



CITY PLANNING COMMISSION

February 16, 2011/Calendar No. 17

C 110097 ZMM

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a :

1. changing from an R7-2 District to an R8 District property bounded by the easterly prolongation of the northerly street line of East 132nd Street, the easterly street line of Harlem River, East 131st Street and its easterly centerline prolongation, and the westerly boundary line of a railroad Right-Of-Way (New York Central Railroad);
2. establishing within the proposed R8 District a C2-4 District bounded by the easterly prolongation of the northerly street line of East 132nd Street, a line 100 feet easterly of Park Avenue, a line 100 feet northerly of East 131st Street, Harlem River Drive, East 131st Street and Park Avenue;

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated October 12, 2010.

The application for an amendment of the Zoning Map was filed by the Department of Housing Preservation and Development on September 28, 2010. The requested action, in conjunction with the related actions, would facilitate the development of 1945-1957 Park Avenue, a mixed-use residential project with commercial, community facility and public and private open space.

RELATED ACTIONS

In addition to an amendment to the Zoning Map, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 110096 HAM: Designation of an Urban Development Action Area and Project, and disposition of city-owned property

BACKGROUND

A full background discussion and description of the proposed zoning map amendment appears in the report for the related application for the Designation of an Urban Development Action Area and Project, and disposition of city-owned property (C 110096 HAM).

ENVIRONMENTAL REVIEW

This application, in conjunction with the related applications (C 110096 HAM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10HPD025M. The lead agency is the NYC Department of Housing Preservation and Development (HPD).

After a study of the potential impact of the proposed action, a Negative Declaration was issued on September 23, 2010.

UNIFORM LAND USE REVIEW

This application (C 110097 ZMM), in conjunction with the application for the related action (C 110096 HAM), was certified as complete by the Department of City Planning on October 12, 2010, and was duly referred to Community Board 11 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 11 held a public hearing on this application on December 21, 2010 and on December 21, 2010, by a vote of 27 in favor, with 0 opposed, and 4 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 110097 ZMM) was considered by the Manhattan Borough President, who issued a recommendation approving the application on January 19, 2011.

City Planning Commission Public Hearing

On January 5, 2011 (Calendar No. 13), the City Planning Commission scheduled January 26, 2011 for a public hearing on this application (C 110097 ZMM). The hearing was duly held on January 26, 2011 (Calendar No. 27), in conjunction with the hearing on the application for the related action (C 110096 HAM,).

There were a number of appearances, as described in the report on the related application (C110096 HAM), and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map, in conjunction with the related actions, is appropriate.

A full consideration and analysis of the issues, and reasons for approving this application, appears in the related application for the Urban Development Action Area, and the Urban Development Action Area Project and the Disposition of City-Owned property (C 110096 HAM).

RESOLUTION

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

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 the 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 hereby amended by changing the Zoning Map, Section Nos. 5c, 6a and :

1. changing from an R7-2 District to an R8 District property bounded by the easterly prolongation of the northerly street line of East 132nd Street, the easterly street line of Harlem River Drive, East 131st Street and its easterly centerline prolongation, and the westerly boundary line of a railroad Right-Of-Way (New York Central Railroad);
2. establishing within the proposed R8 District a c2-4 District bounded by the easterly prolongation of the northerly street line of East 132nd Street, a line 100 feet easterly of Park Avenue, a line 100 feet northerly of East 131st Street, Harlem River Drive, East 131st Street, and Park Avenue.;

Borough of Manhattan, Community District 11, as shown in a diagram (for illustrative purposes only) dated October 12, 2010.

The above resolution (C 110097 ZMM), duly adopted by the City Planning Commission on February 16, 2011 (Calendar No. 17), 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, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER,
ALFRED C. CERULLO, III, BETTY CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHIRLEY A. McRAE, KAREN A. PHILLIPS, Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C 110096 HAM
CEQR # 10HPD025M
Community District No. 11 Borough: Manhattan
Community District No. ___ Borough: _____
Project Name: 1951 Park Avenue

INSTRUCTIONS

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. 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 NYC 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 properties located at 1945/1957 Park Avenue (Block 1780, Lot1) 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 development of three, mixed use buildings with a total of approximately 314 dwelling units.

Applicant(s):

NYC Dept. of Housing Preservation & Development
100 Gold Street
New York, NY 10038
Phone: (212) 863-5200

Applicant's Representative:

Sara Levenson
NYC Dept. of Housing Preservation & Development
100 Gold Street
New York, NY 10038

Community Board No. 11 Borough: **Manhattan**

Borough Board

Date of public hearing: December 21, 2010

Location: 1249 Fifth Ave, New York, NY 10029

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: Dec. 21, 2010

Location: 1249 Fifth Ave, New York, NY 10029

RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Voting

In Favor: 27 Against: 0 Abstaining: 4

Total members appointed to the board: 50


Community/Borough Board Officer

Chair
Title

Date: December 22, 2010

v.012006w

* Indicates application was certified by the CPC pursuant to Section 197-C(c) of the City Charter.

