



IN THE MATTER OF an application submitted by the New York City 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 437 West 126th Street (Block 1967, Lot 5) 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 an open landscaped walkway, Borough of Manhattan, Community District 9.

Approval of three separate matters is required:

1. The designation of the property located at 437 West 126th Street (Block 1967, Lot 5) 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.

The application for the UDAAP designation and project approval and disposition of city-owned property was submitted by HPD on September 27, 2018. Approval of this application would facilitate the development of an open landscaped walkway on the project site.

HPD states in its application that:

The Project Area consists of underutilized 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 UDAAP application that is the subject of this report (C 190128 HAM), 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 190127 PQM: Acquisition of property.

BACKGROUND

HPD requests approval of UDAAP, property acquisition and disposition approval to facilitate the development of an open landscaped walkway that would provide a through-block pedestrian connection between the Mink Building complex and the Taystee Bakery redevelopment project. The project site is located at 437 West 126th Street (Block 1967, Lot 5), in the Manhattanville area of Manhattan Community District 9.

The project site is a 1,608-square-foot irregularly shaped through-lot with frontages on West 126th and West 127th streets. The lot is vacant and undeveloped. It abuts two formerly vacant residential buildings, 439 West 126th Street and 433 West 126th Street (Block 1967, Lots 1 and 6, respectively) that are owned by the Zora Neale Hurston Houses Limited Partnership, a subsidiary of Ecumenical Community Development Organization (ECDO). Block 1967, Lots 1, 5 and 6 were conveyed to ECDO pursuant to an accelerated UDAAP approved by the City Council (Resolution No. 2156) on December 11, 2001. Although Lots 1 and 6 have been renovated and comprise 25 affordable units, the UDAAP approval did not specify plans for the proposed project site's (Lot 5) future development or use. The project site is still owned by the Zora Neale Hurston Houses Limited Partnership and is being used as a staging area for the façade rehabilitation of 433 West 126th Street (Lot 6).

The site is in the MX-15 Special Mixed-Use District and is zoned M1-5/R7-2. M1-5/R7-2 districts allow light manufacturing, commercial and retail uses up to a floor area ratio (FAR) of 5.0. Residential development up to 3.44 FAR and community facility uses up to 6.5 FAR are also permitted, as is the proposed open space use.

The proposed walkway would be developed and managed by Janus Properties (Janus), a Harlem-based developer, owner and manager of commercial, mixed-use and affordable residential properties that is not affiliated with ECDO. The New York City Economic Development Corporation designated Janus to redevelop the vacant Taystee Bakery building, which is located on the south side of West 126th Street opposite the project site, into a mixed-use commercial center (Taystee Create). Construction started on the building in July 2018, and the completed building will have approximately 350,000 square feet of floor area.

Janus owns three additional properties - the Mink Building, the Sweets Building, and the Malt House - which comprise the Mink Building complex on the north side of West 127th Street opposite the project site. Totalling approximately 400,000 square feet of floor area, the Mink Building complex is developed with commercial, local retail, light manufacturing, life science and community facility uses. In sum, the Mink Building complex and Taystee Create comprise approximately 750,000 square feet of mixed-use floor area managed by Janus; the requested actions would facilitate the development of a pedestrian walkway and public open space that would provide a through-block connection between both properties. The site would be acquired/purchased from ECDO by HPD and disposed to Janus for the proposed walkway (C 190127 PQM).

The project would consist of an open landscaped walkway and seating that would serve as public open space. The walkway would be gated and closed after a certain set hour in the evening to promote safety. As part of the disposition agreement, HPD would restrict the use of the project area to open space/recreational activities. Additional approvals would be required if future development is contemplated for the site.

ENVIRONMENTAL REVIEW

This application (C 190128 HAM), in conjunction with the related application (C 190127 PQM), were 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 15HPD078M. The lead agency is HPD.

This application was determined to be a Type II action, which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 190128 HAM), in conjunction with the application for the related action (C 190127 PQM), was certified as complete by the Department of City Planning on December 17, 2018 and duly referred to Community Board 9 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 9 held a public hearing on this application on January 23, 2019, and on that date, by a vote of 18 in favor, none opposed and with no abstentions, adopted a resolution recommending approval of the application with the following conditions:

1. Once developed by Janus Property, the outdoor space will be available to community residents at no charge;
2. The space will be open with unlimited access during reasonable hours (to be determined);
3. The space will be used as an open space for neighboring businesses and community residents in perpetuity. This proviso will be recorded as part of the deed upon transfer.
4. Should there be a need for any changes to the above provisions, HPD and Janus Property will return to the Community Board for approval.

