



**IN THE MATTER OF** an application submitted by Soma 142, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, by changing from an existing R6A District to an R9A District property bounded by a line midway between West 142nd Street and West 143rd Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142nd Street and its westerly prolongation, and the easterly boundary line of Riverside Park, Borough of Manhattan, Community District 9, as shown on a diagram (for illustrative purposes only) dated March 15, 2021, and subject to the conditions of CEQR Declaration E-607.

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This application for a zoning map amendment was filed by Soma 142, LLC on January 19, 2021 to change an R6A zoning district to an R9A zoning district. The requested zoning map amendment, in conjunction with the related zoning text amendment action (N 210262 ZRM), would facilitate the proposed development of a 17-story residential building with 81 residential units, 21 of which would be permanently affordable units, in the West Harlem neighborhood of Manhattan Community District 9.

**RELATED ACTIONS**

In addition to the zoning map amendment application that is the subject of this report (C 210261 ZMM) 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:

**N 210262 ZRM**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

## **BACKGROUND**

The applicant, Soma 142, LLC, seeks a zoning map amendment to change an R6A zoning district to a R9A zoning district and a zoning text amendment to create an MIH area across five tax lots located at 633-641 West 142nd Street in Manhattan Community District 9. The proposed actions would facilitate the development of a 59,943-square-foot 17-story residential building, consisting of 81 new residential units, 21 of which would be permanently affordable.

The project area contains a total of five tax lots, four of which comprise the development site (Block 2089 - Lots 14, 15, 115, and 16). The fifth lot (Block 2089, Lot 17) is not anticipated to result in development from this application. The development site is located on the northeast corner of West 142nd Street and Riverside Drive. The development site is located in the southwest corner of a block bounded by West 143rd Street to the north, Broadway to the east, West 142nd Street to the south and Riverside Drive to the west. The site has a combined frontage of approximately 110 feet of frontage on West 142nd Street and approximately 112 feet of frontage on Riverside Drive. West 142nd Street is classified as a ‘narrow’ street as it is less than 75 feet in width, and Riverside Drive is classified as a ‘wide’ street as it is more than 75 feet in width.

The project area is located in the West Harlem neighborhood in upper Manhattan. The project area was rezoned in 2012 as part of the West Harlem Rezoning (C 120309 ZMM) from an R8 zoning district to an R6A zoning district. The West Harlem Rezoning remapped approximately 90 blocks in Hamilton Heights, Sugar Hill and portions of Manhattanville to create opportunities for new mixed-use development in the existing manufacturing district, facilitate transit-oriented development on the 145th Street corridor, and protect the scale of West Harlem, while expanding opportunities for affordable housing development. The majority of the rezoning replaced existing R7-2 and R8 zoning districts with a mix of R6A, R7A and R8A contextual zoning districts to ensure that future residential development would be consistent with the surrounding neighborhood’s built context of low-scaled rowhouses, brownstones and mid-rise apartment buildings. The rezoning created a special mixed-use district (MX-15) in West Harlem to activate the manufacturing area with greater opportunities for mixed-use and job-creating uses, as well as mapped new commercial overlays to promote and support local retail development.

The buildings surrounding the project area are primarily residential in character with medium- to higher-density residential districts mapped within the immediately surrounding area. A large C1-4 commercial overlay district runs north-south along Broadway, a block east of the project area, which contains local retail options. Portions of West 145th Street are mapped with a C2-4 commercial overlay in addition to the C1-4 overlay, which allows for expanded commercial uses to better serve the surrounding community.

The surrounding area contains a high concentration of pre-war apartment buildings rising to six stories (approximately 75 feet) and taller. The tallest buildings in the surrounding area are located on Riverside Drive, including 644 Riverside Drive (Block 2088, Lot 114), which is 140 feet tall and located just south of the project area across West 142<sup>nd</sup> Street. 640 Riverside Drive (Block 2088, Lot 74) rises to 144 feet and is located just a block south of the project area at the northeast corner of West 141st Street and Riverside Drive. The tallest building in the surrounding area is the Riverside Park Community apartment complex, a 216-foot former Mitchell-Lama residential building located at 626 Riverside Drive, three blocks south of the project area.

The surrounding area also contains a large amount of open space. Riverbank Playground is located directly across Riverside Drive from the project area. Further west, on the other side of the Henry Hudson Parkway, is Riverbank State Park, a large state park that contains ball fields, playgrounds, an ice rink and outdoor pool. Notable community facilities in the surrounding area include St. Walburga's Academy at 630 Riverside Drive located on the corner of West 140th Street, Our Lady of Lourdes Church at 463 West 142nd Street located approximately three blocks east of the project area and, most notably, City College of the City of New York, located approximately two blocks to the southeast along Amsterdam Avenue between West 135th and West 140th streets.

