



CITY PLANNING COMMISSION

April 23, 2014/ Calendar No. 12

C140207HAM

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 260 West 153rd Street (Block 2038; Lots p/o 1, 55 and 57), 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 (Block 2038, Lots 55 and 57) to a developer selected by HPD;

to facilitate the development of a seven-story building, with approximately 51 residential units, 16,253 square feet of community facility space, and 2,652 square feet of recreation and open space in the Borough of Manhattan, Community District 10.

Approval of three separate matters is required:

1. The designation of properties located at 260 West 153rd Street (Block 2038; Lots p/o1, 55, and 57), as an Urban Development Action Area;
2. An Urban Development Action Area Project for such areas; and
3. The disposition of properties located at 260 West 153rd Street (Block 2038; Lots 55 and 57), as an Urban Development Action Area, 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, 2013. Approval of this application would facilitate the development of a seven-story mixed use development with approximately 51 residential units and community facility space.

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) is seeking the designation of the property located at 260 West 153rd Street (Block 2038, Lots 58 (formerly p/o 1), 55 and 57) as an Urban Development Action Area, approval of an Urban Development Action Area Project (UDAAP) for such area, and disposition of two city-owned properties to a developer to be selected by HPD.

The project site consists of two city-owned properties (Lots 55 and 57) and one privately-owned property (Lot 58, formerly p/o 1). Lots 55 and 57 are currently vacant. Lot 58, which fronts on West 153rd Street, is improved with a 2 story community facility that houses the Harlem Congregations for Community Improvement (HCCI) Family Life Center, which provides workforce development and other services such as credit counseling and job counseling for the surrounding area. Lot 58 and Lot 1 are owned by HCCI. Lot 1 fronts along Frederick Douglass Boulevard and is improved with a 70 unit residential building. In 1987, Lots 1 (including Lot 58), 55 and 57 were disposed of to facilitate the development of a Resident Center for Homeless families; however, the facility was never developed. In 1991, Lot 1(including Lot 58) was acquired by the New York State Urban Development Corporation and conveyed to HCCI in order to facilitate the residential development currently located along Frederick Douglass Boulevard and the Family Life Center which occupies a two-story building on Lot 58 (formerly p/o 1). Lots 55 and 57 remained in city ownership.

In 2004, an HPD application (C040164 HAM) seeking a UDAAP designation and disposition of Lots 55 and 57, was approved to facilitate the development of a 3-story daycare center; however, that facility was never developed and those lots remained in city ownership. The Family Life center, currently on Lot 58, will be demolished to facilitate the proposed project, but will relocate back in the proposed project once construction is completed.

The current actions would facilitate the development of a new seven story-story mixed use building containing residential and community facility uses, including a daycare center.

The project site is located on the mid-block of West 153rd Street between Frederick Douglass Boulevard and Macombs Place. It is within an R7-2 zoning district, which allows a maximum residential FAR of 3.44 and a maximum community facility FAR of 6.5.

The surrounding area is predominately zoned R7-2. There is a C1-4 commercial overlay mapped along Frederick Douglass Boulevard. There R8 and C8-3 zoning districts in the area; west and north of the proposed project site. The surrounding area is generally developed with 4 to 7-story residential and mixed-use buildings. The project site abuts residential uses on all sides. Directly across West 153rd Street from the site are two residential buildings; one seven-story and one five-story residential building. Other non-residential uses on the block include a parking lot and a 2-story motel which has an entrance along Macombs Place. The landmarked Harlem River Houses are located east of the development site and to the north are the Polo Ground Towers and the Harlem River II Houses. The proposed project site is two blocks south of the Macombs Dam

Bridge along West 155th Street, the elevated passage into the Bronx from Central Harlem.

