



CITY PLANNING COMMISSION

March 2, 2005/Calendar No. 16

C 050072 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 435 - 437 and 439 East 119th Street (Block 1807, Lots 15 and 16), 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 of a seven-story building, tentatively known as Project GreenHope, an adult residential facility funded by the New York State Homeless Housing Assistance Program, Borough of Manhattan, Community District 11.

Approval of three separate matters is required:

- 1) the designation of property located at 435, 437 and 439 East 119th Street (Block 1807, Lots 15 and 16), 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 to be selected by HPD.

The application for the proposed Urban Development Action Area designation and project, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on August 24, 2004. The requested action, in conjunction with the related action, would facilitate the development of a 49-unit, seven-story building.

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

The project site consists of underutilized vacant land 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, insanitary 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.

RELATED ACTIONS

In addition to the application which is the subject of this report (C 050072 HAM), implementation of the applicant's proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 050073 ZSM: Special Permit pursuant to Section 74-902 of the Zoning Resolution.

BACKGROUND

The New York City Department of Housing Preservation and Development (HPD) requests approval of an Urban Development Action Area designation and project, the disposition of city-owned property, and related special permit, to facilitate the development of a new seven-story, 49-unit building, under the New York State Homeless Housing Assistance Program. The project site is located in East Harlem, Manhattan, Community District 11.

The project site comprises two city-owned lots located on the north side of East 119th Street between Pleasant and First avenues (Block 1807, Lots 15 and 16). The site, which totals 7,500 square feet of lot area, has a community garden that has been in existence since 1999. HPD has reached out to the garden's sponsor to identify an alternate location for the garden.

The project site was also included in a zoning map amendment for a portion of the East Harlem community which was approved by the City Planning Commission on in May 2003 (C 030234 (A) ZMM). In June 2003, the City Council modified the rezoning area to exclude the aforementioned midblock, in order to retain the existing R7-2 zoning on the project site.

The block is primarily residential; the proposed project site contains the only city-owned properties on the block. The block also includes a garage and auto repair on the corner of First Avenue and East 119th Street. The mid block consists of mid-rise row houses and a three-story state facility abuts the site to the east. A playground for Holy Rosary School is located on the corner of East 119th Street and Pleasant Avenue.

The requested UDAAP and disposition action would facilitate the development of a seven-story, 49-unit building with approximately 35,355 square feet of floor area (4.78 FAR). The building would serve as a substance abuse facility and residence, with on-site nursery and daycare services.

Accommodations would be provided for 70 homeless persons who are ex-offenders. All residents would either be in transition from incarceration to independent living or would be referred as an alternative to incarceration. Residents who are referred by the courts as an alternative to incarceration will remain at the facility for twelve months. Parolees will stay at the facility for six months. The proposed facility would receive referrals from the New York State Division of Parole, Riker's Island and community-based sources.

The proposed project also requires a special permit, (C 050073 ZSM) pursuant to Section 74-902 of the Zoning Resolution, to permit the allowable floor area ratio of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage) to apply. The site is located in an R7-2 district. R7-2 districts allow residential and community facility development up to 3.44 and 6.5, respectively. Non-profit institutions with sleeping accommodations, such as this facility, is restricted to a 3.44 FAR. The requested special permit (C 050073 ZSM), allows the proposed project to increase the floor area ratio to a permitted community facility FAR of 6.50. The proposed facility has an FAR of 4.78.

The surrounding area is predominantly residential. The project sponsor currently manages a facility that is also located on East 119th Street and faces the proposed project site. The aforementioned facility, primarily a residence for formerly incarcerated women, serves sixty-two residential clients and seventy outpatients. Along both sides of East 119th Street, two buildings recently approved under the city's Cornerstone Program are located one block west of the proposed site. Pleasant Village, which has historically had the largest home ownership in the community is located south of the site and the New York City Housing Authority's Wagner Houses are located to the north.

ENVIRONMENTAL REVIEW

This application (C 050072 HAM), in conjunction with the application for the related action (C 050073 ZSM), 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 03HPD006M. 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 August 17, 2004.

UNIFORM LAND USE REVIEW

This application (C 050072 HAM), in conjunction with the application for the related action (C 050073 ZSM), was certified as complete by the Department of City Planning on October 18, 2004, 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 December 21, 2004, and on that date, by a vote of 17 in favor, 14 opposed and 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 January 12, 2005.

City Planning Commission Public Hearing

On January 19, 2005 (Calendar No. 4), the City Planning Commission scheduled February 2, 2005, for a public hearing on this application (C 050072 HAM). The hearing was duly held on February 2, 2005 (Calendar No. 13), in conjunction with the public hearing on the application for the related action (C 050073 ZSM). There were six speakers, including the local Councilmember, who spoke in favor of the application. There were no speakers in opposition.

