



CITY PLANNING COMMISSION

March 3, 2021 / Calendar No. 10

C 200279 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 313 West 112th Street (Block 1847, Lot 13) 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 to be selected by HPD.

to facilitate the development of a six-story building containing approximately 6 affordable housing units, Borough of Manhattan, Community District 10.

Approval of three separate matters is required:

1. The designation of property located at 313 West 112th Street (Block 1847, Lot 13) as an Urban Development Action Area; and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property to a developer to be selected by HPD.

This application for UDAAP designation, project approval, and disposition of City-owned property was filed by HPD on March 3, 2020. Approval of this application would facilitate the development of a six-story residential building with six affordable studio rental units in the Central Harlem neighborhood, Community District 10.

HPD states in its application that:

“The Project Area consists of underutilized vacant property which 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

HPD is seeking UDAAP designation, project and City-owned property disposition approvals to facilitate the development of a six-story residential building with six affordable units in in Central Harlem.

The development site, 313 West 112th Street (Block 1847, Lot 13) is a vacant, 1,682-square-foot, City-owned vacant lot located mid-block between Manhattan Avenue and Frederick Douglass Boulevard. The site is located within an R7A zoning district, a medium-density contextual district, that permits residential development and community facility uses with a maximum Floor Area Ratio (FAR) of 4.0 FAR. R7A districts mandate contextual building envelopes with street wall and building height controls; the street wall may rise 40 to 65 feet before setback, above which it could rise to a maximum height of 85 feet.

In 2003, the project area was rezoned from R7-2 to R7A, as part of the Frederick Douglass Boulevard Rezoning (C 030436 ZMM), a comprehensive neighborhood planning initiative to facilitate and incentivize development of mixed-use development, including the creation and preservation of affordable units. The predominant zoning in the surrounding area is R7A with an adjacent R8A district with C1-4 and C2-4 overlays near the major corridors. The surrounding area also includes C1-9, R7-2, and R8 districts.

The surrounding area is served by several institutional uses and recreational facilities, including Morningside Park and Central Park, located one block west and three blocks south of the project

site, respectively. Commercial and local retail establishments are found along Frederick Douglass Boulevard, West 116th Street and Malcolm X Boulevard.

The development site and surrounding area are well-served by mass transit. The IND B and C subway lines provide service along Frederick Douglass Boulevard at West 110th and 116th streets. The development site is also served by several bus lines (M3, M7, M116) that provide service along Frederick Douglass and Adam Clayton Powell Jr boulevards and along West 110th and West 116th streets. A Citi Bike docking station is located on Frederick Douglass Boulevard, two blocks south of the project site.

The proposed six-story building would have 3,464 square feet of floor area (2.06 FAR). The building would have six affordable units and be 100 percent affordable.

This application is part of a comprehensive HPD cluster site development plan that includes three additional HPD applications (C 200276 HAM, C 200278 HAM, C 200279 HAM) undergoing concurrent ULURP review with this application. These applications, in conjunction with the subject application, would facilitate development of 12 new residential buildings comprising 119 affordable residential units.

ENVIRONMENTAL REVIEW

This application (C 200279 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 designated CEQR number is 19HPD056M.

The lead agency is HPD. After a study of the potential impact of the proposed actions, a Negative Declaration was issued on September 23, 2020.

UNIFORM LAND USE REVIEW

This application (C 200279 HAM) was certified as complete by the Department of City Planning on October 5, 2020 and was duly referred to Manhattan 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 held two public hearings on this application on October 15, 2020 and November 19, 2020. On December 2, 2020, by a vote of 19 in favor, six opposed, two abstentions and one recusal, the Community Board adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Manhattan Borough President who issued a recommendation approving the application on January 11, 2021.

City Planning Commission Public Hearing

On January 6, 2021 (Calendar No. 5), the City Planning Commission scheduled January 20, 2021 for a public hearing on this application (C 200279 HAM). The hearing was duly held on January 20, 2021 (Calendar No. 28). There were three speakers from the development team in favor of the application and none opposed.

Those speaking in favor included three speakers, as part of the applicant team comprising one HPD representative, one representative of the developer, and one member of the architect team. The applicant team described the existing conditions and surrounding context of the development site, provided background information related to HPD's process for developing infill lots, and spoke to the developer selection process. The team described the proposed building, compliance with existing zoning, unit sizes, affordability, and the HPD Neighborhood Construction Rental Program in detail. The development team representative explained the rationale for the breakdown of units according to Area Median Income and the future management of the site. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for Urban Development Action Area designation, project approval, and the disposition of City-owned property, is appropriate.