The applicant is proposing to construct an approximately 58,193 square foot, seven-story, mixed-use building with 41,439 square feet residential space, 5,205 square feet of community facility space at the ground level and 11,549 square feet of community facility space on the second floor. The proposed 51 residential units would be a mix of studio, one-bedroom, and two bedroom units located on the third to seventh floors and affordable at 60% of the AMI. The community facility space is proposed to be occupied by the Family Life Center, which is currently located on Lot 58 and a daycare center for approximately 100 children. The proposed daycare center will be located on the second floor. The proposed development also includes 2,375 square feet of recreational space accessible from the second floor terrace and approximately 1,111 square feet of open space located at the seventh floor. The proposed project will have 18 parking spaces and 26 bicycle spaces and five street trees pursuant to zoning.

ENVIRONMENTAL REVIEW

This application (C 140207 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 14HPD026M. 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 13, 2013.

UNIFORM LAND USE REVIEW

This application (C 140207 HAM) was certified as complete by the Department of City Planning on January 6, 2014, 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 held a public hearing on this application (C 140207 HAM) on February 5, 2014, and on that date, by a vote of 28 to 0 and 0 abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application (C 140207 HAM) was considered by the Manhattan Borough President who, on March 17, 2013, issued a recommendation approving the application with the following conditions:

That the applicant work with the Community Board, Small Business Services, and the Borough President's Office to fill the eight vacated store fronts with neighborhood appropriate small businesses or services; and

Make all efforts to ensure that all units remain affordable to residents of the neighborhood after the 40-year affordability period.

City Planning Commission Public Hearing

On March 5, 2013 (Calendar No. 5), the Commission scheduled March 19, 2014 for a public hearing on this application (C 140207 HAM). The hearing was duly held on March 19, 2014 (Calendar No. 15). There were five speakers in favor and none in opposition.

The project's architect spoke in favor of the proposed project, describing the project and identifying the points of ingress for the proposed residential and community facility uses. He stated that the proposed building will not be LEED certified but will incorporate some energy-efficient and green elements to meet NYSERDA and Enterprise Green Communities standards.

The Executive Vice-president of HCCI spoke about the organization's track record in the surrounding area and how the new proposed development would help the organization carry out its mission. The Executive Vice-president explained that, in addition to the proposed affordable units, the project would provide needed daycare services, units for individuals living with HIV/AIDS and allow their organization to centralize their operations.

The President and CEO of HCCI also spoke about the affordability and the need for supportive housing in the area. Additionally, the President and CEO discussed the contractual relationship with HRA and their track record in providing supportive housing. He also stated he was committed with working the community and the developer to find suitable tenants for the commercial storefronts they will vacate.

A representative from the Borough President also spoke in favor and restated the Borough President's recommendation.

The Director Manhattan Planning for HPD also spoke in favor, stating that the proposed project will be financed through Low Income Tax Credits and 421c program and that there will be a 50 percent preference for residents in Community District 10.

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, is appropriate.

The Commission believes that this proposed action would facilitate the development of vacant and underutilized property in the Central Harlem neighborhood. The project site has been vacant for more than 26 years and development of the site would contribute to the ongoing revitalization that has been occurred in the surrounding area.

The Commission believes that the proposed residential and community facility uses will provide much needed affordable housing and supportive services to this community. The proposed project will provide approximately 51 affordable units, 43 of which would be for households earning up to 60% of the AMI and 8 would be for households earning up to 30% of the AMI. Additionally, 8 units are proposed to be designated for individuals living with HIV/AIDS, which

would be administered by the project's sponsor.

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 260 West 153rd Street (Block 2038, Lots 58 (formerly p/o 1), 55 and 57) 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 properties;

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 located at 260 West 153rd Street (Block 2038, Lots 58 (formerly p/o 1), 55 and 57) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such areas;

to facilitate the development of a seven-story building, with approximately 51 residential units, 16,253 square feet of community facility space, and 2,652 square feet of recreation and open space in the Borough of Manhattan, Community District 10; 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 260 West 153rd Street (Block 2038, Lots 55 and 57) in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 140207 HAM).

The above resolution (C 140207 HAM), duly adopted by the City Planning Commission on April 23, 2014 (Calendar No. 12), 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.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, ESQ., Vice Chairman
RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,
MARIA M. DEL TORO, JOSEPH DOUEK, RICHARD W. EADDY,
ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners



HENRIETTA LYLE
Chairperson

ANDREW LASSALLE
Assistant District Manager

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 10
215 West 125th Street, 4th Floor—New York, NY 10027
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February 5, 2014

RESOLUTION: Disposition of land owned by the City of New York and Urban Development Action Area Program designation at 260 West 153rd Street.

