



CITY PLANNING COMMISSION

January 9, 2008/Calendar No.10

C 080043 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 2282 and 2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64) 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 a twelve-story mixed-use building, tentatively known as Frederick Douglass Boulevard, with approximately 89 residential units, retail and community facility uses, Borough of Manhattan, Community District 10.

Approval of three separate matters is required:

1. The designation of properties located at 2282-2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64) as an Urban Development Action Area;
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 approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on August 7, 2007.

Approval of this application would facilitate the development of a 12-story building with approximately 89 residential units. The project would also provide approximately 8,954 square feet of commercial use, approximately 1,439 square feet of community facility use and approximately 2,721 square feet of recreational open space. Additionally, there will also be

approximately 150 parking spaces in an attended underground garage, which will include storage spaces for vehicles impounded by the NYPD.

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 080044 PQM: Acquisition of privately-owned property for use as impounded vehicle storage.

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 two city-owned properties located at 2282-2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64). The property is located in Central Harlem within Community District 10 and is

zoned R8A/C2-4 and was part of the Frederick Douglass Boulevard rezoning (C 030436 ZMM) which was approved by the City Council on November 6, 2003.

The project site is comprised of two city-owned properties (Block 1928; Lots 63, and 64), which are the subject of this application and three adjacent private properties (Block 1928; Lots 3, 4, and 62), which are owned by the intended sponsor. Lots 3 and 4 are comprised of vacant buildings, Lot 62 is a vacant lot and Lots 63 and 64 are currently used as storage for impounded vehicles by the New York City Police Department 28th Precinct.

The project site is approximately 18,000 square feet in area. The proposed project consists of a 12-story building with 89 low-to-moderate residential units and approximately 8,954 square feet of commercial space. Additionally, there would also be approximately 1,439 square feet of community facility space and approximately 2,721 square feet of recreational open space. This project would also include an underground public parking garage with approximately 150 accessory spaces. Within this garage, there would be up to ten spaces allocated to New York City Police Department's 28th Precinct for impounded vehicles. The proposed building would be developed under the Quality Housing Program.

A related action (C080044 PQM) is required for the City to acquire an interest in space within the project site to be used by the NYPD to store up to ten impounded vehicles. The spaces would be secure and located on the cellar level of the proposed 12-story building. There would be 24-hour access and the area will be large enough to hold ten vehicles with sufficient maneuvering space for a tow truck. The area would be secured with fencing and would have sufficient lighting. The proposed facility would also not comply with the zoning regulations as per Section 32-00, the storage of impounded vehicles. In this instance, the City is exercising its option not to be

subject to its zoning requirements when performing a governmental function.

The remainder of the block consists of two HPD rehabilitated, low-moderate income rental buildings and a privately-owned garden. The NYPD 28th Precinct is located across the street to the west. There are both residential and commercial uses along Frederick Douglass Boulevard. The project site is served by the IND Eight Avenue and Sixth Avenue subway lines, which stop at West 125th Street and St. Nicholas Avenue. There are several bus lines, M60, M100, M101 and the Bx15, that run along the 125th Street corridor.

ENVIRONMENTAL REVIEW

This application (C 080043 HAM), in conjunction with the application for the related action (C 080044 PQM) 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 07HPD03M. 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 July 30, 2007.

UNIFORM LAND USE REVIEW

This application (C 080043 HAM), in conjunction with the application for the related action (C 080044 PQM) was certified as complete by the Department of City Planning on August 20, 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 held a public hearing on this application (C 080043 HAM) along with the related application (C 080044 PQM) on October 3, 2007, and on that date, by a vote of 21 to 10 with 10 abstentions, adopted a resolution recommending disapproval of this application.

Borough President Recommendation

This application (C 080043 HAM) along with the related application (C 080044 PQM) was considered by the Manhattan Borough President who issued a recommendation approving the application on November 23, 2007.

City Planning Commission Public Hearing

On December 5, 2007 (Calendar No. 8), the Commission scheduled December 19, 2007 for a public hearing on this application (C 080043 HAM). The hearing was duly held on December 19, 2007 (Calendar No.27) in conjunction with the hearing for the related action (C 080044 PQM). There were four speakers in favor and three speakers in opposition.

The intended developer described the proposed project and provided a history of the site. He also described the partnership between the Police Department, HPD and himself and how the project is a result of evaluating the police precinct's, the community's and his needs. He stated by working with the community, he was able to formulate an affordability range for the proposed pricing of the condominium units. He also stated how he will work with the community to find a

commercial tenant and community facility tenant that best fits the community's need.

A representative from HPD spoke in favor of the proposed project. She described the history of the selection of the developer, and explained that the proposed project would eliminate a long standing eye sore in the neighborhood. She also mentioned that the community would receive 50% preference in the tenant selection process.

The project's architect and the Director of Land Use for the Borough President's Office also spoke in favor of the proposed project. The architect described the project and the building's materials to be used. The Director of Land Use for the Borough President's office restated the Borough President's recommendation.

There were three speakers in opposition to the proposed project. The first speaker felt the proposed project did not meet the direct needs of the community and that the sale prices of the condominiums would not be affordable to the residents of Central Harlem. The second speaker in opposition, the co-chair of the Housing and Land Use committee for Community Board 10, appreciated the opportunity for home ownership, but felt the target income range was still not affordable for the residents of Harlem. He also stated the proposed project did not address any of the transportation or safety concerns regarding the intended commercial space. The third speaker felt the targeted incomes were too high for the residents of Harlem and that there is no direct benefit to the community from the disposition of these city-owned parcels to a private developer.

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 city-owned property and the related acquisition application(C 08044PQM), are appropriate.

The Commission notes that the proposed mixed-use project will provide needed housing opportunities within Community District 10 that contribute to the on-going revitalization that has been occurring along Frederick Douglass Boulevard.

This application would facilitate the development of a twelve-story building with approximately 89 condominium units and provide home ownership opportunities that are affordable to low-moderate income families. In addition, this proposed project will provide local retail, needed parking and a community facility use that would complement the continued growth of the surrounding area. The acquisition of space for the use of storage for the NYPD impounded vehicles will allow the 28th Precinct to remove cars, seized as part of investigations, off the street. Therefore, removing blighting influences from the block and allowing for residential development.

In response to the concerns raised at the Public Hearing, HPD, in a December 26, 2007 letter to the Department, stated that 20% of the units would be affordable and through their HomeFirst Down Payment Assistance Program, they would be able to provide a deeper affordability for the proposed project.

The Commission believes the proposed project would return these properties to productive use and eliminate the blighting influence in the neighborhood. Furthermore, the project would complement ongoing public and private development on neighboring blocks. The Commission therefore finds that the proposed Urban Development Action Area designation, project approval

and the related disposition and acquisition appropriate.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 2282 and 2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64) 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 2282 and 2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64) 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 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 2282 and 2284 Frederick Douglass Boulevard (Block 1928; Lots 63 and 64) in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080043HAM).

The above resolution (C 080043 HAM), duly adopted by the City Planning Commission on January 9, 2008 (Calendar No. 10), 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,
BETTY Y. CHEN, MARIA DEL TORO, RICHARD W. EADDY, JOHN MEROLO,
KAREN A. PHILLIPS, Commissioners**

SHIRLEY A. MCRAE, Commissioner, ABSTAINING