



CITY PLANNING COMMISSION

April 27, 2005/Calendar No. 15

C 050189 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 to the New York City Economic Development Corporation of city-owned property located at 260-262 West 125th Street (Block 1930, Lot 55), pursuant to zoning, Borough of Manhattan, Community District 10.

The application for the disposition of city-owned property was filed by the Department of Citywide Administrative Services (DCAS) on November 23, 2004. The requested action would facilitate the redevelopment of Mart 125.

BACKGROUND

The Department of Citywide Administrative Services (DCAS) seeks approval of the disposition of city-owned property, Mart 125. Upon disposition approval, DCAS intends to transfer the property to the New York City Economic Development Corporation (EDC) for subsequent long-term lease or sale. The property is located in Central Harlem, Manhattan Community District 10.

Mart 125 (the Mart), at 260-262 West 125th Street (Block 1930, Lot 55), is a city-owned, one and a half-story commercial building with a mezzanine and basement, located on the south side of West 125th Street, between Adam Clayton Powell Jr. and Frederick Douglass boulevards. Situated in a C4-4 zoning district, the building contains approximately 12,210 square feet of floor area. The Mart is located within the Upper Manhattan Empowerment Zone (UMEZ) and the 125th Street Business Improvement District (BID).

The Mart was established in the early 1980's to house local street vendors and small businesses. The Mart originally comprised 50 stalls, located on the first and mezzanine levels that average approximately 60 square feet. The Mart is not occupied and has been vacant for at least two years.

Prior Approval

On September 2, 1998, the City Planning Commission approved the disposition of Mart 125 (C 980294 PPM) from the former Department of Business Services to the New York City Economic Development Corporation (EDC) to facilitate the commercial redevelopment of the Mart. Citing concerns for local vendors, the application was disapproved by Community Board 10, the Borough President and the City Council. EDC, in conjunction with the Borough President's Office issued an RFP in December 2002 and responses came in January 2003. Harlem, LLC was selected through this process and was conditionally designated as the developer in December 2003. The subject application addresses previously voiced concerns, with input provided by the Borough President's Office and the community regarding local vendor participation in the redeveloped Mart.

Mart 125

The requested disposition action would facilitate the redevelopment of Mart 125. As proposed, the Department of Citywide Administrative Services would dispose of the Mart to the New York City Economic Development Corporation, for subsequent long-term lease or sale. Upon disposition to the selected developer, the Mart's proposed build program would include

approximately 34,400 square feet of retail space. The ground floor is proposed to be redeveloped and leased to a national/regional retail tenant. The mezzanine would be removed and replaced with two new internal floors, with each floor containing approximately 10,000 square feet. The newly created second floor would be subdivided into smaller retail spaces ranging from 500 to 1,500 square feet, to be leased to local entrepreneurs, while the third floor would be leased to a restaurant operator.

Adjacent buildings have active ground floor retail uses. Neighboring commercial uses include Harlem USA, a multi-level commercial complex, at West 125th Street between Frederick Douglass Boulevard and St. Nicholas Avenue, Harlem Center, at Malcolm X Boulevard and West 125th Street and the Apollo Theater. The Mart is well-served by public transportation with bus service provided by several lines that run on West 125th Street and along Adam Clayton Powell, Jr. and Frederick Douglass boulevards. Subway service is provided at St. Nicholas Avenue and West 125th Street, by the IND Sixth and Eighth Avenue subway lines.

ENVIRONMENTAL REVIEW

This application (C 050189 PPM) 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 04SBS009M. The lead agency is the Department of Small Business Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on October 8, 2004.

UNIFORM LAND USE REVIEW

This application (C 050189 PPM) was certified as complete by the Department of City Planning on December 6, 2004, 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 2, 2005, and on that date, by a vote of 25 to 5 with 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

- The developer use locally based marketing groups
- The developer conduct marketing seminars within CB 10
- The developer utilize locally based professionals (engineers, landscape architects, construction managers, general contractors, subcontractors, other buildings trade professionals)
- The developer be responsible for sanitation / health concerns of the site (snow/ ice removal, weekly lot cleaning, rodent baiting, fence repairing)
- The buildings must be uniformed signage
- The roof top mechanicals be enclosed within an esthetically pleasing structure
- The commercial spaces be sized and priced to accommodate small local based entrepreneurs

- The gating inside the commercial spaces be “see through”
- The owners have a meaningful collective voice in the commercial tenant selection
- 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 28, 2005, approving the application with the following condition:

The Borough President supports this application and concurs with the Community Board’s concerns regarding hiring practices during construction and leasing practices of the owners post-construction. The Borough President conditions her approval with the understanding that MWBE’s will be included in all phases of the development of Mart 125.

City Planning Commission Public Hearing

On March 16, 2005 (Calendar No. 6), the City Planning Commission scheduled March 30, 2005, for a public hearing on this application (C 050189 PPM). The hearing was duly held on March 30, 2005 (Calendar No. 24). There were two speakers in favor and none in opposition.

Those speaking in favor included a representative from the Economic Development Corporation, who described the future use of the Mart. The second speaker, the selected developer, described the project in more detail, including a description of local marketing efforts and promotion of the Mart. He also discussed the outreach strategy to be used to attract local vendors and entrepreneurs to the Mart.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed disposition of city-owned property to the New York City Economic Development Corporation is appropriate.

The subject property, Mart 125 (Block 1930, Lot 55), is located at 260-262 West 125th Street, between Adam Clayton Powell Jr. and Frederick Douglass boulevards. The Mart comprises a one and a half-story commercial building with a mezzanine and basement. Situated in a C4-4 zoning district, the building contains approximately 12,210 square feet of floor area.

The requested disposition action would facilitate the redevelopment of Mart 125. As proposed, the Department of Citywide Administrative Services would dispose of the Mart to the New York City Economic Development Corporation, for subsequent long-term lease or sale. Upon disposition to the selected developer, the Mart's proposed build program would include approximately 34,400 square feet of retail space comprising three floors; the first and second floors would be redeveloped and leased to a national/regional retail tenant and to local entrepreneurs, respectively, while the third floor would be leased to a restaurant operator.

The Commission is aware of concerns expressed by the Community Board regarding the future tenancy and management of the Mart, as well as hiring practices during the Mart's construction phase. The Commission notes that the Mart's business terms are not within its purview and

recognizes that the subject application would facilitate the disposition and future development of the Mart. Given the Mart's 125th Street location and potential as a venue for new local entrepreneurial and employment opportunities, the Commission urges EDC to work with the selected developer to identify those local entities and merchants wishing to construct, promote and conduct business in the Mart.

RESOLUTION

RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that the disposition to the New York City Economic Development Corporation, of city-owned property located at 260-262 West 125th Street (Block 1930, Lot 55), pursuant to zoning, Borough of Manhattan, Community District 10, proposed in an application by the Department of Citywide Administrative Services, dated November 23, 2004, is approved.

The above resolution (C 050189 PPM), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No.15), 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**
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, RICHARD W. EADDY,
LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO,
KAREN A. PHILLIPS, DOLLY WILLIAMS, **Commissioners**