Committee: 14 yes; 0 no; 1 abstention
Board: 28 yes; 0 no; 0 abstention

WHEREAS, Harlem Congregations for Community Improvement, Inc. (“HCCI”) and L+M Development Partners (“LM”) is requesting a letter of support from Manhattan Borough Community Board 10 (“CB10”) for the disposition of land owned by the City of New York and a designation as a Urban Development Action Area Program for two lots located at 260 West 153rd Street;

WHEREAS, HCCI and LM is proposing to construct 51 units of affordable housing, a 10,000 square feet daycare facility, and 6,000 square feet of office space to be occupied by HCCI at 260 West 153rd Street (the “Project”);

WHEREAS, in September 2012, CB10 voted 21 for and 8 against a letter for HCCI & LM to obtain site control from New York City’s Department of Housing Preservation and Development (“HPD”) at 260 West 153rd Street;

WHEREAS, in May 2013, HCCI and LM made an informal presentation to CB10’s Land Use Committee announcing the project team’s intention to include affordable housing in the Project;

WHEREAS, on January 16, 2014, HCCI & LM appeared before CB10’s Land Use Committee and presented the following information:

1. HCCI & LM’s plans to construct 8 studios, 33 one-bedroom, and 10 two-bedroom units.
2. 43 units will be available to persons earning 50% of the Average Median Income (“AMI”) or approximately \$23,897 to \$42,950 depending on the size of the unit.
3. 8 units will be available to persons earning 30% of AMI who receive vouchers from the New York State Division of Housing and Community Renewal.
4. 8 units will be designated for individuals with HIV/AIDS and be administered by HCCI.
5. Rental rates offered at 50% of AMI will be approximately \$685 for a studio, \$715 for a one-bedroom, and \$870 for a two bedroom.

THEREFORE, BE IT RESOLVED, that on February 5, 2014, the Manhattan Borough Community Board 10 supports the disposition of land owned by the City of New York and the designation as an Urban Development Action Area Program at 260 West 153rd Street with a vote of 28 in favor, 0 opposed with 0 abstentions.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

GALE A. BREWER
BOROUGH PRESIDENT

March 17, 2014

**Recommendation on
ULURP Application No. C 140207 HAM
260 West 153rd Apartments
by New York City Department of Housing Preservation and Development**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD” or “the applicant”) and its proposed development team of Harlem Congregations for Community Improvement (HCCI) and L+M Development Partners (“L+M”), seek the approval of a land use action to facilitate the development of a seven-story, mixed-use affordable housing project in the Bradhurst neighborhood of Central Harlem in Manhattan Community District 10. The proposed project is located on Block 2038, Lots 55, 57 and part of Lot 1, with frontage on West 153rd Street between Fredrick Douglas Boulevard and Macombs Place.

HPD seeks designation of City-owned property as an **Urban Development Action Area** (“UDAA”) (**C 140207 HAM**) and approval for the project as an **Urban Development Action Area Project** (“UDAAP”). In addition, HPD seeks approval for the **disposition** of said property to a recipient to be determined by HPD (the “Developer”), which is proposed as either a limited liability partnership or limited liability corporation between HCCI, L+M, and a third party.

City-owned properties that are no longer in use or are in deteriorated or deteriorating condition are eligible to be 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:

- (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.

PROJECT DESCRIPTION

HPD seeks to develop a 75,900 gross square feet building with 18 parking spaces that will contain 59,200 gross square feet or 41,309 zoning square feet¹ of residential uses (51 units) and approximately 16,684 zoning square feet of community facility uses consisting of office space for the non-profit organization HHCI and a daycare space. The development will be located on City-owned land at 260-264 West 153rd Street. The proposed building is seven stories tall, approximately 69 feet in height, with a street wall height of approximately 60 feet.

