



## **CITY PLANNING COMMISSION**

May 7, 2008/ Calendar No. 18

C 080220 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 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39), 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 property located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-34 and 36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) to a developer selected by HPD;

to facilitate the development of three buildings, tentatively known as West 127<sup>th</sup> Street, with approximately 229 residential units and commercial space, to be developed 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 properties located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) as an Urban Development Action Area;
2. An Urban Development Action Area Project for such area; and
3. The disposition of properties located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-34 and 36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) 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 December 18, 2007.

Approval of this application would facilitate the development of three residential buildings and ground floor commercial space tentatively known as West 127<sup>th</sup> Street.

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.

**RELATED ACTION:**

In addition to the proposed UDAAP designation, project approval and disposition of city-owned property, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 080219 ZMM: Zoning Map Amendment from an existing R8, R7-2 and C1-4 to R8A and C2-4.

## **BACKGROUND**

The Department of Housing Preservation and Development (HPD) seeks the designation of an Urban Development Action Area and Project (UDAAP), disposition of city-owned property and a zoning map amendment to facilitate approximately 229 residential units, accessory underground parking with 92 spaces and approximately 13,558 square feet of commercial space

The proposed UDAAP site is located on a portion of Block 1954 and consists of seventeen vacant city-owned lots, one city-owned vacant building and one privately-owned vacant property, which is not subject to the disposition action. The requested actions would facilitate the development on one zoning lot of three mix-use buildings.

The proposed rezoning area is comprised of all of Block 1954 which is bounded by Frederick Douglass Boulevard to the east, West 127<sup>th</sup> Street to the south, St. Nicholas Avenue to the west and West 128<sup>th</sup> Street to the north in Central Harlem Community District 10. The block is currently zoned R8, R7-2 and R7-2/C1-4. Existing land uses on the block predominantly include city-owned vacant land and several privately-owned occupied, five to six story residential buildings.

### **Requested Actions**

#### *Proposed UDAAP and Disposition of City-owned Property (C 080220 HAM)*

HPD is seeking an Urban Development Action Area designation and project approval, and the disposition of eighteen city-owned properties. The subject sites are located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305

and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) One privately-owned vacant property (Block 1954; Lot35), is included within the Urban Development Action Area but is not subject to the disposition action. Three mixed-use building's (A, B, and C), to be developed on one zoning lot, would be facilitated by the requested actions.

**Building A** will be located at St. Nicholas Avenue and West 127<sup>th</sup> Street (Lots 20-28). The proposed project will contain approximately 166,756 square feet of floor area in a twelve story building. There will be approximately 128 units, 124 are rental and 4 will be for market-rate homeownership. Additionally, there will be approximately 4,849 square feet of ground floor commercial space along St. Nicholas Ave. An accessory underground parking garage with 92 spaces available to all tenants within the three buildings will be accessed from West 127<sup>th</sup> Street.

**Building B** will be located at West 128<sup>th</sup> Street and St. Nicholas Avenue (Lots 37, 38, 39, 41, and 42). There will be approximately 24,642 square feet of floor area in a six-to-seven story building. There will be approximately 20 units, 14 are rental and 6 will be for market-rate homeownership. Approximately 4,717 square feet of ground floor commercial space will be developed along St. Nicholas Avenue. Additionally, there will be an accessory health club in this building available to all residents within the three buildings.

**Building C** will be located at Frederick Douglass Boulevard and West 128<sup>th</sup> Street (Lots 32, 33,

34, 35, and 36). There will be approximately 94,884 square feet of floor area in a twelve-story building. There will be approximately 80 rental units and approximately 6,892 square feet of ground floor commercial space on Frederick Douglass Boulevard.

There will be approximately 219 rental units within the three buildings occupying the zoning lot.

Of that, 40% will be affordable at or below 60% of the Area Median Income, 10% will be affordable at or below 80% of the AMI, 25% will be affordable at or below 165% of the AMI and the remaining 25% will be at market-rate rentals.

All three buildings include indoor and outdoor recreational space totaling approximately 2,335 square feet and are being built pursuant to Quality Housing regulations.