**Borough President
Recommendation**

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

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.

Application #: C 110096 HAM

Docket Description:

C 110096 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 properties located at 1945-1957 Park Avenue (Block 1780, Lot 1), 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 development of three, mixed use buildings with a total of approximately 314 dwelling units to be developed under the Department of Housing Preservation and Development's Low Income Rental Program.

See Attached.

COMMUNITY BOARD NO: 11

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


BOROUGH PRESIDENT

1/13/11
DATE

RECEIVED
CITY PLANNING
COMMISSION
JAN 19 AM 9:53
2011



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

RECEIVED
2011 JAN 19 AM 9:50
DEPT OF CITY PLANNING

SCOTT M. STRINGER
BOROUGH PRESIDENT

January 18, 2011

**Recommendation on
ULURP Application Nos. C 110096 HAM and C 110097 ZMM
Harlem River Point
by the New York City Department of Housing Preservation and Development**

PROPOSED ACTION

The New York City Department of Housing Preservation and Development ("HPD") seeks approval of several actions to facilitate the development of three primarily residential mixed-use buildings, together known as "Harlem River Point," in Manhattan Community District 11. HPD seeks designation of City-owned property located at 1945-1957 Park Avenue (Block 1780, Lot 1) as an **Urban Development Action Area** ("UDAA") and an **Urban Development Action Area Project** ("UDAAP"). In addition, HPD seeks approval of the **disposition** of said property to Harlem River Point North LLC¹ ("HRPN").

To facilitate the project and pursuant to Sections 197-c and 201 of the New York City Charter, HPD proposes to **amend the Zoning Map (C 110097 ZMM)** to change from an R7-2 district to an R8 district for the entire project site, bounded by Harlem River Drive, East 131st Street, and Park Avenue. HPD also proposes a C2-4 district overlay within the proposed R8 district mapped along the entirety of the site along Park Avenue and East 131st Street to a depth of 100 feet.

City-owned properties that are no longer in use or are in deteriorating condition are eligible to be designated as a UDAA and a UDAAP, pursuant to the Urban Development Area Act (Article 16 of the State General Municipal Law). UDAA and UDAAP provide incentives for private enterprise 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:

- (a) the present status of the area tends to impair or arrest the sound growth and development of the municipality;

¹ The LLC is a joint venture of L+M Development Partners and Artimus Construction.

east side of Park Avenue from East 131st Street to East 126th Street, and there are C8-3 districts mapped along the west side of Park Avenue.

The project site was identified as a location for affordable housing development in the 2008 Points of Agreement between the City and City Council for the 125th Street Rezoning. The agreement required the construction of 300 affordable units with a maximum FAR of 5.0. HPD's Request for Proposals for the site included urban design guidelines, which dictated street wall heights, maximum building heights, view corridor, and open space requirements for the proposed project.

HRPN proposes to construct three buildings ("North Building," "West Building" and "South Building") ranging from 3 to 13 stories in height. The 296,486-SF (4.9 FAR) development will contain 314 dwelling units (285,006 SF), 2,340 SF of ground-floor retail, and a 10,300-SF community facility space expected to be a publicly-funded child care center. The project will also include 27,301 SF of at-grade open space for residents, including a 12,380-SF central courtyard and a 20-foot wide landscaped buffer along the eastern edge of the property that would separate the proposed buildings from Harlem River Drive. These buildings will be oriented in a U-shaped configuration on the project site surrounding the central courtyard. The project will be developed in two phases, with the North and West Buildings developed in the first phase and the South Building in the second phase.

The proposed development's residential units consist of studios, one-, two-, and three-bedroom units, with the majority of the units one- (92) and two-bedroom (143) apartments. The units are targeted to a mix of incomes ranges between 40 and 110 percent of AMI. Units for households earning up to 40 percent and 60 percent of AMI are distributed throughout the three buildings, and units for households earning 90 percent and 110 percent of AMI would be located in the South Building. 60 units are targeted at 40 percent of AMI; 184 units are targeted at 60 percent of AMI; 35 units are targeted at 90 percent of AMI, and the remaining 35 units are targeted at 110 percent of AMI. The resident selection process will be according to HDC guidelines and criteria, and will include a community preference for 50 percent of the units. HRPN intends to make the North and West buildings permanently affordable. Further, the South Building will have a 50-year affordability requirement.

The West Building is proposed to be an L-shaped building with frontages on Park Avenue and East 131st Street. The 59,843 SF building will accommodate residential uses, ground-floor retail, and a publicly-funded day care that would extend through to the ground floor of the North Building. The building will accommodate 65 residential units targeted to households earning up to 40 percent and 60 percent of AMI. The building's residential entrance will be on East 131st Street and will have separate commercial and community facility entrances located on Park Avenue. The West Building is three stories (36 feet 2 inches) at the midblock on Park Avenue, six stories (64 feet 2 inches) at the intersection of Park Avenue and East 131st Street, and eight stories (84 feet 10 inches) for the remainder of the building's East 131st Street frontage.