HCCI is a social services organization that offers a variety of services from job training, youth services and health and wellness services for individuals living with HIV/AIDS. As part of their current operations, the organization is spread across eight different storefront offices. The proposed actions will enable HHCI to consolidate all of its services into a single location. HCCI will occupy the majority of the first floor and a portion of the second as a central office. The daycare center, which will be run by an independent operator, will occupy the majority of the second floor. Separate elevator cores will access the community facility space and the residential units, with three separate lobbies provided on the first floor for the residences, offices, and daycare. The development is part of a larger zoning lot that includes an existing eight-story, mixed use building with ground floor retail and 69 low income units also operated by HHCI.

The proposed affordable housing development will be financed through \$1.186 million of “9 Percent” federal Low-Income Housing Tax Credits through New York State Homes and Community Renewal (HCR) and eight Project-Based Section 8 vouchers. The development team also anticipates obtaining Section 420(c) real estate tax abatement on the property. All units will be affordable to families or individuals earning 50 percent of the Area Median Income (AMI) or lower, as described below. The units are located on floors three through seven and are a mix of studio, one, and two bedroom apartments. Eight units will be for households earning 30 percent of AMI, using Section 8 vouchers. 43 of the units will be for households earning 50 percent AMI, and eight of those units will be dedicated to the individuals living with HIV/AIDS, with HHCI’s Office of Health and Wellness Strategies (HWS) providing supportive services for those residents.

The proposed building will conform to Quality Housing Program standards and it will feature a variety of sustainable elements through participation in both the New York State Energy Research and Development Authority’s (“NYSERDA”) Multifamily Performance Program and

¹ The residential gross square feet includes items like accessory mechanical spaces, the cellar, and accessory parking square feet on the ground floor all of which do not count toward floor area, or zoning square feet.

the Enterprise Green Communities program. All units will have energy star appliances as well as water and energy conservation fixtures. The daycare space includes a dedicated open terrace and for the buildings' residents, a community room and open terrace is located on the seventh floor. Additionally, the building will provide residential bicycle parking spaces for up to 24 bikes in an indoor facility on the ground floor.

Area Context

The northern portion of Central Harlem is a mixed use neighborhood consisting of a diverse set of residential building typologies as well as institutional and commercial uses. Mixed-use residential buildings with ground floor retail predominate along avenue frontages, with four to six story residential buildings in the midblock areas. The development site sits 100 feet east of Fredrick Douglas Boulevard, which is characterized by a mix of institutional, commercial, and mixed-use residential buildings. Immediately to the west of the development site is an eight-story mixed use building with ground floor retail. On the development site there is currently a two-story community facility that houses the HHCI Family Life Center which will be demolished as part of the proposal. The Family Life Center will be relocated into the new building.

There are a number of NYCHA properties within the area as well. East of the development site is the Harlem River Houses, a designated landmark, and to the north are two developments: the 15-story Harlem River II and the 30-story Polo Grounds Tower. The surrounding area also includes other designated landmarks, including the Dunbar Apartments to the south of the development site and the Macombs Dam Bridge at 155th Street.

The neighborhood is well served by open spaces. Jackie Robinson Park, which contains both passive and active open space and a public swimming pool, is located one block west of the proposed development. A few blocks to the north is the large Highbridge park, which features forested bluffs, ballfields, and tennis courts. Two blocks north of the proposed development is Rucker Park, considered the "Mecca of Streetball."

The development site and the area around the proposed development is primarily zoned R7-2 with C1-4 overlays along the avenues. R7-2 is the predominant zoning district in Central Harlem. The R7-2 zoning designation allows a maximum residential floor area ratio ("FAR") of 3.44, a maximum commercial FAR of 2.0, and a maximum community facility FAR of 6.5. The designation has no height limits. The C1-4 overlay allows for, in addition to the residential and community facility uses allowed under R7-2 zoning, local retail and personal service establishments. An R8 District is mapped to the west of the development site along Bradhurst Avenue, and there is a C8-3 commercial district mapped two blocks north of the development site.