The Council member from the 8th District spoke in favor of the project and explained that this type of project helps bring rehabilitated people back to the community. Three speakers, a member of the community board, the director of GreenHope and a alumni of the program also spoke in support of the project. They stated that the current facility, brings mothers and children together, and provides a clean, safe, nurturing environment for women.

The program's Executive Director stated how the program raised nine million dollars for the construction of the new facility and that the current facility has a 75 percent success rate with the residents. She also said that this program is the largest program of its kind in the country. The architect of the project described the project's physical aspects and interior design. He stated that this type of facility needs to have open floor plates, as opposed to interior bearing wall construction. Open floor plates provide optimum adaptability and can be modified to accommodate changing space and programmatic needs over time.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 2999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Costal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is WRP-04-125.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the proposed Urban Development Action Area designation and project (UDAAP), and disposition of city-owned property, in conjunction with the related special permit, are appropriate.

These actions would facilitate the development of a new seven-story, 36,225 square foot substance abuse facility and residence, with on-site nursery and daycare services, under the New York State Homeless Housing Assistance Program. The project would provide housing for seventy (70) formerly incarcerated, homeless persons. All residents would be in transition from incarceration to independent living, with some referred as an alternative to incarceration.

The requested UDAAP and disposition action would enable the applicant and project sponsor to provide expanded housing opportunities for formerly incarcerated women, especially those caring for a small child, to transition into the community and rebuild their lives.

In order to achieve the 4.78 FAR, the applicant also seeks approval of a special permit, pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage). The site is located in an R7-2 zoning district, which allows residential development up to 3.44 FAR and community facility uses up to 6.5 FAR. Without the special permit, the proposed project could achieve only a 3.44 FAR. The requested special permit enables the proposed project to be built to 4.78 FAR.

The Commission believes that the proposed distribution of the bulk for the proposed project would not obstruct the access of light and air to adjoining properties or public streets. The proposed project site is adjoined to the east by a four-story community facility that has a side yard developed with a 15-foot wide driveway that provides open space for light and air between the existing and proposed buildings. The site is adjoined to the west by a three-story row house. However, the adjacent house is not built to the lot line. The proposed street wall would be set back fifteen feet from the street line, thus providing open space at the street line. Additionally, the proposed project would provide a thirty-foot rear yard, enabling access to light and air for units placed in the rear of the proposed building, as well as for properties that abut the project site to the rear.

The project would not require any significant additions to the supporting services of the neighborhood. Provision for adequate supporting services has also been made. The Commission notes that the sponsor currently manages a facility that is also located on East 119th Street and faces the proposed project site. The aforementioned facility, primarily a residence for formerly incarcerated women, serves sixty-two residential clients and seventy outpatients. The proposed project would house seventy women and twenty-eight children. In an effort to consolidate services, the aforementioned sixty-two clients would be moved into the new facility along with all outpatient services, which would result in a net increase of eight women and twenty-eight children, ages 0-5 years. The children would stay with their mothers in the facility and be served by the on-site daycare center. Moreover, the sponsor would provide substance abuse counseling and medical services on-site along with an array rehabilitation services.

The Commission believes that the surrounding street network would adequately handle the traffic generated by the proposed project. East 119th Street is one-way westbound. The sponsor anticipates a net increase of six staff members, to be hired to manage the new daycare center. Currently, the project staff works in three shifts: 8:00 a.m. to 4:00 p.m., 4:00 p.m. to 12:00 a.m. and 2:00 a.m. to 10:00 a.m. The sponsor has apprised the Commission that staff generally car pool to work and clients take public transportation utilizing the New York City transportation pass which is free for rehabilitation programs, such as those managed by the sponsor. The sponsor also operates a 15-passenger van for transporting clients during special events.

There is ample street parking for current employees on East 119th Street, although as stated previously, it is anticipated that most staff would travel by car pool. Two food delivery trucks make deliveries once a week remaining on the block for approximately one hour each. One office supply delivery truck makes deliveries once a month and remains on the block for less than one hour. Deliveries are brought in through a door that will be located to the far left, front of the building. Visitations are currently limited

to four hours on Saturday and Sunday. Summarily, the proposed building will not add any significant vehicular traffic on the block.

The proposed project is part of an ongoing effort to redevelop vacant city-owned property and return it to productive use, while expanding affordable housing opportunities for those with special housing needs. The proposed project also enables the sponsor to improve service delivery and consolidate its services in the area. The Commission, therefore, believes that the proposed Urban Development Action Area designation and project, disposition of city-owned property, in conjunction with the related special permit, is appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission, in its capacity as the City Costal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

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 435, 437 and 439 East 119th Street (Block 1807, Lots 15 and 16), 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 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 435, 437 and 439 East 119th Street (Block 1807, Lots 15 and 16), 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 property, located at 435 - 439 East 119th Street (Block 1807, Lots 15 and 16), in Community District 11, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 050072 HAM).

The above resolution (C 050072 HAM), duly adopted by the City Planning Commission on March 2, 2005 (Calendar No. 16), 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, Chairperson
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