

CITY PLANNING COMMISSION

March 12, 2008/Calendar No. 31

C 080133 HAM

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) 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 expansion of an existing commercial facility in the Borough of Manhattan, Community District 10.

Approval of three separate matters is required:

1. The designation of properties located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) as an Urban Development Action Area;
2. An Urban Development Action Area Project for such areas; and
3. The disposition of properties located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) 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 October 22, 2007.

Approval of this application would facilitate the expansion of an existing funeral home.

The Department of Housing Preservation and Development states in its application that:

The Project Area consists of underutilized vacant property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of

these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The Project Area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

RELATED ACTION:

In addition to the proposed UDAAP designation, project approval and disposition of city-owned property, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 080132 ZMM: Zoning Map Amendment changing an existing C1-4 to a C2-4 district.

BACKGROUND

The Department of Housing Preservation and Development (HPD) seeks approval of an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of one city-owned property. Additionally, HPD and the Economic Development Corporation (EDC) are seeking to rezone an existing C1-4 district to a C2-4 district and to extend the new commercial overlay 185 feet into an R7-2 district in the borough of Manhattan, Central Harlem, Community District 10.

Area and Project Description

The site, 2263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107), consists of three city-owned properties, and is located within an R7-2 zoning district. The proposed subject sites

are located on the north side of West 126th Street between Frederick Douglass and Adam Clayton Powell boulevards and the lots are currently vacant. These lots are adjacent to the existing Unity Funeral Chapel. The requested actions would facilitate the development of a new three-story addition to the Unity Funeral Chapel, as well as an enlargement of its existing two-story structure. The additional floor area would provide space for a lounge, an embalming room, accessory hearse parking, a locker room, a chapel, additional viewing rooms, a study and an elevator. A proposed extension connecting the two buildings would consist of a new means of egress from the building. Additionally, the proposed expansion will allow Unity Funeral Chapel to provide off-street parking on the currently city-owned lots and to provide access for hearses and other service vehicles from West 126th Street rather than Frederick Douglass Boulevard.

Requested Actions

Proposed UDAAP and Disposition of City-owned Property (C 080133 HAM)

HPD is seeking an Urban Development Action Area designation and project approval, and the disposition of three city-owned properties to facilitate the development of a three story commercial building that would include an enlargement to the building's existing two-story structure as well as a 15 space parking lot.

Zoning Map Amendment (C 080132 ZMM)

Additionally, The Department of Housing Preservation and Development and the Economic Development Corporation propose a zoning map amendment changing an existing C1-4 district to a C2-4 district on the west side of Frederick Douglass Boulevard between West 126th and West 127th streets and extending the new commercial overlay 185 feet along the north side of

West 126th Street between Frederick Douglass and Adam Clayton Powell boulevards. Funeral homes are not permitted in the existing C1-4 district but are permitted in the proposed C2-4. The zoning change would bring Unity Funeral Chapel in to conformance and allow its enlargement and the development of the new parking lot.

ENVIRONMENTAL REVIEW

This application (C 080133 HAM), in conjunction with the application for the related action (C 080132 ZMM) 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 07DME009M. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on October 19, 2007.

UNIFORM LAND USE REVIEW

This application (C 080133 HAM), in conjunction with the related application (C 080132 ZMM), was certified as complete by the Department of City Planning on October 22, 2007, 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 did not issue a recommendation regarding this application.

Borough President Recommendation

This application (C 080133 HAM) along with the related application (C 080132 ZMM) was considered by the Manhattan Borough President who issued a recommendation approving the application on February 4, 2008.

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 21), the Commission scheduled February 13, 2008 for a public hearing on this application (C 080133 HAM). The hearing was duly held on February 13, 2008 (Calendar No.52) in conjunction with the hearing for the related action (C 080132 ZMM). There were three speakers in favor and none in opposition.

The attorney representing Unity Funeral Chapel, and a representative from the Economic Development Corporation both stated their support for the project. The Director of Land Use for the Borough President's office restated the Borough President's favorable recommendation.

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 three city-owned properties located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) and the related application(C 080132 ZMM), to facilitate the expansion of an existing commercial facility, is appropriate.

The Commission notes that the applications would provide the opportunity for a local commercial establishment that has been in the community for 50 years to expand their business. Additionally, the Commission notes the proposed parking and rear service access, which require the proposed zoning change would facilitate vehicular and pedestrian movement along Frederick Douglas Boulevard and provide a safer pedestrian right of way. Approval of this application would return these lots to private ownership and eliminate the blighting influence of vacant lots along West 126th Street.

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 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) in Community District 10, Borough of Manhattan, as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) the designation of properties located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) as an Urban Development Action Area; and
- b) an Urban development Action Area Project for such areas; and

the City Planning Commission recommends that the New York City Council find that:

- a) The present status of the area tends to impair or arrest sound development of the municipality;
- b) The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act, is necessary to enable the project to be undertaken; and
- c) The project is consistent with the policy and purposes stated in the 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 properties located at 263, 265, and 267 West 126th Street (Block 1932, Lots 5, 7 and 107) in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 080133 HAM).

The above resolution (C 080133 HAM), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 31), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

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KENNETH J. KNUCKLES, ESQ., Vice Chairman, Recused