Borough President Recommendation

This application (C 190128 HAM) was considered by the Manhattan Borough President, who issued a recommendation approving the application on March 14, 2019.

City Planning Commission Public Hearing

On March 13, 2019 (Calendar No. 8), the City Planning Commission scheduled March 27, 2019 for a public hearing on this application (C 190128 HAM). The hearing was duly held on March 27, 2019 (Calendar No. 32), in conjunction with the hearing on the application for the related action (C 190127 PQM). Two speakers testified in favor of the application.

Representatives from the New York City Department of Housing Preservation and Development and Janus Properties spoke in favor of the application, describing Janus' planning vision for their properties in Manhattanville; the requested actions and proposed project's overall build program including its design, functionality and public accessibility for community residents and visitors.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for UDAAP designation and project approval and the disposition of City-owned property, in conjunction with the related action, is appropriate.

The requested actions will facilitate the development of an open landscaped walkway at 437 West 126th Street (Block 1967, Lot 5). The property is privately owned by ECDO and will be acquired by HPD under the related action (C 190127 PQM) for subsequent disposition to Janus who will design, build and manage the proposed walkway. The walkway will provide a through-block connection between the Mink Building complex and Taystee Bakery redevelopment project (Taystee Create), two mixed-use buildings owned and managed by Janus.

The Commission notes the importance of public open space and recognizes Janus for their comprehensive planning and redevelopment efforts in Manhattanville, and for their design and stewardship of the proposed landscaped walkway. At the public hearing, the Janus and HPD noted that the walkway will be open to the public free of charge and as part of the disposition agreement, HPD will restrict the use of the project area to open space/recreational activities. If development is contemplated for the site later, the owner of the lot would need to secure HPD approval.

While the hours of operation remain to be determined by HPD, the Commission recognizes the importance of keeping the walkway open for a reasonable duration, at a minimum similar to the operation of other public open spaces managed by the Department of Parks and Recreation.

Like other public open spaces such as community gardens and vest pocket parks, the proposed walkway could become a critical asset and resource for community-based public open space. It could activate the streetscape, help make the block more welcoming and attractive and enable community residents to gather and engage one another. The requested actions will revitalize long-vacant and underutilized property in an area undergoing significant physical improvement. The proposed project will provide a landscaped pedestrian walkway and public open space, within which community residents will socialize and enjoy. The Commission, therefore believes that this application, in conjunction with the related action, is appropriate.

RESOLUTION

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 437 West 126th Street (Block 1967, Lot 5) in Community District 9, 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 **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 437 West 126th Street (Block 1967, Lot 5), 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 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; 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 437 West 126th Street (Block 1967, Lot 5), Borough of Manhattan, Community District 9, to a developer to be selected by HPD is approved (C 190128 HAM).

The above resolution (C 190128 HAM), duly adopted by the City Planning Commission on May 8, 2019 (Calendar No. 7), 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 J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,

MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,

HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN,

LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

Application #: **C 190128 HAM**

Project Name: **437 West 126th Street**

CEQR Number: 15HPD078M

Borough(s): Manhattan

Community District Number(s): 9

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

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:

- the designation of properties located at 437 West 126th Street (Block 1967 Lot 5) as an Urban Development Action Area; and
- 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 properties to a developer to be selected by HPD;

to facilitate the construction of an open, landscaped walkway Borough of Manhattan, Community District 9.

