



CITY PLANNING COMMISSION

February 27, 2008/Calendar No. 17

C 080130 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 215 West 117th Street (Block 1923, Lot 18) 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 accessory open space for an existing residential building rehabilitated under the Housing Preservation and Development's Vacant Building Program, Borough of Manhattan, Community District 10.

Approval of three separate matters is required:

1. The designation of properties located at 215 West 117th Street (Block 1923, Lot 18) as an Urban Development Action Area;
2. An Urban Development Action Area Project for such area; and
3. The disposition of property located at 215 West 117th Street (Block 1923, Lot 18) 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 October 22, 2007.

Approval of this application would facilitate the development of accessory open space for an adjacent residential building.

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 Department of Housing Preservation and Development (HPD) seeks approval of an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of one city-owned property located at 215 West 117th Street (Block 1923, Lot 18). The proposed subject site is located on the north side of West 117th Street between Frederick Douglass Boulevard and St. Nicholas Avenue in Central Harlem Community District 10.

The site consists of one city-owned property and located within an R7A zoning district. The lot is currently part of a neighborhood community garden that is subject to development and has a lot area of approximately 625 square feet.

The adjacent residential building is five stories and was rehabilitated under the Department of Housing Preservation and Development's Vacant Building Program in 2005. The building is comprised of 14 moderate to middle income units and currently has not open space.

The site will be used by residents and their guests and accessible through a separate entrance located on West 117th Street.

ENVIRONMENTAL REVIEW

This application (C 080130 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 0080130 HAM) was certified as complete by the Department of City Planning on October 29, 2007, and was duly referred to Manhattan 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 did not issue a recommendation regarding this application.

Borough President Recommendation

This application was considered by the Manhattan Borough President who, on February 6, 2008, issued a recommendation approving the application with the following condition:

that the site is preserved as an open space, and that any transferable air rights are reserved for the sole purpose of affordable housing.

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 22), the City Planning Commission scheduled February 13, 2008 for a public hearing on this application (C 080130 HAM). The hearing was duly held on February 13, 2008 (Calendar No. 53). There were three speakers in favor.

The developer described the proposed project and the current condition of the site. He also stated his willingness to work with the community to improve the neighborhood garden that will be adjacent to the proposed open space.

A representative from HPD spoke in favor of the proposed project. She described the process associated with the disposition of neighborhood gardens subject to development. She also mentioned that HPD would adhere to the conditions set forth in the borough president's recommendation, restricting any air rights associated with the proposed site to affordable housing.

The Director of Land Use for the Borough President's office restated the Borough President's recommendation for approval.

There were no other speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that the application for disposition of city-owned property located at 215 West 117th Street (Block 1923, Lot18) to facilitate the development of accessory open space, is appropriate.

The Commission notes that the proposed project would provide needed open space for the adjacent building that currently has no open space. This proposed open space would enhance the quality of life for the occupants of the moderate to middle income building. Additionally, since the neighborhood garden was not well kept, the improvement of this open space would eliminate blight on West 117th Street, improving the conditions of the overall community.

The Commission also notes, in response to the Borough President's concern, HPD stated in a letter dated February 22, 2008 that they "will be restricting any available development rights associated with the open space for the development of affordable housing."

RESOLUTION

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 215 West 117th Street (Block 1923, Lot 18) 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 properties located at 215 West 117th Street (Block 1923, Lot 18) 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 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 the 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 properties located at 215 West 117th Street (Block 1923, Lot 18) in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080130 HAM).

The above resolution (C 080130 HAM), duly adopted by the City Planning Commission on February 27, 2008 (Calendar No. 17), 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, ANGELA R.CAVALUZZI,R.A., IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. MCRAE,
JOHN MEROLO, Commissioners