The project will develop a new 100-percent affordable, six story residential building at 313 West 112th Street. on a 1,682-square-foot City-owned vacant lot. Located within an R7A zoning district, the building will be built using a contextual building envelope that complements the neighborhood's medium-density scale and strong street wall character. The Commission notes that the project will develop a small infill lot and applauds HPD for their efforts to redevelop small infill City-owned vacant lots to provide much-needed affordable housing for Central Harlem residents.

The Commission notes that this application is part of a comprehensive HPD cluster site development plan that includes three additional HPD applications (C 200276 HAM, C 200278 HAM, C 200279 HAM) undergoing concurrent ULURP review with this application. These applications, in conjunction with the subject application, will facilitate development of 12 new residential buildings comprising 119 affordable residential units.

The Commission believes that this development will support the continued renewal of Central Harlem and support the City's ongoing efforts to provide more affordable housing. The Commission, therefore, believes that this application for that this application for Urban Development Action Area designation, project approval, and the disposition of City-owned property, is appropriate.

RESOLUTION

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of the designation of the designation of property located at 313 West 112th Street (Block 1847, Lot 13) 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 313 West 112th Street (Block 1847, Lot 13), as an Urban Development Action Area;
- 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;

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 313 West 112th Street (Block 1847, Lot 13), in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 200279 HAM).

The above resolution (C 200279 HAM), duly adopted by the City Planning Commission on March 3, 2021 (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.

~~MARISA LAGO, *Chair*~~
~~KENNETH J. KNUCKLES, ESQ., *Vice Chairman*~~
~~DAVID BURNEY, ALLEN P. CAPPELLI, ESQ.,~~
~~ALFRED C. CERULLO III, JOSEPH I. DOUEK,~~
~~RICHARD W. EADDY, HOPE KNIGHT,~~
~~ANNA HAYES LEVIN, ORLANDO MARIN,~~
~~LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*~~



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Gale A. Brewer, Borough President

January 11, 2021

**Recommendation on ULURP Application C200279 HAM
Harlem NCP Western Site
By the New York City Department of Housing Preservation and Development (HPD)**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD” or “the Applicant”) is seeking approval for an Urban Development Action Area Project (“UDAAP”) designation, project approval, and disposition of City-owned property located at 313 West 112th Street (Block 1847, Lot 13), located in Manhattan Community District 10. This action will facilitate the creation of seven rental housing units for low-income residents and persons without housing.

City-owned properties that are no longer in use or are in deteriorating condition are eligible to designated as UDAA and UDAAP, pursuant to the Urban Development Area Act (Article 16 of the State General Municipal Law). UDAA and UDAAP provide incentives for private entities to correct substandard, unsanitary and/or blighted conditions. According to New York State General Municipal Law § 694(4), to receive a UDAA and/or UDAAP designation the City Planning Commission and the City Council must find that:¹²

- (a) the present status of the area tends to impair or arrest the sound growth and development of the municipality;
- (b) the financial aid in the form of tax incentives, if any, to be provided by the municipality pursuant to [the tax incentives provisions of the Urban Development Action Area Act] ... is necessary to enable the project to be undertaken; and
- (c) the area designation is consistent with the policy and purposes [of the Urban Development Action Area Act].

Section 197-c of the New York City Charter mandates that the disposition of all City-owned real property (other than the lease of office space) be subject to the Uniform Land Use Review Procedure (“ULURP”). While no specific findings must be met to make a property eligible for disposition under Section 197-c, Section 1802(6)(j) of the Charter limits HPD to the disposition of residential real property.

¹ [New York State General Municipal Law § 694\(4\)](#).

² [HPD Description of UDAAP projects](#).

BACKGROUND

313 West 112th Street was acquired by the City of New York in 1970, through a foreclosure. The area around and including the site were zoned R7A in 1961 when the previous rezoning was conducted. This area has not been rezoned since 1961. Several other areas in Harlem were rezoned which include the 2017 East Harlem Rezoning, the 2012 West Harlem Rezoning, and the 2008 125th Street Rezoning. The site is not within a special or historic district. However, the 125th Street Special District is nearby 0.6 miles to the north. Additionally, Community Board 10 has noted that there is a lack of affordable housing throughout the district.³

The proposed development of these sites follows a design competition in 2019 by HPD and the American Institute of Architects New York (AIANY).⁴ The competition addressed the need for affordable housing, the design and technical aspects of building on small lots, and the use of small City-owned lots as an opportunity for such development.