Applicant(s): Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	Applicant's Representative: Eunice Suh NYC Housing Preservation & Development 100 Gold Street New York, NY 10038	
Recommendation submitted by: Manhattan Community Bd. #9		
Date of public hearing: 1/23/19 Location:		
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>		
Date of Vote: 1/23/19 Location: Castle Gardens 625 W. 140th St NYC 10031		
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
Please attach any further explanation of the recommendation on additional sheets, as necessary.		
Voting # In Favor: 18 # Against: 0 # Abstaining: 0 Total members appointed to the board: 46		
Name of CB/BB officer completing this form Pachore John 1EP	Title Board Chair	Date 1/28/19

**CB9M**16-18 Old Broadway
New York, New York 10027
(212) 864-6200/Fax # 662-7396**COMMUNITY BOARD #9, MANHATTAN**Gale Brewer
President, Borough of Manhattan**January 28, 2019**Padmore John
ChairVictor A. Edwards
First Vice-ChairCarolyn Thompson
Second Vice-ChairAnthony Q. Fletcher, Esq.
TreasurerBarry Weinberg
Assistant TreasurerTheodore Kovaleff, Ph.D.
SecretaryAlec Barrett
Assistant SecretaryEutha Prince
District Manager

Resolution: IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the NYC Charter, for the acquisition of property located at 437 West 126th Street Z (Block 1967, Lot5) for use as an open, landscaped walkway and seating area.

Application #C190128HAM

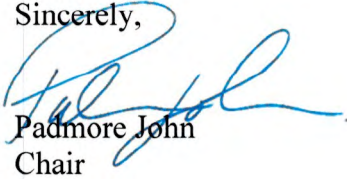
The Housing/Land Use and Zoning Committee of Community Board 9 hosted a public hearing for members of the Community Board to and Community to hear the presentation by HPD and Janus Property regarding the above referenced property. Manhattan Community Board No. 9 supports this application by HPD to acquire the property from Ecumenical Community Development Corporation and transfer it to Janus Property. The lot, which is currently fenced in and garbage strewn will be converted into open space by Janus Property for use by neighboring businesses and community residents. We support this application with the following qualifications:

- 1--Once developed by Janus Property, the outdoor space will be available to community residents, at no charge;
- 2--The space will be open with unlimited access during reasonable hours (to be determined);
- 3--The space will be used as an open space for neighboring businesses and community residents in perpetuity. This proviso will be recorded as part of the deed upon transfer.
- 4--Should there be a need for any changes to the above provisions, HPD and Janus Property will return to the Community Board for approval.

We encourage the City Planning Commission to approve this application for open space in the West Harlem Community. If any further information is needed,

please do not hesitate contacting myself, and/or District Manager Eutha Prince at (212) 864-6200.

Sincerely,

A handwritten signature in blue ink, appearing to read "Padmore John", written over the printed name.

Padmore John
Chair

Borough President Recommendation

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Fax # (212) 720-3488

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Applications: C 190128 HAM

Docket Description:

C 190128 HAM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development (HPD):

pursuant to Sections 197-c and 201 of the New York City Charter for

1. Pursuant to Article 16 of the General Municipal Law of New York State for
 - a. The designation of property located at 437 West 126th Street (1967, Lot 5), 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 the construction of an open, landscaped walkway

Borough of Manhattan, Community District 9.

(See Continued)

COMMUNITY BOARD NO:

9

BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached

Jale A. Brewer

March 14, 2019

BOROUGH PRESIDENT

DATE



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

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
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Gale A. Brewer, Borough President

March 14, 2019

Recommendation on ULURP Application No. C 190235 ZMM HAM – Manhattanville Walkway by the New York City Department of Housing Preservation & Development

PROPOSED ACTIONS

The New York City Department of Housing Preservation & Development (“HPD” or “Applicant”) is seeking several proposed actions including the acquisition and disposition of property located at Block 1967, Lot 5 (“Project Area”), an Urban Development Action Area designation (“UDAA”), and an Urban Development Action Area Project designation (“UDAAP”). The proposed actions are intended to facilitate the development of a pedestrian walkway (“Proposed Project”) in the neighborhood of Manhattanville, Manhattan Community District 9.

Urban Development Action Area and Urban Development Action Area Project Designation
Under Chapter 15, Section 381 of the City Charter, the City may acquire property, “whenever required for any public or municipal use or purpose or for the promotion of public utility, comfort, health, enjoyment or adornment.”

City-owned properties that are no longer in use or are in deteriorated or in deteriorating condition are eligible to be designated as a UDAA and UDAAP, pursuant to the Urban Development Area Act (Article 16 of the State General Municipal Law) and the Urban Renewal Law (Article 15 of the State General Municipal Law). A UDAA and UDAAP designation provides 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 a UDAAP designation, the City Planning Commission and the City Council must find that:

1. The present status of the area tends to impair or arrest the sound growth and development of the municipality;
2. 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
3. The area designation is consistent with the policy and purposes (of the Urban Development Action Area Act).

