



CITY PLANNING COMMISSION

November 5, 2003/Calendar No.15

C 030460 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 332, 336-38, 340 and 342 East 119th Street (Block 1795, Lots 39, 37, 36 and 35) and 325-341 East 119th Street (Block 1796, Lots 113, p/o 13, 14-19 and 117), 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 selected by HPD;

to facilitate development, through HPD's Cornerstone Program, of approximately 110 units of condominium housing in two buildings, Borough of Manhattan, Community District 11.

Approval of three separate matters is required:

1. The designation of 332, 336-38, 340 and 342 East 119th Street (Block 1795, Lots 39, 37, 36 and 35) and 325-341 East 119th Street (Block 1796, Lots 113, p/o 13, 14-19 and 117), as an Urban Development Action Area;
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, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development on May 1, 2003.

Approval of this application would facilitate construction of two buildings containing 110 dwelling units for middle-income and market-rate residents. The proposed project is tentatively known as the East 119th Street Cornerstone project.

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

The project area consists of 13 underutilized vacant properties which tend 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 project area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible as an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

The Department of Housing Preservation and Development seeks approval of an Urban Development Action Area designation and project, and the disposition of city-owned property to facilitate development of the East 119th Street Cornerstone project. The project site is located on the north and south side of East 119th Street between First and Second avenues in East Harlem, Manhattan, Community District 11.

The project site comprises two city-owned vacant land assemblages located on opposite sides of East 119th Street between First and Second avenues (Block 1795, Lots 35, 36, 37, 39 and Block 1796, Lots p/o 13, 113, 14, 15, 16, 17, 117, 18 and 19). On Block 1796, the northern site contains approximately 20,402 square feet and the southern block (Block 1795) contains

approximately 12,615 square feet. Formerly zoned R7-2 (3.44 FAR), the project site was recently rezoned to R7A (4.0 F.A.R.), as part of the East Harlem Rezoning, a Department-initiated rezoning initiative (C 030234 (A) ZMM). The proposed project will have two, eight-story buildings, and provide 110 homeownership units. The north building would have 69 units, while the southern building would have 41 units. The project has passive recreational areas for both buildings, and would provide 54 accessory parking spaces, of which 35 spaces would be provided for the north building and 19 spaces would be provided for the south building.

The proposed project would complete HPD's program for Blocks 1795 and 1796. The project site is adjoined by two formerly city-owned sites (Block 1796, Lots 8, 9, 109, 10, 11, 12, p/0 13) and (Block 1795, Lots 41-48), on which 14, four-story townhouses are currently under construction by the same developer for this project. The remaining portions of the block are developed with occupied residential buildings; mixed residential/commercial buildings are found along First and Second avenues.

The surrounding neighborhood has a mix of low and mid-rise four, five and six-story residential buildings, community facilities and scattered vacant lots. In the past decade, the City has made significant capital investment on neighboring blocks to provide affordable housing through a variety of HPD programs.

The project site is served by several bus lines that run along First and Second avenues, and along East 116th Street. Subway service is provided at East 116th Street and Lexington Avenue, by the IRT No. 6 line.

ENVIRONMENTAL REVIEW

This application (C 030460 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 for Procedure of 1991 and Executive Order No. 91 of 1977.

The designated CEQR number is 03HPD007M. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential impact of the proposed action, a Negative Declaration was issued on December 9, 2002.

UNIFORM LAND USE REVIEW

This application (C 030460 HAM) was certified as complete on June 30, 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 August 19, 2003 by a vote of 32 in favor, 0 opposed and 0 abstentions adopted a resolution recommending the disapproval of the application with the following comments:

- The height of the building would be double the height of existing buildings on that block and would therefore destroy the character of the neighborhood.
- The cost of the Coops are excessive and unaffordable for local residents.
- There would be an inadequate number of elevators.
- There is an inadequate amount of parking.

Borough President Recommendations

This application was considered by the Borough President, who issued a recommendation on September 19, 2003 approving the application with the following comments:

- . . . I now place conditions on all future approvals of disposition of city-owned land in this Community Board, and in fact any Manhattan community board where the appropriate city agency has not adequately informed the community and its elected officials of the facts of the application.
- . . . as a condition of approval the developers and non-profit sponsor of this development must make a concerted effort to employ local residents and MWBE sub-contractors.