PROPOSED DEVELOPMENT

The Applicant will partner with two Minority Business Enterprises (“MBE”), Iris Development and Lemor Development Group, in collaboration with a Women Business Enterprise (“WBE”), Curtis Ginsburg Architects. They were hired to construct a four-story structure with a height of 42 feet. Per the Applicant, the proposed structure will have seven rental housing units consist of seven studio units. The structure will have approximately 3,465 zoning square feet (2.06 FAR). The rents for the units will be set between 27% and 77% of Area Median Income (“AMI”). At the low end, an individual earning \$23,880 would pay \$397 in monthly rent for a studio apartment. At the upper end, a family of four earning \$90,960 would pay \$2,161 in monthly rent for a three bedroom apartment.⁵

The proposed development is part of four ULURP applications (C200276 HAM, C200277 HAM, C200278 HAM) filed by the Applicant for a total of 12 sites in Central Harlem. Of the 12 sites, 11 are in Community Board 10 and one site is in Community Board 11. The additional sites are proposed to be a mix of rental housing units and homeowner units for low-income and persons without housing. Though these applications are separate, they are being financed together.

Area Context

The development site is a single lot located on Block 1847, Lot 13 within Manhattan Community District 10 in Central Harlem. The site is located near the southeastern corner of Morningside Park, on the north side of West 112th Street between Manhattan Avenue and Frederick Douglass Boulevard. The site is 0.2 miles (4-minute walk) north of Central Park and 0.5 miles (11-minute walk) away from the Cathedral of St. John the Devine. The B/C 110th Street – Cathedral Parkway Subway station is a 0.2 mile (4 minute) walk from the site. Also nearby are bus stops along the M2, M3, M4, M7, M10, M11, and M116 routes.

³ [Community Board 10 statement on affordable housing in Harlem.](#)

⁴ [Big Ideas for Small Lots NYC: Housing Design Competition.](#)

⁵ [2020 HPD AMI Guidelines.](#)

Site Description

The site is currently vacant land, with adjacent multifamily residential buildings that vary in height from three to seven stories. The zoning for this site is R7A which allows for medium-density quality housing apartments. The maximum FAR is 4.0 and if Inclusionary Housing is provided, the maximum FAR increases to 4.6.

The Applicant will seek a Mayoral Zoning Override to allow development on the site, which at 16.67 feet wide, is below the 18-foot threshold set forth in the Zoning Resolution.⁶ An MZO would allow for a total of seven residential units on the site. Without an MZO, only two residential units could be constructed.

COMMUNITY BOARD RESOLUTION

At its Full Board meeting on December 2, 2020, Manhattan Community Board 10 voted to recommend approval of the application by a vote of 19 in favor, 6 opposed, 2 abstentions, and 1 recusal.

BOROUGH PRESIDENT'S COMMENTS

The Project addresses a long term need for more affordable housing. Community Board 10 has made it clear that affordable housing is one of their top priorities, which I share. This Project, along with the other pending applications (C200276 HAM, C200277 HAM, C200278 HAM), presents an opportunity to remedy a shortage of affordable housing in Harlem. I am supportive of this application, but one issue needs to be addressed.

I would like to note that the Applicant's request for a Mayoral Zoning Override when this Project is already going through a public review process seems dubious. This decision on behalf of the Applicant and the City raises questions about the use of MZOs in general.

These units will add to the housing stock in the community and give the most vulnerable who are extremely low income access to quality affordable housing. Of the 72 units proposed under these applications, 36 units, or 50% will be designated for Very Low Income individuals and households. Of those 36 units, 12 units will be designated for Extremely Low Income individuals and households. The remaining 36 units, or 50%, will be designated for Low Income individuals and households.

Additionally, I am in support of the partnership with MBEs and WBEs to bring housing to Central Harlem. These entities have a proven record of success in creating affordable housing.

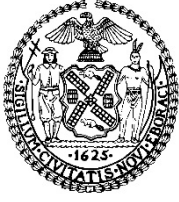
⁶ Minimum Lot Area or Lot Width for Residences. ZR 23-32. Last amended June 29, 2006.

