



## **CITY PLANNING COMMISSION**

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April 5, 2006/Calendar No. 12

C 060212 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 29 West 138<sup>th</sup> Street and 34 West 139<sup>th</sup> Street (Block 1736, Lot 27), 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 the development of two, 6 to 8 story buildings, tentatively known as Beacon Park, with approximately 198 residential units and community facility space under the Department of Housing Preservation and Development's Cornerstone Program, Borough of Manhattan, Community District 10.

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Approval of three separate matters is required:

1. The designation of property located at 29 West 138<sup>th</sup> Street and 34 West 139<sup>th</sup> Street (Block 1736, Lot 27), 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, and disposition of city-owned property was submitted by the Department of Housing Preservation and Development on November 9, 2005.

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

The Project Area consists of underutilized vacant property that 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, insanitary, 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 to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

The New York City Department of Housing Preservation and Development (HPD) requests approval of an Urban Development Action Area designation and project, and disposition of city-owned property to facilitate the development of Beacon Park. The project site, located at the eastern edge of Central Harlem, is being developed under HPD's Cornerstone Program.

### ***Project Description***

The project is proposed for a through-block site located on the north side of West 138<sup>th</sup> Street and the south side of West 139<sup>th</sup> Street between Malcolm X Boulevard and Fifth Avenue. The site consists of one city-owned vacant lot (Block 1736, Lot 27) that has 46,461 square feet of lot area. The site was formerly occupied by a public school (P.S. 100), which was demolished in the 1990's.

The project site is zoned R7-2, which allows residential and community facility uses up to 3.44 and 6.5 FAR, respectively. The project would provide 198 units of affordable homeownership and rental housing in two, eight-story buildings, Beacon Towers and Beacon Mews.

Beacon Towers would be located on West 138<sup>th</sup> Street and have 73 co-op units offered in simplex and duplex configurations. Beacon Towers is intended to provide ownership opportunities for families with incomes between 80 percent and 250 percent AMI (approximately \$56,000-\$175,000 per year). Beacon Mews, to be built on West 139<sup>th</sup> Street, would have 125 rental units, of which 30 percent of the units would be marketed to families with incomes no greater than 60 percent AMI (approximately \$42,000 per year). The remaining units would be marketed to moderate and middle-income families.

Beacon Mews would also include two community facility spaces that total 17,842 square feet; the smaller space (approximately 5,196 square feet) would be used as nonprofit, ancillary office space by the Greater Harlem Nursing Home, which manages a senior's residence nearby. The larger space (approximately 12,646 square feet) does not yet have a tenant. However, the selected developer anticipates leasing the space as medical offices or a day care center. Approximately 9,278 square feet of open space would be provided in the common area between the two buildings. Accessory parking would be provided for 64 cars, placed below grade and accessed from West 139<sup>th</sup> Street. Additionally, street trees would be planted to improve the surrounding streetscape.

The Beacon Park site is abutted by an occupied five-story, residential building and a two-story commercial building. The Lincolnton branch U.S. Post Office adjoins the site to the east. Facing the site, on West 138<sup>th</sup> Street, are a six-story nursing home and a seven-story, residential

building; across West 139<sup>th</sup> Street is Delano Village, a NYCHA development comprising four 16-story towers.

The surrounding neighborhood is predominantly residential in character, typified by three-four story row houses and five-six story multiple dwellings. Harlem Hospital and the Schomburg Library are located at West 135<sup>th</sup> Street and Malcolm X Boulevard. The 369<sup>th</sup> Regiment Armory, within which the Harlem Tennis Center operates, is located at Fifth Avenue and West 142<sup>th</sup> Street. Further, the area has several churches, schools and community facilities. Ground floor retail uses can be found along portions of Malcolm X Boulevard, Fifth Avenue and West 135<sup>th</sup> Street. The neighborhood is well served by mass transit, with subway access provided at West 135<sup>th</sup> Street and Malcolm X Boulevard by the IRT numbers 2/3 lines. Bus service is also available on all major streets.