A large area immediately north and south of the subject R6A district is zoned R8. R8 zoning districts are high-density zoning districts mapped throughout Manhattan and various portions of Brooklyn and the Bronx. New buildings in R8 districts may be developed under either Height

Factor regulations or Quality Housing regulations. The floor area ratio (FAR) for height factor developments ranges from 0.94 to 6.02 depending on the amount of open space provided on the lot. The height of the building may not penetrate a sky exposure plane, which begins at 85 feet above the street line. For Quality Housing developments, the maximum FAR is either 7.2 or 6.02, depending on street width. On narrow streets, the maximum base height before setback is 60 to 85 feet with a maximum building height of 115 feet, and on wide streets the maximum base height is between 60 to 95 feet with a maximum building height of 130 feet or 135 feet with a qualifying ground floor. Parking is generally required for 40 percent of dwelling units, but is reduced if affordable units are provided or if located in the transit zone.

A large R7A zoning district is located east of the project area, east of Broadway. R7A districts are contextual districts that have a maximum height of 85 feet with a maximum FAR of 40. (4.6 with MIH), and typically produce seven to eight story residential buildings.

The area is well-served by public transit and is also located within the Transit Zone. The 1 train has stops along Broadway at 145th Street and 137th Streets located approximately 0.2 miles northeast and 0.3 miles southeast from the project area respectively. The NYCT M11 bus route stops directly in front of the project area, providing service between Riverbank State Park to the West Village in lower Manhattan. The M4 and M5 bus lines run along Broadway, providing service between upper Manhattan and Midtown.

The project area consists of five zoning lots (Block 2089, Lots 14, 15, 115, 16 and 17), which would be merged into one zoning lot upon approval of this application. Lot 14 is a vacant triangular lot with 41.92 feet of frontage along West 142nd Street and 91.45 feet along Riverside Drive, with a total lot area of approximately 1,680 square feet.

Lots 15 through 17 are all currently improved with three-story townhomes built in the early 20th century. The buildings on Lot 15, 115, and 16 are proposed for demolition to facilitate the development of the proposed building. The existing 2,892-square-foot building on Lot 17 would

remain and unutilized development rights from this parcel would be used in accordance with a Zoning Lot Development Agreement to facilitate the proposed development.

Lot 15 (639 West 142nd Street) has approximately 1,440 square feet of lot area with 15 feet of frontage along West 142nd Street. It currently contains four dwelling units with approximately 3,000 square feet of floor area. The building is currently vacant.

Lot 115 (637 West 142nd Street) has an area of 1,500 square feet with 15 feet of frontage on West 142nd Street. It contains two dwelling units and is currently vacant.

Lot 16 (635 West 142nd Street) has a lot area of 1,499 square feet with 15 feet of frontage on West 142nd Street. It contains eight dwelling units and is currently vacant.

Lot 17 (633 West 142nd Street) has a lot area of 1,499 square feet with 15 feet of frontage along West 142nd Street. It contains eight rent-stabilized dwelling units.

The proposed development, located only on Lots 14, 15, 115 and 16, would contain 81 new dwelling units, 20 of which would be made permanently affordable to persons with incomes averaging 60 percent of area median income (AMI) pursuant to MIH Option 1. The proposed development would result in a zoning lot with a total of 62,835 square feet of floor area (8.5 FAR) and 89 units, including the eight units on the remaining Lot 17 property. The building would rise to the maximum 170 feet after a setback at 120 feet. A permitted dormer would obstruct the required setback area at the maximum base height. Above the dormer, the building would set back by the required 10 feet. A 30-foot inner courtyard would be provided at the rear of the zoning lot. The first floor would contain a residential lobby, a laundry room, a bicycle storage room and space for mechanical equipment. The second floor would contain an indoor recreation room and an outdoor recreation area. The third through 12th floors would contain a mix of studios, one-bedroom and two-bedroom apartments. The 13th and 14th floors would contain larger one-bedroom and two-bedroom apartments and one three-bedroom apartment on each floor. The 15th through 17th floors would contain two one-bedroom and one two-bedroom

units on each floor. The new development would contain a total of 42 studios, 18 one-bedrooms, 19 two-bedrooms, and two three-bedroom units. No on-site parking would be provided.

To facilitate the proposed development, the applicant seeks a zoning map amendment to change the zoning from an existing R6A zoning district to an R9A zoning district. R9A districts are contextual districts where Quality Housing regulations are mandatory. R9A zoning districts permit a maximum residential FAR of 7.52, and 8.5 with MIH. Along wide streets, the maximum base height ranges from 60 to 105 feet with a maximum building height of 145 feet. On narrow streets, the base height is 60 to 95 feet with a maximum building height of 135 feet. Under MIH, the maximum base height can rise to 125 feet and a maximum building height of 170 or 175 feet if within 100 feet of a wide street. Parking is generally required for 40 percent of dwelling units and reduced for income-restricted units or waived entirely in the Transit Zone.

