



## **CITY PLANNING COMMISSION**

September 27, 2006/Calendar No. 1

C 060409 HAM

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**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 362-364 St. Nicholas Avenue (Block 1955; Lots 2 and 3) as an urban development Action Area;
  - 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 development of an 11-story building with approximately 22 residential units to be developed under the Department of Housing Preservation and Development's Cornerstone Program, Community Board 10, Borough of Manhattan.

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Approval of three separate matters is required:

1. the designation of property at 362-364 St Nicholas Avenue (Block 1955, Lots 2 and 3) as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property, 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 March 24, 2006.

Approval of this application would facilitate the development of one 11-story building, tentatively known as Cornerstone Site 4, with approximately 22 units of condominium housing, and 1,026 square feet of landscaped open space at the rear of the building.

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

The Project Area consists of underutilized properties that tend 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, unsanitary, 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) seeks approval of an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of city-owned property for a site located at 362-364 St. Nicholas Avenue. The project site is located in Central Harlem within Community District 10 and is zoned R8.

The project site is approximately 23,901 square feet in area. The proposed project, tentatively known as Cornerstone Site 4, consists of an eleven-story building with 22 units of condominium housing, 1,026 square feet of landscaped open space and a common tenant storage room. The proposed building will also be developed under the Quality Housing Program and under the Department Of Housing Preservation and Development's Cornerstone Program.

The project site is comprised of vacant city-owned land and contains the only vacant city-owned parcels on St. Nicholas Avenue between West 127<sup>th</sup> and West 128<sup>th</sup> streets. All residential buildings, along St Nicholas Avenue between these streets have been rehabilitated under HPD's Vacant Building Program, with the exception of the proposed site. The proposed building would be abutted on both sides by five-story walk-up tenements. The remaining portions of the block

consist of ground floor retail space with residential above along Frederick Douglass Boulevard., a church and two vacant privately-owned contiguous lots on West 128<sup>th</sup> Street, and there is one vacant privately-owned garage and a five-story tenement in the mid block. Saint Nicholas Park is located across the street from the proposed site.

The area is typified by five and six-story tenements along St. Nicholas Avenue and side streets, and there are several other HPD completed projects nearby the site.

The area is well-served by public transportation. The A, B and D subway lines stop at St. Nicholas Avenue and West 125<sup>th</sup> Street and cross town bus service is provided by the M60 which runs along West 125<sup>th</sup> Street.

## **ENVIRONMENTAL REVIEW**

This application (C 060409 HAM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05HPD026X. The lead agency is the Department of Housing Preservation and Development.

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

## **UNIFORM LAND USE REVIEW**

This application (C 060409 HAM) was certified as complete by the Department of City Planning on May 22, 2006, and was duly referred to Manhattan Community Board 10 Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 10 held a public hearing on this application on June 20, 2006, and on that date, by a vote of 17 to 7 with 2 abstentions, adopted a resolution recommending approval of the application with the following conditions:

- The developer use locally based marketing groups;
- The developer conduct marketing seminars within CB 10;
- The developer utilize locally bases professionals (engineers, landscape architects, construction managers, general contractors, subcontractors, other buildings trade professionals);
- The developer be responsible for sanitation/health concerns of the site (snow/ice removal, weekly lot cleaning, rodent baiting, fence repairing);
- The building must be of uniform signage;
- The roof top mechanicals be enclosed within the esthetically pleasing structure;
- The commercial spaces be sized and priced to accommodate small and local based entrepreneurs;

- The gating inside the commercial spaces be “see through”;
- The owners have a meaningful collective voice in the commercial tenant selection; and
- That external, esthetically-pleasing lighting be installed on the perimeter.

### **Borough President Recommendation**

This application was considered by the Manhattan Borough President who issued a recommendation approving the application on August 17, 2006 with the following condition;

The developer seriously consider incorporating environmentally sustainable building options into the project, and take further steps to integrate the building’s design with neighborhood buildings.

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

On August 9, 2006 (Calendar No. 2), the City Planning Commission scheduled August 23, 2006 for a public hearing on this application (C 060409 HAM). The hearing was duly held on August 23, 2006 (Calendar No. 16). There were four speakers in favor and none in opposition.

A representative from HPD spoke in favor of the proposed project. She described the history of the selection of the developer, and explained that the proposed project would not include any HPD or HDC subsidies and that the proposed project would be privately financed. She also mentioned that although the Cornerstone Round 3 Request For Proposals (RFP) did not have an environmental sustainable green element requirement, future RFP’s would take those concerns into consideration.

A representative of the developer mentioned that the Harlem Community Council Incorporated (HCCI) would be the marketing agent for the proposed project and that they would also provide homeownership counseling, workshops. He also mentioned that this community based developer always uses local labor.

The project architect described the proposed building. She mentioned that the developer intends to provide a modest cornice at the height of the adjacent buildings. Moreover, the developer intends to provide additional sustainable elements in response to the conditions raised by the Borough President's Office.

The Director of land Use for the Manhattan Borough President spoke in favor of the project. He mentioned that the issues raised by his office have been addressed and that although "green elements" are encouraged, the Manhattan Borough President is aware that they are expensive for non-profit organizations. He also mentioned that the cornice will help the proposal to fit in along the St. Nicholas Avenue frontage.

There were no other speakers on the application and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the application for disposition of city-owned property located at 362-364 St Nicholas Avenue (Block 1955, Lots 2 and 3) to facilitate the development of residential condominium housing is appropriate

This application would facilitate the development of an eleven-story building with approximately 22 units of residential condominium housing. Approval of this application would return these lots to private ownership and eliminate the blighting influence of vacant lots on the

block.

## **RESOLUTION**

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 362-364 St. Nicholas Avenue (Block 1955, Lots 2 and 3), 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 362-364 St. Nicholas Avenue (Block 1955, Lots 2 and 3) 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 sound development of the municipality;

- b) 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;
- 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 property at 362-364 St. Nicholas Avenue (Block 1955, Lots 2 and 3) in Community District 10, Borough of Manhattan, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 060409 HAM).

The above resolution (C 060409 HAM), duly adopted by the City Planning Commission on September 27 , 2006 (Calendar No. 1), 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**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANGELA M. BATTAGLIA, ANGELA R.CAVALUZZI,R.A., IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III,RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,**  
**CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**