Disposition of City-Owned Real Property

Section 197-c of the New York City Charter mandates that the disposition of all City-owned real property (other than 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 New York City Charter limits HPD disposition of residential real property.

BACKGROUND

Prior Discretionary Actions

The Project Area was conveyed to Zora Neale Hurston Houses Limited Partnership, a subsidiary of Ecumenical Community Development Organization (“ECDO”), pursuant to a UDAAP approved by the City Council on December 11, 2001. The UDAAP approval authorized the disposition of eight multi-family buildings containing 93 dwelling units as part of HPD’s Neighborhood Redevelopment Program. The Project Area and the two buildings adjacent to the Project Area were part of the Neighborhood Redevelopment Program.

In 2012, the Project Area was included in the 90-block West Harlem rezoning. The rezoning was initiated in response to local residents’ concerns raised about future development during the 2007 Columbia University/Special Manhattanville Mixed-Use District review process (N 070496 ZRM). As part of the West Harlem rezoning, the Project Area was designated an MX-15 Mixed-Use District and rezoned from M1-1 to M1-5/R7-2, a zoning district that permits a broad-range of uses.

Site Description

The Project Area is a 1,608 square foot, irregularly shaped, vacant lot located between two affordable housing buildings owned by Zora Neale Hurston Houses Limited Partnership. The lot is located at 437 West 126th Street. It is currently enclosed by a chain-linked fence and contains several articles of construction equipment.

As previously stated, the Project Area is located within a MX-15 Special Mixed-Use District and is zoned M1-5/R7-2. M1-5/R7-2 districts allow for light manufacturing, commercial and retail uses up to 5.0 FAR, residential development up to 3.44 FAR, and community facility uses up to 6.5 FAR. M1-5/R7-2 districts also permit the use of open space that is proposed in this application.

Project Description

The Proposed Project is part of a holistic planning initiative that includes the redevelopment of the Taystee Bakery complex across the street from the Project Area. The Taystee Bakery redevelopment will result in a 250,000 square foot commercial center. The Proposed Project will consist of a landscaped walkway that will serve as open space for public and private use. Janus Property Company (“Janus”), a locally-based developer, owner and manager of commercial, mixed-use and affordable residential properties will develop the Project Area.

The Project Area has the potential to be used as an outdoor seating area for a local restaurant. It can also serve as the location of food stalls and other community services. The Project Area will be gated and closed after a set hour to promote safety. Janus will continue to manage the Proposed Project, as well as all of the lots that are involved in the Taystee Bakery redevelopment. They also intend to retain a landscape architect who will adopt a comprehensive

and uniform, planning vision and design for all the lots that they own in the Manhattanville Factory District.

As part of the disposition, HPD will restrict use of the Project Area and the Proposed Project to open space/recreational activities.

Area Context

The Project Area is located in the West Harlem neighborhood of Community District 9. The neighborhood's general land use pattern includes a mix of residential and commercial uses and a limited amount of industrial uses. The area is characterized by medium density residential buildings with multi-family walkups as the predominant building type. The four 21-story buildings that make up the New York City Housing Authority ("NYCHA") General Grant Houses are located one block away from the Project Area.

The area to the east of the Project Area is predominantly zoned R7A, a contextual district that permits medium-density apartment buildings and community facility uses. R7A permits a Floor Area Ratio up to 4.0, with a base height of 40 to 65 feet, and a maximum building height of 80 feet. The area to the north and west of the Project Area is predominantly zoned R7-2, which permits an FAR of up to 3.44 with a base height of 60 feet before adhering to sky exposure plane regulations which governs the building's maximum allowable height.

The surrounding area is well served by transportation. The following bus lines are located within one block of the Project Area: M11, M60-SBS, M100, M101, M104, and the Bx15. The 1 train station at 125th Street is located one avenue west on Broadway. The A, B, C, & D train station at 125th Street is located one avenue east on St. Nicholas Avenue.