The applicant also proposes a zoning text amendment to designate the project area as an MIH area to comply with both MIH Options 1 and 2, but intends to develop the project pursuant to Option 1. Therefore, the proposed development would result in 20 units of permanently affordable housing. MIH Option 1 requires that at least 25 percent of the residential floor area be provided as housing units that are permanently affordable to households with incomes at an average of 60 percent of the AMI. Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI. Option 2 requires that at least 30 percent of the residential floor area be provided as housing units that are permanently affordable to households with incomes at an average of 80 percent of the AMI. Under both Option 1 and Option 2, household incomes may not exceed 130 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

The subject application (C 210261 ZMM), in conjunction with the related application (N 210262 ZRM) 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 (NYCRR), Section 617.00 et seq. and the New York City Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 20DCP106M.

After a study of the environmental impacts of the proposed action, a Negative Declaration was issued on March 15, 2021. The Negative Declaration included an (E) designation (E-538) on the development (Block 2089, Lots 14, 15, 115, 16 and 17) to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

The Commission has determined that the proposed action will have no significant effect on the quality of the environment.

## **UNIFORM LAND USE REVIEW**

On March 15, 2021 this application (C 210261 ZMM), was certified as complete by the Department of City Planning 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), along with the related application for a zoning text amendment (N 210262 ZRM), which was referred for information and review on March 15, 2021, in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Community Board 9 held one public hearing on April 20, 2021, and on May 20, 2021, by a vote of 34 in favor, none opposed, and none abstaining, adopted a resolution recommending disapproval of the application.

### **Borough President Recommendation**

This application was considered by the Manhattan Borough President who, on June 23, 2021, issued a recommendation to disapprove the application with no conditions.

### **City Planning Commission Public Hearing**

On June 23, 2021 (Calendar No. 8), the City Planning Commission scheduled July 14, 2021 for a public hearing on this application (C 210261 ZMM) The hearing was duly held on July 14, 2021 (Calendar No. 43). Three speakers testified in favor of the application and three in opposition.

Three speakers, all from the applicant team, included two representatives of the developer and one member of the architect team. The applicant team described the existing conditions and surrounding context of the development site and provided information about the residential make-up of the proposed development and the architectural style of the building. The team described the proposed building, including compliance with the proposed R9A zoning district regulations, unit sizes, and affordability. The development team representatives explained their land use rationale for the proposed density and height, and for the breakdown of affordable units under MIH Option 1.

Three speakers testified in opposition to the proposed project. One speaker was a resident of Community District 9 and two were members of Community Board 9. All three speakers noted the historical significance of the existing brownstones located on the project site, the low scale feel of the neighborhood, and the need for more housing with wider ranges of affordability.

### **CONSIDERATION**



The Commission believes that this application (C 210261 ZMM) for a zoning map amendment, in conjunction with the related application for the proposed zoning text amendment (N 210262 ZRM), as modified herein, is appropriate.

The requested actions would facilitate the development of a new mixed income building at 633-641 West 142nd Street, which is located at the northeast corner of Riverside Drive and West 142nd Street. The site is currently developed with four three-story rowhouses and a fenced vacant lot. As certified, the proposed building would have 81 residential units, with 20 permanently affordable units to be provided through MIH. In order to achieve the overall development objective, the applicant requests approval of a zoning map amendment to rezone the project site from an R6A medium-density residential district to an R9A high-density district and for a zoning text amendment to designate the proposed rezoning area as a MIH area.

During the public review of this application, the Commission heard testimony and received correspondence from community residents, elected officials and stakeholders about issues and concerns regarding the proposed building height, mass and scale, its effect on neighboring properties, as well as the demolition of three rowhouses to facilitate the proposed building. These concerns were echoed by Community Board 9 and the Borough President. They noted that this blockfront was specifically rezoned to the lower density, R6A district, in 2012 to preserve the scale of the townhomes. Concerns were also raised regarding the project's affordability for residents and demolition of the rowhouses.

The Commission supports an increase in residential density and the mapping of MIH at the project area due to its proximity to transit and its frontage on Riverside Drive, which is a wide street next to a park. This project as modified, would also provide much needed affordable housing opportunities for the West Harlem community and greater New York City. However, the Commission shares concerns raised by the public, Community Board and Borough President regarding the appropriateness of the proposed R9A density. The portion of this block that

includes the project area was rezoned to an R6A district in the 2012 West Harlem Rezoning with the intention of preserving the existing mid-rise scale and urban character along West 142nd Street. The current brownstones along West 142nd Street within the R6A district generally rise to a height of 40 feet, while the larger, bulkier buildings along Riverside Drive average around 140 feet in height.

In response to the concerns raised by the public, and with an understanding of the West Harlem context, the Commission is modifying the proposed zoning map amendment application to facilitate a building that is reduced in height, mass, and scale to better relate to the surrounding area and density.