## **ENVIRONMENTAL REVIEW**

This application (C 060212 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 05HPD027M. 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 September 28, 2005.

## **UNIFORM LAND USE REVIEW**

This application (C 060212 HAM) was certified as complete on December 5, 2005 and was duly referred to Community Board 10 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 10 held a public hearing on this application on February 1, 2006 and on that date, by a vote of 26 in favor, five opposed and no abstentions adopted a resolution recommending the approval of the application with the following conditions:

- 1) The developer use locally based marketing groups;
- 2) The developer conduct marketing seminars within CB 10;
- 3) The developer utilize locally based professionals (engineers, construction managers, general contractors, subcontractors, other building trade professionals);
- 4) The developer be responsible for sanitation/health concerns of the site (snow/ice removal, weekly lot cleaning, rodent baiting, fence repairing);
- 5) The buildings must be of uniformed signage;
- 6) The rooftop mechanicals be enclosed within an esthetically pleasing structure;
- 7) That external, esthetically-pleasing lighting be installed on the perimeter.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation on February 24, 2006 approving the application.

### **CITY PLANNING PUBLIC HEARING**

On March 8, 2006, (Calendar No. 6), the City Planning Commission scheduled March 22, 2006 for the public hearing on this application (C 060212 HAM). The hearing was duly held on March 22, 2006 (Calendar No. 23). There were four speakers in favor of this application and none in opposition.

Those speaking in favor included a representative from HPD, who apprised the Commission of HPD's housing affordability policy. The project's architect and sponsor presented the project in detail, describing the proposed design, programmatic framework and income mix. In response to concerns raised by Community Board 10, the architect also described the modified facade design. A representative from the Borough President's office reiterated the need for permanent affordable housing.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

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

The proposed project is planned for a through-block site located on the north side of West 138<sup>th</sup> Street and the south side of West 139<sup>th</sup> Street between Malcolm X Boulevard and Fifth Avenue. The site consists of one city-owned vacant lot (Block 1736, Lot 27) that has 46,461 square feet of lot area. The site was formerly occupied by a public school (P.S. 100), which was demolished in the 1990's.

Beacon Park would have 198 units of affordable homeownership and rental housing in two, eight-story buildings, Beacon Towers and Beacon Mews. Beacon Towers would be located on West 138<sup>th</sup> Street. Beacon Towers would have 73 co-op units offered in simplex and duplex configurations. Beacon Mews, which is proposed to be located on West 139<sup>th</sup> Street, would have 125 rental units. Beacon Mews would also have 17,842 square feet of community facility space. Approximately 9,278 square feet of open space would be provided in the common area between the two buildings and accessory parking would be provided for 64 cars, placed below grade and accessed from West 139<sup>th</sup> Street. Additionally, street trees would be planted to improve the surrounding streetscape.

In response to concerns raised by Community Board 10, the Commission notes that the developer modified Beacon Park's facade design. The modified design replaces the neutral color and metal panels initially proposed for both building facades with brick and other materials. The modified facade design addresses community board concerns and enables Beacon Park to be more compatible with the area's built context.

The Commission believes the proposed project provides a unique mix of rental and homeownership opportunities for Harlem residents, as well as provide affordable housing for a wide range of incomes. The Commission, therefore, believes that the proposed Urban Development Action Area designation and project (UDAAP), and related disposition of city-owned property are appropriate.

## **RESOLUTION**

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at 29 West 138<sup>th</sup> Street and 34 West 139<sup>th</sup> Street (Block 1736, Lot 27), in Community District 10, 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 property located at 29 West 138<sup>th</sup> Street and 34 West 139<sup>th</sup> Street (Block 1736, Lot 27), 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 29 West 138<sup>th</sup> Street and 34 West 139<sup>th</sup> Street (Block 1736, Lot 27), Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 060212 HAM).

The above resolution (C 060212 HAM), duly adopted by the City Planning Commission on April 5, 2006 (Calendar No. 12) 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**