The North Building is proposed to be a primarily residential building with 100,218 SF of residential and community facility uses (the aforementioned day care facility). The building will accommodate 108 units targeted to households earning up to 40 percent and 60 percent of AMI.

BOROUGH PRESIDENT'S COMMENTS

The proposed development represents a superior use of land compared to the existing conditions. The Human Resources Administration building has been vacant for over two years, and without the development of this project, the site would otherwise remain an underutilized vacant lot. The development provides much needed affordable rental opportunities to low-income households, and includes a substantial number of affordable housing units targeted to income ranges that the community supports.

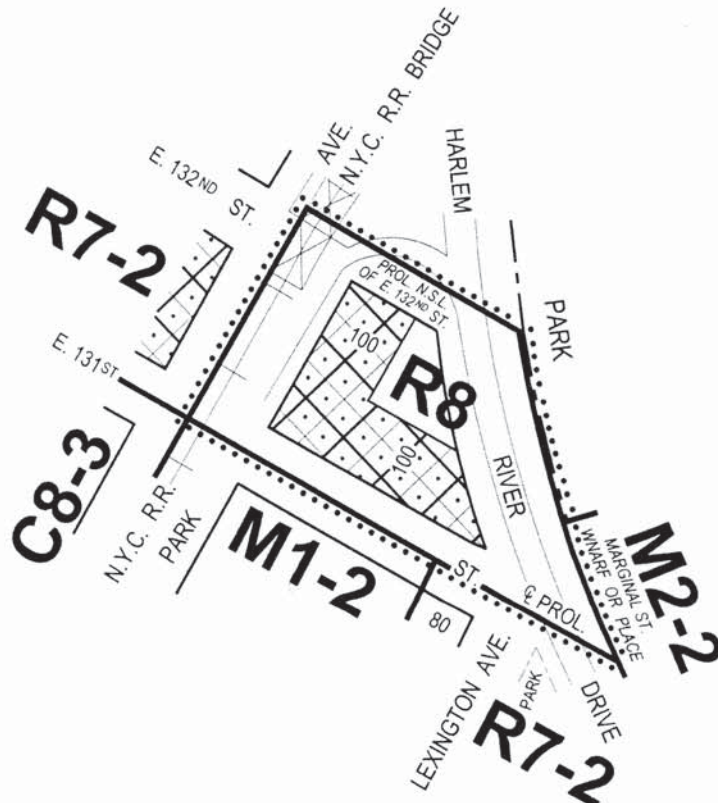
HPD's disposition of this site to HRPN will promote sound growth and planning necessary to obtain the UDAA and UDAAP designations. In addition, the promotion of mixed-use development in this area, which will serve a public purpose, is a highly appropriate use of City-owned land. As East 132nd and East 131st streets terminate at Harlem River Drive on this block, there is limited pedestrian activity around the project area. The combination of housing, retail, and child care services will help to enliven the surrounding area, as these active uses increase pedestrian traffic. Further, the publicly-funded child care center, which is located within the project site to minimize noise from Park Avenue and maximize natural sunlight from the central courtyard, is a necessary community amenity since the nearest three day cares are near or above capacity.

The proposed R8 zoning district's maximum density is equal to the existing maximum density of the R7-2 zoning. While the R8 district will increase the total allowable residential density, this density is necessary to facilitate the creation of affordable residential units, which were identified as priorities of the community during the 125th Street Rezoning process and codified in the Points of Agreement. Additionally, the proposed development's maximum height and density are below that of other buildings in the immediate vicinity.

The proposed commercial overlay would allow for ground-floor commercial uses as of right along this block. The commercial overlay is necessary to promote active uses and serve the needs of the local community and the future population to be housed at the site. The proposed C2-4 overlay is consistent with the C2-2 overlay mapped on west side of Park Avenue between East 131st Street and East 132nd Street and the C8-3 zoning district mapped to the south of the site.

In addition to providing much needed income-targeted affordable housing and community amenities, the proposed development will meet, and in some areas exceed, the criteria for Enterprise Green Communities certification. Some of the environmentally sustainable elements incorporated into the project include: Energy Star appliances, light fixtures and heating systems, low or no-VOC adhesives and paints, and low-flow plumbing fixtures.

L+M Development Partners, Artimus Construction, East Harlem Triangle, and Friendly Hands Ministry have worked closely with Community Board 11 to produce an extensive marketing plan and educational workshops to reach out to and prepare community members in advance of the housing application period and HDC lottery. These efforts will educate qualified applicants of the requirements of information required by the housing application and assist them in providing the necessary documentation. The community education program will include credit counseling



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
6a

BOROUGH OF
MANHATTAN

S. Voyages
 S. Voyages, R.A. Director
 Technical Review Division

New York, Certification Date
 OCTOBER 12, 2010



- NOTE:**
- Indicates Zoning District Boundary.
 - The area enclosed by the dotted line is proposed to be rezoned by changing from an R7-2 District to an R8 District and by establishing a C2-4 District within a proposed R8 District.
 - ▣ Indicates a C2-4 District.