#### ***Modified Zoning Map Amendment (C 210261 ZMM)***

In response to concerns heard during the public review of this application, the Commission is modifying the applicant's proposal to rezone the project site from an R6A medium-density district to an R8A medium-density district, to be mapped across the entire development site. The modified rezoning proposal addresses concerns voiced by Community Board 9, the Borough President, local elected officials, stakeholders and area residents regarding the originally proposed building height, mass and scale.

Along Riverside Drive are many large multi-family residential buildings, including several 140-foot-tall buildings immediately north and south of the development site. Under an R9A zoning district, the proposed 170-foot-tall development would be the tallest in the surrounding area, except for the Mitchell-Lama tower three blocks south of the development site that rises to 216 feet. The surrounding area is largely mapped as an R8 medium-density zoning district. The only area with residential density comparable to the R9A district proposed by the applicant are the four blockfronts comprising the West 145th Street/Broadway intersection that are mapped with a C6-3X zoning district (7.52 FAR with the Voluntary Inclusionary Housing Bonus).

The modified rezoning proposal requires a contextual building envelope with street wall and maximum building height limits. Under MIH, the R9A district would have a maximum street wall height of 125 feet, a maximum building height of 175 feet and a maximum FAR of 8.5. Conversely, the R8A district being improved by the Commission will have a maximum street wall height of 85 feet, allow a maximum building height of 145 feet and a maximum FAR of 7.2. The modified rezoning proposal will facilitate the development of a building that will not exceed 145 feet in height (12-14 stories), which is lower than the originally proposed 17-story, 175-foot-tall building. The 14-story building will be in scale with the surrounding 140-foot-tall buildings along Riverside Drive and better relate to the lower townhomes on the midblock. While the Commission recognizes that this is still an increase in height and density compared to the current R6A zoning, the Commission believes that a rezoning to R8A is appropriate given the project area's position along a wide street, proximity to mass transit and adjacency to the large R8 district in West Harlem.

The modified rezoning proposal will also result in a minimal decrease in maximum FAR, from 8.5 FAR to 7.2 FAR, and will still require permanently affordable units through MIH. The Commission believes that the modified rezoning proposal addresses the building height and scale concerns raised during the public review process and will facilitate the redevelopment of an underutilized site into active use that is supportive of the character of the surrounding area.

The modified rezoning proposal with MIH will enable this project to address the housing needs of lower income families and contributes to the City's comprehensive plan to develop and preserve 200,000 units of affordable housing. The development under the applicant's R9A proposal would have facilitated 81 residential units, including 20 permanently affordable units. The modified proposed development will include 66 residential units, 17 of which will be permanently affordable. In contrast to what can be built as-of-right under the current R6A designation, in which all new residential units would be market rate, the R8A zoning being adopted by the Commission will facilitate a new residential development that would include a mix of market-rate and permanently affordable dwelling units. Such a development will be consistent with other mixed-income residential developments in the neighborhood.

Regarding demolition concerns, the Commission notes that the site is currently developed with four vacant three-story rowhouses; three rowhouses will be demolished, with the fourth rowhouse with eight rent-stabilized units to be preserved, which will be in addition to the 20 new permanently affordable units on the development site. The Commission is aware that the rowhouses situated on the proposed development site are not designated as City landmarks, nor are they calendared by the LPC for future landmark designation review. The site is currently underdeveloped; the four rowhouses are vacant. The Commission believes that the rezoning proposal will incentivize affordable housing development that is economically viable and architecturally feasible.

***Zoning Text Amendment (N 210262 ZRM)***

The applicant also seeks approval of a zoning text amendment application to include the rezoning area as a Mandatory Inclusionary Housing area. The Commission notes that the applicant intends to develop the project pursuant to Option 1 with 20 permanently affordably units. Option 1 requires that at least 25 percent of the residential floor area be provided as housing units that are permanently affordable to households with incomes at an average of 60 percent of the AMI. Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI. Accordingly, MIH Option 1 will enable the applicant to provide housing opportunities for low-income families in perpetuity.

The Commission believes that the development site is an appropriate location for increased density to provide much needed affordable housing, given the adjacency to Riverside Drive and mass transit. As modified, the R8A zoning district better responds to the existing built conditions in the surrounding area, including the existing heights along Riverside Drive, and aligns better with the contextual nature of the surrounding brownstone block.

The Commission believes that the modified rezoning proposal, in conjunction with the related action, provide a rare opportunity in this neighborhood to facilitate new residential development,

that is architecturally sympathetic to the neighborhood's existing built character, while expanding affordable housing opportunities for West Harlem residents under MIH. The Commission believes that the proposed zoning map amendment, in conjunction with the related zoning text amendment, as modified herein, is appropriate.