BOROUGH PRESIDENT'S RECOMMENDATION

**Therefore, the Manhattan Borough President recommends approval of ULURP
Application C200279 HAM.**

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive style with a large, looped initial "G".

Gale A. Brewer
Manhattan Borough President



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CICELY HARRIS
Chairperson

SHATIC MITCHELL
District Manager

**Central Harlem Open Door/Neighborhood Construction Program
(NCP) Resolution
Manhattan Community Board 10**

RESOLUTION: To approve the Central Harlem Open Door/Neighborhood Construction Program (NCP) Cluster Certification seeking the designation of an Urban Development Action Area (UDAA), approval of an Urban Development Action Area Project (UDAAP), and the disposition of City-owned property.

Whereas, New York City Housing Preservation & Development (*hereafter known as "HPD"*) Division of Planning and Predevelopment, Iris Development, and Lemor Development Group are seeking approval of a Uniform Land Use Review Procedure (*hereafter known as "ULURP"*) application, C200277-HAM, C200278-HAM, and C200279-HAM for the Central Harlem Open Door/NCP Cluster Certification. The application is to approve the designation of an Urban Development Action Area (UDAA), an Urban Development Action Area Project (UDAAP), and the disposition of City-owned property; and

Whereas, Iris Development and Lemor Development Group are Minority Business Enterprises (MBE) that develop affordable housing, worked with Curtis Ginsberg Architects, a Women Business Enterprise (WBE) to develop three 4-story buildings, seven 6-story buildings, and one 10-story building that will be HPD and Enterprise Green Communities Standard compliant; and

Whereas, there are eleven sites located in Manhattan Community Board 10 and one in Manhattan Community Board 11 mainly clustered around 135th Street and 145th Street stations, that are currently empty, narrow lots between 16'8" to 33'3" wide; and

Whereas, Lemor Development Group stated that the project is financed with the Neighborhood Construction Program for rentals, and the Open Door Program for home ownership, based on 2020 rates that are developed annually and subject to change; and

Whereas, the NCP Program will provide 78 affordable housing rental units with AMIs between 27% and 77%, for family sizes of 1-4 individuals with income ranges from \$23,880 to \$90,960, with monthly rents from \$433 - \$751 at the 27% AMI level to \$1286 - \$2229 at the 80% AMI

level for studio to 3-bedroom apartments respectively, with 10% of the apartments set aside for the homeless; and

Whereas, the Central Harlem Open Door Program will provide 48 affordable home ownership units with AMIs between 80% and 130%, for family sizes of 1-4 individuals with income ranges from \$90,960 (80% AMI) to \$147,810 (130% AMI), with a monthly maintenance of \$365 - \$978 for studio to 3-bedroom units respectively; and

Whereas, the buildings located on the wide lots will have elevator access and ADA accessibility on all floors, an onsite laundry room, and a bicycle storage room, while the buildings located on the narrow lots will have all of the aforementioned features but will only have ADA accessibility on the ground floor with other ADA amenities in the kitchens and bathrooms of the apartments on the upper floors; and

Whereas, the buildings will be contextually similar to other buildings in the neighborhood, the apartments will have individualized heating and cooling units, as well as ample natural daylight in the living rooms and bedrooms; and

Whereas, Manhattan Community Board 10 has 60 days to review the Central Harlem Open Door/NCP Cluster Certification application and render an opinion on same, which such time to review began on October 14, 2020; and

Whereas, Community Board 10 through its Land Use Committee held two public meetings on October 15, 2020 and November 19, 2020, respectively, affording HPD, Lemor Development Group, and Iris Development the opportunity to present to the board and the public, and affording the community at large to review said applications and comment; and

Whereas, on November 19, 2020, the Land Use Committee after hearing all of the views, including written submissions, for and against the project voted **11 Yes, 0 No, 0 Abstention, and 0 Recusal** to approve the application; and

Whereas, on December 1, 2020, The Executive Committee voted **7 Yes, 0 No, 1 Abstention, and 1 Recusal** to approve the application.

NOW THEREFORE, BE IT RESOLVED

Community Board 10 **APPROVES** C200277-HAM, C200278-HAM, and C200279-HAM applications for designation of an Urban Development Action Area (UDAA), approval of an Urban Development Action Area Project (UDAAP), and the disposition of City-owned property for the Central Harlem Open Door/NCP Cluster Certification. During the December 2, 2020 General Board Meeting, the board voted **19 Yes, 6 No, 2 Abstention, and 1 Recusal.**