Proposed Action

The applicant requests from the CPC project approval and designation of the development site, which consists of two vacant tax lots and a 2-story community facility building, as an Urban Development Action Area to facilitate the disposition of City-owned property to the development team.

COMMUNITY BOARD'S RECOMMENDATION

At its Full Board meeting on February 5, 2014, Manhattan Community Board 10 voted to recommend approval of the application by a vote of 28 in favor, 0 opposed and 0 abstentions.

BOROUGH PRESIDENT COMMENTS

The proposed development will allow for the consolidation of the many diverse services of HHCI into a single facility, increasing ease of use by the neighboring population. The consolidation of offices also allows for expansion of the types of supporting services HHCI offers. The inclusion of a daycare center, anticipated to serve 154 children ages two through five, will fill a needed gap in daycare services for the district. Coupled with the creation of 51 units of affordable housing, these two community facility services are highly appropriate uses of City-owned land and address local and citywide needs. HPD's disposition of this site will promote the sound growth that is necessary to obtain the UDAA and UDAAP designations.

The proposed development meets the required findings for UDAA and UDAAP designation and is an appropriate disposition of City-owned property. There are a number of boarded up storefronts, vacant lots, and deteriorating buildings in the vicinity of the development site. The proposal by the development team will turn one such set of mid-block vacant lots into a mixed-use residential and community facility building that will provide needed affordable housing units to a community with a demonstrated need for such.

With any City-owned land, it is important that the City seek permanent affordability to ensure public benefits are felt across multiple generations. The affordability period for this development is set at 40 years. While this is by no means permanent, given the development team's track record of providing affordable housing and given the investments already made into the community's health and well-being, there is a reduced risk of the units becoming market rate at a later date and the development remains appropriate.

The proposed development will not only provide much-needed affordable housing and community facility services that will be an asset to the neighborhood and city, but will also meet City goals for sustainable development. The developer will incorporate energy-efficient and green elements in the building, meeting NYSERDA and Enterprise Green Communities standards. The provision of open spaces for the daycare facility and residents of the building will also add to the livability of the proposal and the neighborhood.

As part of the review by this office of the ULURP certification set of illustrative plans, two potential zoning compliance issues were identified regarding the provision of the rear yard and the front setback requirements above the required 60 foot street wall. The applicant team was incredibly responsive in resolving these potential concerns and explaining that changes had already occurred to the building design due to ongoing discussions with the Department of Buildings. These are minimal changes to the proposal as originally depicted and include the reconfiguration of the daycare space and terrace to allow for a continuous twenty foot rear yard above the first floor.

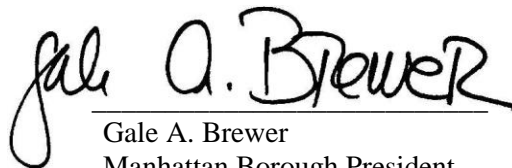
By consolidating HCCI's services into this new facility, the proposed development will create eight storefronts that could be rented to small businesses providing important neighborhood services. These storefronts are owned by a joint venture between HCCI and L+M. Small businesses operated by members of the community contribute to the livability and economic vitality of neighborhoods. In renting these storefronts following the construction of the proposed development HCCI and L+M should make every effort to find appropriate neighborhood retail tenants. In this effort, the development team should consult with Manhattan Community Board 10, the Department of Small Business Services and the Borough President's Office.

The proposal of 51 affordable units and provision of daycare services and the continued and expanded services program of HCCI have created a laudable development proposal. The designation of this project as an UDAA and approval of the project as an UDAAP is necessary to ensure this community asset is constructed. The disposition of City-owned property for this proposal is also appropriate.

BOROUGH PRESIDENT RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval with conditions of ULURP Application No. C 140207 HAM provided that the applicant:

- 1. work with the Community Board, Small Business Services, and the Borough President's Office to fill the eight vacated store fronts with neighborhood appropriate small businesses or services; and**
- 2. make all efforts to ensure that all units remain affordable to residents of the neighborhood after the 40-year affordability period.**


Gale A. Brewer
Manhattan Borough President