## **RESOLUTION**

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

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 7a:

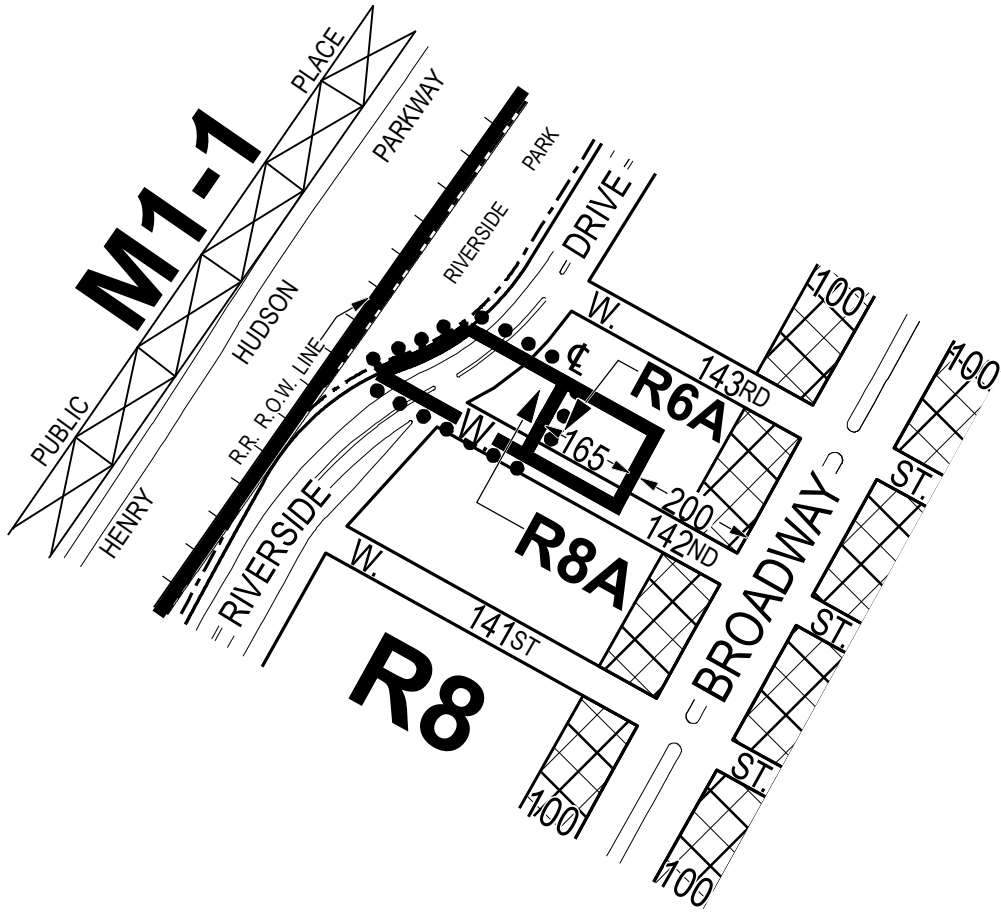
1. changing from an existing R6A District to an R8A District property bounded by a line midway between West 142nd Street and West 143rd Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142nd Street and its westerly prolongation, and the easterly boundary line of Riverside Park

The above resolution (C 210261 ZMM), duly adopted by the City Planning Commission on August 18, 2021 (Calendar No. 25), 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 CAPPELLI, ALFRED C. CERULLO, III, JOSEPH DOUEK, HOPE KNIGHT, ORLANDO MARIN, RAJ RAMPERSHAD**, Commissioners



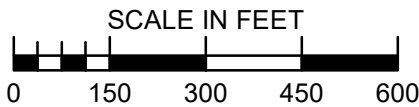
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**6a**  
 BOROUGH OF  
**MANHATTAN**

*S. Lenard*  
 S. Lenard, Director  
 Technical Review Division



New York, Certification Date:  
 March 15, 2021  
 Modified by CPC:  
 August 18, 2021



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is rezoned by changing from an R6A District to an R8A District.
- Indicates a C1-4 District



THE CITY OF NEW YORK  
**COMMUNITY BOARD 9**  
MANHATTAN

Morningside Heights  
Manhattanville  
Hamilton Heights

May 21, 2021

Hon, Marisa Lago  
Chair  
City Planning Commission  
22 Reade Street  
New York, NY 10007-1216

Dear Commissioner Lago:

At its regularly scheduled general board meeting, held on Thursday, May 20, 2021, Manhattan Community Board No. 9 unanimously adopted the following **Resolution in Opposition of ULURP Application No. 210261ZMM & 210262ZRM (633-641 West 142nd Street Rezoning)** by a vote of 34 in favor, 0 opposed, 0 abstentions, and 0 present not entitled to vote:

WHEREAS Manhattan Community Board 9 developed their 197-a Plan which was adopted by the City Planning Commission and the City Council in December 2007 and lays out the vision and plans for development, growth and improvement of land within the district; and

WHEREAS the MCB9 197-a Plan states the goal to “Ensure that future development is compatible with the existing and historic urban fabric and complements the neighborhood’s character”; and

WHEREAS the MCB9 197a Plan recommended the following to attain the goal, “expand landmarks and historic district designations in the district”, “evaluate the possibilities for contextual zoning to maintain neighborhood scale”; and