The area surrounding the Project Area is rich in open space. Saint Nicholas Park is located three blocks east between West 128th Street and West 141st Street. The northern entrance to Morningside Park, which runs from West 123rd Street south to Cathedral Parkway, is located three blocks south of the Project Area.

COMMUNITY BOARD RECOMMENDATION

On Wednesday, January 23, 2019, Manhattan Community Board 9's ("CB9") Land Use Committee hosted a public hearing for members of the public and the Community Board to hear testimony from HPD and Janus Property regarding the development plans and the programmatic elements of the Proposed Project. Additionally, the CB9 Land Use Committee, after hearing from members of the public, voted 18 Yes, 0 No, and 0 Abstaining on a resolution to support the application with the following conditions: (1) once developed, the outdoor space will be available to community residents, (2) there will be unlimited access to the public during reasonable hours, (3) the space will be available to neighboring businesses and community residents in perpetuity, and (4) should there be any need for changes to the use of the Project Area, HPD will return to the Community Board for approval.

BOROUGH PRESIDENT'S COMMENTS

The Proposed Project may be a small piece of the Manhattanville Factory District's overall re-development, but the scarcity of vacant and city-owned land in Manhattan creates a responsibility to advocate for the best possible use of every square inch. This is especially the case when City-owned land is being placed in private hands. Because the Proposed Project involves the transfer of a small undevelopable lot we must ensure that the community benefit is maximized. I believe the Proposed Project will do so, therefore, I am recommending approval of this application.

In 2011, the New York City Economic Development Corporation awarded Janus Properties, LLC the bid to rehabilitate the Taystee Bakery Complex located between West 125th and West 126th Streets and Amsterdam Avenue. The name of the project is CREATE @ Harlem Green and it is expected to result in a state-of-the-art commercial building, while preserving much of the Taystee Bakery façade. The building will have entrances on both 125th and 126th Streets, with a pathway from 125th Street leading to an open courtyard on 126th Street and will include ground floor uses that activate the streetscape. When completed, the \$100 million development will include 100,000 square feet of manufacturing space, 90,000 square feet of office space, 40,000 square feet of retail space, and 10,000 square feet of community facility space, and it is expected to create about 440 permanent jobs and 510 construction jobs. My staff and I visited the site recently and Janus and EDC should be congratulated for their work.

As previously noted above, the Proposed Project part of the revitalization of the Manhattanville Factory District's Taystee Bakery Complex that is located across the street from the Project Area. The Proposed Project is integral to the overall redevelopment of the area. It will open up and activate otherwise unused spaces and connect the Taystee Bakery Complex and the West 125th Street commercial corridor; and create a pedestrian pathway between West 126th and West 127th Streets. Creating open space at the Project Area also establishes continuity and connection within the complex by creating a pedestrian pathway between West 126th and West 127th Streets.

I have three concerns regarding public access and the future of the land. First, according to the application, there has been no determination regarding public hours of access. We have been told is that the hours will be determined based on safety concerns. However, we are not without a standard to base a decision. The New York City Department of Parks and Recreation ("DPR") have designated hours of accessibility to its parks and playgrounds in the vicinity. I recommend that the hours of access in the Project Area match those at the DPR.

My second concern relates to the amount of space that will be made permanently available to the public. It is my understanding that the Project Area could eventually be used as outdoor seating for a restaurant. I request that if a private use of any kind occupies the Project Area, a significant amount of space must remain available for pedestrians and others who wish to sit, rest, or congregate.

Third, this application is for a disposition of property to Janus which will become the fee simple owner. I strongly recommend that the City maintain a future interest in the property as it is

currently doing in other projects. While there are safeguards in place to prevent development of the property without HPD approval, a future interest offers greater assurance that long after any of us are around, the City will be in control of the Project Area should circumstances warrant it.

THE BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, I recommend the approval of Land Use Application No. C 190128 HAM – Manhattanville Walkway with the following conditions:

1. That the City ensure that members of the public have unimpeded access to the Project Area for a duration on par with similar open spaces operated by the Department of Parks and Recreation.
2. That there be suitable amount of open space permanently accessible by the public even during periods of private use
3. That the City maintains a future interest in the property using a mechanism similar to that which is being proposed in the Inwood Library proposal.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, slightly slanted style.

Gale A. Brewer
Manhattan Borough President