAM) in accordance with Community Board #3's prior motion of support for the development of Fabria Houses.

### **Borough President Recommendation**

This application was considered by the Manhattan Borough President who issued a recommendation approving the application on April 5, 2006.

### **City Planning Commission Public Hearing**

On April 5, 2006 (Calendar No. 3), the City Planning Commission scheduled April 26, 2006 for a public hearing on this application (C 060281 HAM). The hearing was duly held on April 26, 2006 (Calendar No. 15). There were two speakers in favor and none in opposition.

The President of the project's sponsor described the need for the project and its residential, service and funding programs. The Manhattan Borough President's Director of Land Use reiterated the Borough President's support for the project.

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 two buildings with 31 residential units for low income individuals and families and six units for formerly homeless households. The project will also provide 577 square feet of shared space and landscaped recreation space for tenants in rear yards. This proposal will bring greatly needed new units of affordable housing to the East Village community.

The return of these vacant lots to productive use would eliminate their blighting influence on the neighborhood and would enable these city-owned properties 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 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53), 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 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53) 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 212-214 East 7th Street (Block 389, Lot 24) and 617-619 East 9th Street (Block 392, Lot 53), Community District 3, Borough of Manhattan, to a developer selected by HPD, is approved.

The above resolution (C 060281 HAM), duly adopted by the City Planning Commission on May 24, 2006 (Calendar No. 4), 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