WHEREAS the MCB9 197a Plan noted that “despite the high percentage of historic structures in CD9, the Landmarks Preservation Commission has designated relatively few historic districts and individual landmarks in the area (7.5%)”, and “CD9 believes that more landmarks should be designated and historic districts should be expanded in the future.”; and

WHEREAS the West Harlem Rezoning, adopted by the City Council on November 13, 2012 was a direct response to the 197a Plan and as is stated in the approval was “in response to future

development concerns raised by Community Board 9, community residents and the Borough President ... the DCP initiated the West Harlem rezoning in recognition that zoning changes were needed ... to provide better protection against out-of-scale development ... [with] the following land use goals for the rezoning: Preserve the strongly-established and varied character of the West Harlem residential neighborhoods”; and

WHEREAS the block of 142nd between Riverside and Broadway was specifically down zoned from R8 to R6A in the West Harlem Rezoning “with fine-tuned contextual zoning districts (R6A, R7A, R8A) to ensure that future residential development is predictable and consistent with the surrounding neighborhood’s-built context of low-scaled rowhouses, brownstones and mid-rise apartment buildings”; and

WHEREAS in Oct 2018 the brownstones existing on block 142nd between Riverside and Broadway was deemed eligible for the national register and was submitted to NYC Landmarks in 2020 and is pending review with LPC for landmark status; and

WHEREAS in July 2018 SOMA Inc appeared before the MCB9 Housing, Land Use and Zoning committee presenting plans to build an affordable housing project within the MIH guidelines and received feedback from the committee and public requesting: more affordable housing units, additional setback and changes to match the characteristic of the neighborhood, alternate plans with lower building height, research into more city programs that could subsize more affordable housing and community benefit, a plan that would avoid the demolition of existing historic brownstones currently at 629-639, and addressing concerns of the current and previous tenants regarding safety and displacement; and

WHEREAS between July 2018 and Nov 2020 CB9 reached out to SOMA Inc on numerous occasions asking them to present and provide updates to the plans following the community feedback and received few updates and no modified proposals based on feedback; and

WHEREAS on December 8, 2020 SOMA Inc appeared before the MCB9 Housing, Land Use and Zoning committee to present their updated proposal and the committee and public again raised similar concerns to the proposal presented in July 2018 (see comments from meeting attached); and,

WHEREAS in March 2021 an application was received by DCP from SOMA Inc for rezoning 633-641 W 142nd St from R6A to R9A starting the ULURP process and giving the Community Board 60 days to receive community feedback and form a response/recommendation by May 24th, 2021; and

WHEREAS the Community Board held a Public Hearing on April 20th, 2021 where 11 Community Board 9 members and over 80 members of the public were present to view the presentation by SOMA Inc and ask question and provide Public Statements on the ULURP action; and



WHEREAS at the April 20th Public Hearing 10 Community Board 9 members voted in Opposition; 3 Public members voted in Opposition; and all members of the community present voted in Opposition to the ULURP action brought by SOMA Inc and raised numerous concerns about the FAR/height of building, number of affordable housing units and accessibility of rent in the market rate apartments, and opposition of demolishing the existing historic brownstones; and

WHEREAS the submitted design with rezoning would build to the height maximum allowed within R9A of 17 stories which would be out of character and unappealing to the existing neighborhood and direct neighbors have opposed the size and scope of the proposed height; and,

WHEREAS the affordable housing proposed within MIH in the proposed development would equal or decrease the currently existing number of affordable units in the existing brownstones, giving no net increase of affordable units to the community; and

WHEREAS 46 written statements have been submitted online as of 5-20-2021, of which 40 statements are AGAINST the requested rezoning and 6 FOR (with 2 of those “FOR” opposing a 17 story building in favor of a 6 story building within the current zoning restrictions) and 78% of respondents being direct neighbors, within 4 blocks of the site, including statements from the Office of Parks, Recreation and Historic Preservation and Horticultural Society of New York at the Denny Farrell Riverbank State Park and Horticultural Society expressing great concerns of shadow and negative effects on their Educational and Horticultural activities direct across from the site (See submitted written statements attached); and

THEREFORE, based on years of work by the community and City agencies to identify appropriate development and growth in the neighborhood first through a 197-a Plan and later through the West Harlem Rezoning, the overwhelming opposition to the recent proposal by community members and direct neighbors to the site, negative impacts on local park services, Manhattan Community Board 9 does not support the development proposal as presented to the community on April 20, 2021; and

THEREFORE, be it resolved that Manhattan Community Board 9 strongly opposes ULURP Application No. 210261ZMM & 210262ZRM (633-6341 West 142nd Street Rezoning) and recommends against the granting of the requested change in zoning; and

THEREFORE, be it resolved that Manhattan Community Board 9 supports and encourages SOMA developers to explore alternatives to demolition including reduced overall height with increased affordable housing or other property.