#### *Zoning Map Amendment (C 080219 ZMM)*

Additionally, HPD proposes rezoning of Block 1954 bounded by St. Nicholas Avenue, Frederick Douglass Boulevard and West 127<sup>th</sup> and West 128<sup>th</sup> streets. The eastern portion of the block is zoned R7-2 and has a C1-4 commercial overlay on Frederick Douglass Boulevard. The western portion of the block is zoned R8. HPD proposes rezoning the entire block R8A. The existing C1-4 overlay would be changed to C2-4, and a C2-4 overlay would be added to the St. Nicholas Avenue frontage. The existing R7-2 zoning designation allows a maximum residential FAR of 3.44, a maximum commercial FAR of 2.0 and a maximum community facility FAR of 6.5. The proposed R8A is a contextual zoning district that permits a maximum residential FAR of 6.02, a maximum commercial FAR of 2.0 and a maximum community facility FAR of 6.5. The proposed R8A requires buildings to be constructed at or near the street line, requires a building

base height of between 60 and 85 feet and has a maximum overall building height of 120 feet. The maximum commercial FAR does not change from the C1-4 to the C2-4. The C2-4 would allow a wider range of local commercial uses than permitted under the C1-4. The zoning map amendment would facilitate an increase to 5.99, the FAR proposed for this development.

The project site is served by the A, B, C, & D subway lines, which stop at West 125<sup>th</sup> Street and St. Nicholas and by several bus lines, which run along the 125<sup>th</sup> Street corridor. Local shopping occurs along Frederick Douglass Boulevard and along 125<sup>th</sup> Street, the community's primary shopping corridor.

## **ENVIRONMENTAL REVIEW**

This application (C 080220 HAM), in conjunction with the application for the related action (C 080219 ZMM) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 03HPD020M. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on December 26, 2007.

## **UNIFORM LAND USE REVIEW**

This application (C 080220 HAM), in conjunction with the related application (C 080219 ZMM), was certified as complete by the Department of City Planning on January 7, 2008, and was duly referred to Community Board 10 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

### **Community Board Public Hearing**

Community Board 10 did not submit a recommendation regarding this application.

### **Borough President Recommendation**

This application (C 080220 HAM) along with the related application (C 080219 ZMM) was considered by the Manhattan Borough President who issued a recommendation approving the application on April 15, 2008.

### **City Planning Commission Public Hearing**

On April 9, 2008 (Calendar No. 6), the Commission scheduled April 23, 2008 for a public hearing on this application (C 080220 HAM). The hearing was duly held on April 23, 2008 (Calendar No.20) in conjunction with the hearing for the related action (C 080219 ZMM). There were four speakers in favor and none in opposition.

The project's architect described the proposed building's design and the configuration of the project site. He also described the means of ingress and egress for the proposed three buildings and the circulation of the open space.

The Director of Land Use for the Borough President also spoke in favor and restated the Borough

President's favorable recommendation.

The project's developer described the proposed project and the continual outreach to the community board. He also mentioned the willingness to work with a local community group regarding residential and commercial tenant selection.

HPD's Director of the Manhattan Planning spoke in favor and described the history of the proposed project and how it evolved since the time of the original RFP. She also mentioned HPD's continued outreach to the community board concerning the proposed project.

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

## **CONSIDERATION**

The Commission believes that the application for UDAAP designation, project approval and disposition of three city-owned properties located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) and the related application(C 080219 ZMM), to facilitate the development of three mixed-use buildings with commercial space, is appropriate.

The Commission notes that the proposed project will provide rental as well as homeownership housing opportunities within Community District 10. Additionally, the proposed project contributes to the on-going revitalization that has been occurring throughout Community District 10. The Commission believes that the proposed rezoning facilitate additional affordable units as well as needed retail space on site.



This application would facilitate the development of three mixed-use buildings with approximately 229 units with commercial space. Approval of this application would return these lots to private ownership and eliminate the blight influence of vacant lots on the entire city block. Additionally, the approval of this application would provide additional retail services, enhancing the overall quality of life of the community.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment;

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of properties located at 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) 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 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-36); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) as an Urban Development Action Area; and
- b) an Urban development Action Area Project for such areas; 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 346, 344, 342, 340, 352 and 350 St. Nicholas Avenue (Block 1954, Lots 20-23, 41 and 42); 311, 309, 307, 305 and 303 West 127<sup>th</sup> Street (Block 1954, Lots 24-28); 2373, 2375, 2377, 2379, and 2381 Frederick Douglass Boulevard (Block 1954, Lots 32-34); and 304, 306 and 308 West 128<sup>th</sup> Street (Block 1954, Lots 37-39) in Community District 10, Borough of Manhattan, to a developer to be

selected by the Department of Housing Preservation and Development, is approved (C 080220 HAM).

The above resolution (C 080220 HAM), duly adopted by the City Planning Commission on May 7, 2008 (Calendar No. 18), 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, FAICP, Chair**

**KENNETH J. KNUCKLES, ESQ., Vice Chairman**

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

**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**

**RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. MCRAE,**

**JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**