CITY PLANNING PUBLIC HEARING

On September 10, 2003 (Calendar No. 4), the City Planning Commission scheduled September 24, 2003 for the public hearing on this application (C 030460 HAM). The hearing was duly held

on September 24, 2003 (Calendar No. 12), and the hearing was continued to October 8, 2003 (Calendar No. 20). There were three speakers in favor of this application and none in opposition.

Those speaking in favor included the project's sponsor and architect, and a representative from HPD, who described the proposed project. The speakers also addressed project design and housing affordability issues.

Of those speaking in favor, the representative from HPD addressed the affordability concerns raised by the community board and the Commission. He explained that HPD would make 40 percent of the units more affordable to area residents, based on funding from the Housing Development Corporation. Regarding homeowner selection, he stated that there would be a community preference of 50 percent, in accordance with current HPD policy regarding homeownership projects in East Harlem. The project's architect informed the Commission that the proposed buildings would be contextual in design, and employ facade materials that are consistent with the area's built context.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the proposed Urban Development Action Area designation and project, and the disposition of city-owned property, is appropriate.

The proposed project, the East 119th Street Cornerstone Project, is located on opposite sides of East 119th Street between First and Second avenues (Block 1795, Lots 39, 37, 36 and 35 and Block 1796, Lots 113, p/o 13, 14-19 and 117). Located in an R7A zoning district, the site comprises 13 city-owned lots having an area of 33,017 square feet. It adjoins two formerly vacant city-owned sites that are currently being developed into 14, four-story townhouses, by the same developer for this project. The proposed project completes HPD's program for both blocks.

The project has two, eight-story contextual buildings that would provide 110 homeownership units. The Commission notes that the project would provide housing for moderate and middle-income families. The project would also provide accessory open space and parking for each building.

The Commission is aware of the need in East Harlem to provide a mix of market-rate, affordable and low-income housing. It also shared the community board's concerns regarding the affordability of the proposed units and notes that funding has been obtained to make 40 percent of the units more affordable to area residents. Accordingly, the Commission believes that the proposed project would provide a balanced approach in addressing local housing needs for a wide range of incomes.

The Commission notes that the proposed building design and scale complement the existing urban fabric on neighboring blocks. The Commission also notes that the project site is included

in the East Harlem Rezoning area (C 030234(A) ZMM), a recently approved, Department-sponsored rezoning initiative. The rezoning expands opportunities for future housing development through modest increases in residential density and seeks to preserve the low to mid-rise character of block fronts with a strong built character. The project site, rezoned from R7-2 (3.44 FAR) to R7A (4.0 FAR) is the first new residential development to benefit from the Department's rezoning for the area.

The proposed project is part of an ongoing city effort to redevelop vacant city-owned property and return it to productive use, while expanding affordable housing opportunities for East Harlem residents. The Commission, therefore, believes that the proposed project is appropriate.

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 332, 336-38, 340 and 342 East 119th Street (Block 1795, Lots 39, 37, 36 and 35) and 325-341 East 119th Street (Block 1796, Lots 113, p/o 13, 14-19 and 117), in Community District 11, Borough of Manhattan, 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 332, 336-38, 340 and 342 East 119th Street (Block 1795, Lots 39, 37, 36 and 35) and 325-341 East 119th Street (Block 1796, Lots 113, p/o 13, 14-19 and 117), 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; 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 described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 332, 336-38, 340 and 342 East 119th Street (Block 1795, Lots 39, 37, 36 and 35) and 325-341 East 119th Street (Block 1796, Lots 113, p/o 13, 14-19 and 117), Community District 11, Borough of Manhattan, to a

developer to be selected by the Department of Housing Preservation and Development, is approved (C 030460 HAM).

The above resolution (C 030460 HAM), duly adopted by the City Planning Commission on November 5, 2003 (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, AICP, **Chair**
KENNETH J. KNUCKLES, Esq., **Vice Chairman**
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY,
ALEXANDER GARVIN, JANE D. GOL,
JOHN MEROLO, DOLLY WILLIAMS,
Commissioners