Be it further resolved that Manhattan CB9 urges our elected officials, City Planning Commission, City Council, Mayor De Blasio and Borough President Brewer to oppose this ULURP application and facilitate discussions with SOMA Inc for alternate proposals that would benefit the community and developer in creating mutually beneficial development plans that put people over profit.

If you have any questions and/or further information is needed, please do not hesitate contacting me or District Manager, Eutha Prince, at the board off (212) 864-6200.

Sincerely,



Barry Weinberg  
Chair

cc: Hon. Bill De Blasio, Mayor  
Hon. Scott Stringer, NYC Comptroller  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Brian Benjamin, State Senator  
Hon. Robert Jackson, State Senator  
Hon. Daniel J. O'Donnell, Assembly Member  
Hon. Inez Dickens, Assembly Member  
Hon. Al Taylor, Assembly Member  
Hon. Mark Levine, City Council Member  
Hon. Bill Perkins, City Council Member



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

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[www.manhattanbp.nyc.gov](http://www.manhattanbp.nyc.gov)

**Gale A. Brewer, Borough President**

June 23, 2021

**Recommendation on ULURP Application C210261 ZMM and N210262 ZRM  
629-639 West 142<sup>nd</sup> Street Rezoning  
By Soma 142, LLC**

**PROPOSED ACTIONS**

Soma 142, LLC (“the Applicant”) is seeking approval of two land use actions to facilitate the construction of a 17-story residential development at the northeastern corner of Riverside Drive and West 142<sup>nd</sup> Street. The Applicant is seeking approval for a zoning map amendment and zoning text amendment (“the Actions”) located at 651 Riverside Drive (Block 2089, Lot 14), 639 West 142<sup>nd</sup> Street (Block 2089, Lot 15), 635 West 142<sup>nd</sup> Street (Block 2089, Lot 16), 633 West 142<sup>nd</sup> Street (Block 2089, Lot 17), and 637 West 142<sup>nd</sup> Street (Block 2089, Lot 115), all located in Manhattan Community Board 9 (“the Development Site”). These actions would facilitate the creation of 81 units of housing, of which 20 would be affordable under Mandatory Inclusionary Housing (“MIH”). To facilitate this development, the Applicant also proposes a zoning lot merger.

The Applicant proposes the following actions:

- a) Zoning map amendment to Section 6a, by changing from an R6A District to an R9A District within the Development Site; and
- b) Zoning text amendment to Appendix F of the Zoning Resolution to establish an MIH boundary within the Development Site.

**BACKGROUND**

The area around the Development Site was previously rezoned in 2012 as part of the West Harlem Rezoning. The goal of that rezoning was to contextualize zoning that was in place since 1961 that did not reflect the character of certain areas and limit out-of-scale development.<sup>1</sup> Community Board 9 supported this rezoning due to concerns about overdevelopment, which was already becoming commonplace in the neighborhood. This rezoning was a collaboration between Community Board 9, the Manhattan Borough President, and the New York City Council.

The block where the Development Site is located was rezoned from R8 to R6A. This new zoning limits base heights to 40 to 60 feet and overall building height to 70 feet. This R6A designation

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<sup>1</sup> [N120310 ZRM – West Harlem Rezoning and Text Amendment.](#)

was chosen specifically to “provide consistency between the existing built context of low-scale areas.”<sup>2</sup>

The Applicant acquired the sites from previous owners between 2013 and 2017 after the rezoning was in place. In 2016, the Applicant approached the Department of City Planning with their plan to redevelop the site. The team then met with Community Board 9 in 2018. The pandemic delayed progress on the application until later in 2020, when the Applicant returned to Community Board 9 with updates. Community Board 9 has and continues to support efforts to construct affordable housing in the district, particularly family sized units.

## **PROPOSED DEVELOPMENTS**

The Applicant proposes a 170-foot structure, with a setback at 120 feet. The proposed structure would consist of 81 units of housing, 20 of which would be permanently affordable under the Mandatory Inclusionary Housing Program (MIH). The Applicant has indicated that they are seeking Option 1 under MIH, which requires that 25% of the total residential units be affordable at an average of 60% of the Area Median Income (AMI). The structure would have approximately 62,835 zoning square feet (8.5 FAR). The rents for the units would range from 37% to 77% AMI. At the low end, an individual earning \$25,080 would pay \$419 in monthly rent for a studio apartment. At the upper end, a family of four earning \$95,440 would pay \$2,273 in monthly rent for a three-bedroom apartment.<sup>3</sup> The remaining 61 units would be market rate apartments.

### **Area Context**

The Development Site is located within Manhattan Community District 9 in West Harlem. The site is located at the northeastern corner of Riverside Drive and West 142<sup>nd</sup> Street. The site is located near several landmarks and destinations in West Harlem including Riverbank State Park (0.4 miles away or a 9-minute walk), Riverbank Playground (adjacent to the Development Site on Riverside Drive), The City College of New York (0.4 miles away or a 10-minute walk), the Alexander Hamilton Grange National Memorial (0.4 miles away or a 10-minute walk), and the Hamilton Heights Historic District. The site is close to the 145<sup>th</sup> Street subway station along the 1 line (0.2 miles away or a 5-minute walk). Also nearby are bus stops along the M4, M5, M11, M100, M101, and Bx19 routes.

