



CITY PLANNING COMMISSION

April 9, 2007/Calendar No. 3

C 070133 PPM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) City-owned property located at 120 East 125th Street (Block 1773, Lot 62), Borough of Manhattan, Community District 11, pursuant to zoning.

* 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 120 East 125th Street (Block 1773, Lot 62), pursuant to zoning. The subject property is located on the south side of East 125th Street between Lexington and Park avenues in East Harlem, Manhattan Community District 11.

The former firehouse, which was designated a landmark in June 1997, has a lot area of 8,500 square feet, has four floors and is situated in a C4-4 zoning district. Engine Company 36 was closed in May 2003 for budgetary reasons. The nearest fire house is Engine Company 35 on the southwest corner of 124th Street and 3rd Avenue. Engine Company 58, located at 1367 Fifth Avenue, and Engine Company 59, located at 111 West 133rd Street also respond to calls formally handled by Engine Company 36.

The subject property is adjoined by a nursing home and a local retail store. The remainder of the block as well as the surrounding area has a mix of residential and commercial uses. Recent commercial development in this neighborhood includes a Pathmark supermarket located at East

125th Street and Lexington Ave, and Gotham and Gateway Plaza, retail plazas located on the north side of East 125th Street between Park and Lexington avenues.

The former firehouse is located within the Department of City Planning's proposed 125th Street Rezoning. 125th Street is Harlem's major commercial street. As part of the study, the subject site is proposed to be rezoned from C4-4 to C4-4D within a proposed special zoning district. This new contextual zoning designation will increase the maximum allowable residential FAR to 7.2 with an affordable housing bonus, the commercial FAR to 4.0 and decrease community facility FAR to 6.0.

ENVIRONMENTAL REVIEW

This application (C 070133PPM) 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 070133PPM) was certified as complete by the City Planning Commission on November 13, 2006 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 January 16, 2007 and on that date, by a vote of 26 to 0 with 0 abstentions, adopted a resolution recommending disapproval of the application. In its recommendation the board stated:

- 1) The development of this property must be planned and molded through community input and serve community needs. The owner/tenant of this site must be selected locally, through our Community Board and other entities/elected officials involved in the ULURP process.
- 2) In requesting the site, we believe the central location of the old fire house would help facilitate CB11's numerous community meetings and allow us to serve as an easily accessible resource for the community.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation disapproving the application on February 20, 2007. In his recommendation the Borough President stated:

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, and has undergone a process of public review and community input. Therefore, this application should be withdrawn and resubmitted for disposition when a specific program for its re-use and an appropriate agency is determined with input from the East Harlem Community.

City Planning Commission Public Hearing

On February 7, 2007 (Calendar No.6), the City Planning Commission scheduled February 28, 2007, for a public hearing on this application (C 070133PPM). The hearing was duly held on February 28, 2007 (Calendar No. 24). There were two speakers in favor of the application and two in opposition.

The speakers in favor included the Deputy Commissioner of DCAS and the Fire Department's Chief of Operations. The Deputy Commissioner of DCAS stated that DCAS has placed a hold on

the subject property at the request of the Economic Development Corporation which would preclude its being sold while the hold is in effect. She also read a statement from the Deputy Mayor's Office that described establishment of a Community Steering Committee to develop plans for the site to ensure that future uses fit the needs of the community in which it is located. The steering committee would include representatives of the Mayor's Office, the local City Council member, city agencies, the Borough President and the Community Board. The committee would be chaired by the Mayor's Office and Vice Chaired by the local City Council member and will have a goal of achieving consensus on an adaptive reuse vision and disposition strategy within 6 months of committee establishment.

The Chief of Operations for FDNY stated that the reason for the closure of this firehouse was due to budgetary issues. He also stated that the response time of the fire companies that now respond to calls formally answered by Engine Company 36 still remains below the FDNY's citywide average.

The two speakers in opposition were a representative from the Borough President's Office and a representative from Community Board #11. The Director of Land Use for the Manhattan Borough President restated the Borough President's recommendation of disapproval. The representative from Community Board #11 also restated the board's unfavorable recommendation.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of one (1) City-owned property, located at 120 East 125th Street (Block 1773, Lot 62) between Lexington and Park avenues, is appropriate.

The Commission notes that the former firehouse was closed due to budgetary reasons and the nearest firehouse, Engine 35 is located a block from the former fire house on 124th Street and 3rd Avenue. The Commission notes that the response times for Engine 35 and the two other firehouses that now respond to calls to Engine Company 36 have remained below the city average.

The Commission further notes that EDC has requested a hold on the subject property, and that DCAS has granted the hold. This will preclude the sale of the site while the hold remains in effect.

The Commission is pleased that a steering committee has been established that includes the mayor's office, the local Council Member, the Borough President, the Community Board and city agencies. The committee's goal is to achieve consensus on an adaptive reuse vision and disposition strategy for the site within six months of its establishment. There have been two meetings of the steering committee and several options for reuse of the site have been suggested including educational or a public benefit use. The Commission believes that it would be inappropriate to place any restrictions on the sale and future use of the property while the committee continues to meet and in concert with the hold on the property placed by DCAS, the Commission is confident that an appropriate future use for the site will be found.

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 120 East 125th Street (Block 1773, Lot 62), pursuant to zoning, Borough of Manhattan, Community District 11, proposed in an application by the Department of Citywide Administrative Services, dated October 4, 2006, is approved.

The above resolution (C 070133 PPM), duly adopted by the City Planning Commission on April 9, 2007 (Calendar No. 3), 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 Chair

ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

ALFRED C. CERULLO, III, RICHARD W. EADDY, LISA A. GOMEZ,

DOLLY WILLIAMS, Commissioners

BETTY CHEN, NATHAN LEVENTHAL, Commissioners, ABSTAINING