### **Site Description**

The Development Site consists of vacant land and four extant row houses. 651 Riverside Drive, which is currently vacant land, is irregularly shaped due to the curvature of Riverside Drive. The surrounding area is zoned R8 with multifamily residential buildings that vary in height from six to twelve stories. The exception is the area including and adjacent to the Development Site on the northern side of West 142<sup>nd</sup> Street. This area is zoned R6A and is made up entirely of 3-story row houses. The Development Site is located close to Broadway, one of the primary commercial

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<sup>2</sup> [West Harlem Rezoning](#)

<sup>3</sup> [2021 HPD AMI Guidelines](#).

corridors for the area. The table below outlines the existing conditions on each of the tax lots that comprise the Development Site.

**Table 1: Existing Site Details**

<b>Lot Number</b>	<b>Address</b>	<b>Existing Condition</b>
Block 2089, Lot 14	651 Riverside Drive	Vacant land
Block 2089, Lot 15	639 West 142 <sup>nd</sup> Street	3-story row house
Block 2089, Lot 16	635 West 142 <sup>nd</sup> Street	3-story row house
Block 2089, Lot 17	633 West 142 <sup>nd</sup> Street	3-story row house
Block 2089, Lot 115	637 West 142 <sup>nd</sup> Street	3-story row house

### **COMMUNITY BOARD RESOLUTION**

Manhattan Community Board 9 held a public hearing on April 20, 2021. At the public hearing, numerous members of the Community Board, members of the public, and local elected officials voiced opposition to the proposed rezoning.

At its Full Board meeting on May 20, 2021, Manhattan Community Board 9 voted to recommend disapproval of the application by a vote of 0 in favor, 34 opposed, 0 abstentions, and 0 recusals.

### **BOROUGH PRESIDENT’S COMMENTS**

I have been concerned about this proposed rezoning since my office first learned of the proposal in 2019 because of the lack of engagement with members of the community and Community Board 9. As was pointed out during the hearing on the applications by Community Board 9, several of the extant residential units are rent-stabilized. The addition of permanently affordable MIH units would be negated with the demolition of these row houses. Manhattan is in need of more affordable housing--particularly in West Harlem and the surrounding area. Yet this proposal does not offer anything beyond the minimum number of affordable units. This outcome is unacceptable coming from an application that proposes such a significant increase in allowable floor area, and the destruction of numerous existing affordable units.

The Applicant raised the point that similar developments to the north and south are of approximately the same height. While there are residential buildings that reach twelve stories in the vicinity of the Development Site, what the Applicant has proposed would disrupt the low-scale character of West 142<sup>nd</sup> Street and impose an out-of-context development on this block.

One of the goals of the previous rezoning in 2012 was to protect the row houses along West 142<sup>nd</sup> Street from this type of development. The City Planning Commission (“CPC”) in their initial hearing on these applications raised their concerns that rezoning from R6A to R9A was too aggressive. I agree with the CPC and Community Board 9, which has also raised this concern. The proposed development would alter the character of this block and facilitate the demolition of three row houses, which the Applicant has agreed to proceed with regardless of whether or not the site is approved for a rezoning.

In addition to protecting the row houses, the 2012 West Harlem Rezoning was implemented to discourage overdevelopment in the area. Despite the goal of the rezoning to prevent overdevelopment, there are some recent examples of proposed developments that are out of context for the area. A proposed 28-story mixed use building located at 622 West 153<sup>rd</sup> Street (Block 2099, Lot 7502) across from Trinity Cemetery, and a proposed 13-story residential building located at 857 Riverside Drive (Block 2135, Lot 23), are just some examples of overdevelopment in the area.

Reducing the height of the building would yield a higher percentage of affordable units but would ultimately reduce the number of total housing units. The Applicant proposes an alternative scenario which seeks a rezoning to R8A instead of R9A. There is little difference between R8A and R9A in terms of the total number of units but the proposed height would be reduced by three floors. The table below shows the different scenarios.

**Table 2. Development Scenarios**

<b>R6A (current zoning)</b>	<b>R7A</b>	<b>R8A</b>	<b>R9A</b>
32 residential units	50 residential units	78 residential units	81 residential units
0 affordable units	13 affordable units	20 affordable units	20 affordable units
7-stories	9-stories	14-stories	17-stories
70 feet tall	90 feet tall	140 feet tall	170 feet tall

**BOROUGH PRESIDENT’S RECOMMENDATION**

Therefore, the Manhattan Borough President recommends disapproval of ULURP Application No. C210261 ZMM and N210262 ZRM – West 142<sup>nd</sup> Street Rezoning.



Gale A. Brewer  
Manhattan Borough President