



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

GALE A. BREWER
BOROUGH PRESIDENT

March 17, 2014

**Recommendation on
ULURP Application No. C 140207 HAM
260 West 153rd Apartments
by New York City Department of Housing Preservation and Development**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD” or “the applicant”) and its proposed development team of Harlem Congregations for Community Improvement (HCCI) and L+M Development Partners (“L+M”), seek the approval of a land use action to facilitate the development of a seven-story, mixed-use affordable housing project in the Bradhurst neighborhood of Central Harlem in Manhattan Community District 10. The proposed project is located on Block 2038, Lots 55, 57 and part of Lot 1, with frontage on West 153rd Street between Fredrick Douglas Boulevard and Macombs Place.

HPD seeks designation of City-owned property as an **Urban Development Action Area** (“UDAA”) (**C 140207 HAM**) and approval for the project as an **Urban Development Action Area Project** (“UDAAP”). In addition, HPD seeks approval for the **disposition** of said property to a recipient to be determined by HPD (the “Developer”), which is proposed as either a limited liability partnership or limited liability corporation between HCCI, L+M, and a third party.

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

(c) the area designation is consistent with the policy and purposes [of the Urban Development Action Area Act].

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

PROJECT DESCRIPTION

HPD seeks to develop a 75,900 gross square feet building with 18 parking spaces that will contain 59,200 gross square feet or 41,309 zoning square feet¹ of residential uses (51 units) and approximately 16,684 zoning square feet of community facility uses consisting of office space for the non-profit organization HHCI and a daycare space. The development will be located on City-owned land at 260-264 West 153rd Street. The proposed building is seven stories tall, approximately 69 feet in height, with a street wall height of approximately 60 feet.

HCCI is a social services organization that offers a variety of services from job training, youth services and health and wellness services for individuals living with HIV/AIDS. As part of their current operations, the organization is spread across eight different storefront offices. The proposed actions will enable HHCI to consolidate all of its services into a single location. HCCI will occupy the majority of the first floor and a portion of the second as a central office. The daycare center, which will be run by an independent operator, will occupy the majority of the second floor. Separate elevator cores will access the community facility space and the residential units, with three separate lobbies provided on the first floor for the residences, offices, and daycare. The development is part of a larger zoning lot that includes an existing eight-story, mixed use building with ground floor retail and 69 low income units also operated by HHCI.

The proposed affordable housing development will be financed through \$1.186 million of “9 Percent” federal Low-Income Housing Tax Credits through New York State Homes and Community Renewal (HCR) and eight Project-Based Section 8 vouchers. The development team also anticipates obtaining Section 420(c) real estate tax abatement on the property. All units will be affordable to families or individuals earning 50 percent of the Area Median Income (AMI) or lower, as described below. The units are located on floors three through seven and are a mix of studio, one, and two bedroom apartments. Eight units will be for households earning 30 percent of AMI, using Section 8 vouchers. 43 of the units will be for households earning 50 percent AMI, and eight of those units will be dedicated to the individuals living with HIV/AIDS, with HHCI’s Office of Health and Wellness Strategies (HWS) providing supportive services for those residents.

The proposed building will conform to Quality Housing Program standards and it will feature a variety of sustainable elements through participation in both the New York State Energy Research and Development Authority’s (“NYSERDA”) Multifamily Performance Program and

¹ The residential gross square feet includes items like accessory mechanical spaces, the cellar, and accessory parking square feet on the ground floor all of which do not count toward floor area, or zoning square feet.

the Enterprise Green Communities program. All units will have energy star appliances as well as water and energy conservation fixtures. The daycare space includes a dedicated open terrace and for the buildings' residents, a community room and open terrace is located on the seventh floor. Additionally, the building will provide residential bicycle parking spaces for up to 24 bikes in an indoor facility on the ground floor.

Area Context

The northern portion of Central Harlem is a mixed use neighborhood consisting of a diverse set of residential building typologies as well as institutional and commercial uses. Mixed-use residential buildings with ground floor retail predominate along avenue frontages, with four to six story residential buildings in the midblock areas. The development site sits 100 feet east of Fredrick Douglas Boulevard, which is characterized by a mix of institutional, commercial, and mixed-use residential buildings. Immediately to the west of the development site is an eight-story mixed use building with ground floor retail. On the development site there is currently a two-story community facility that houses the HHCI Family Life Center which will be demolished as part of the proposal. The Family Life Center will be relocated into the new building.

There are a number of NYCHA properties within the area as well. East of the development site is the Harlem River Houses, a designated landmark, and to the north are two developments: the 15-story Harlem River II and the 30-story Polo Grounds Tower. The surrounding area also includes other designated landmarks, including the Dunbar Apartments to the south of the development site and the Macombs Dam Bridge at 155th Street.

The neighborhood is well served by open spaces. Jackie Robinson Park, which contains both passive and active open space and a public swimming pool, is located one block west of the proposed development. A few blocks to the north is the large Highbridge park, which features forested bluffs, ballfields, and tennis courts. Two blocks north of the proposed development is Rucker Park, considered the "Mecca of Streetball."

The development site and the area around the proposed development is primarily zoned R7-2 with C1-4 overlays along the avenues. R7-2 is the predominant zoning district in Central Harlem. The R7-2 zoning designation allows a maximum residential floor area ratio ("FAR") of 3.44, a maximum commercial FAR of 2.0, and a maximum community facility FAR of 6.5. The designation has no height limits. The C1-4 overlay allows for, in addition to the residential and community facility uses allowed under R7-2 zoning, local retail and personal service establishments. An R8 District is mapped to the west of the development site along Bradhurst Avenue, and there is a C8-3 commercial district mapped two blocks north of the development site.

Proposed Action

The applicant requests from the CPC project approval and designation of the development site, which consists of two vacant tax lots and a 2-story community facility building, as an Urban Development Action Area to facilitate the disposition of City-owned property to the development team.

COMMUNITY BOARD'S RECOMMENDATION

At its Full Board meeting on February 5, 2014, Manhattan Community Board 10 voted to recommend approval of the application by a vote of 28 in favor, 0 opposed and 0 abstentions.

BOROUGH PRESIDENT COMMENTS

The proposed development will allow for the consolidation of the many diverse services of HHCI into a single facility, increasing ease of use by the neighboring population. The consolidation of offices also allows for expansion of the types of supporting services HHCI offers. The inclusion of a daycare center, anticipated to serve 154 children ages two through five, will fill a needed gap in daycare services for the district. Coupled with the creation of 51 units of affordable housing, these two community facility services are highly appropriate uses of City-owned land and address local and citywide needs. HPD's disposition of this site will promote the sound growth that is necessary to obtain the UDAA and UDAAP designations.

The proposed development meets the required findings for UDAA and UDAAP designation and is an appropriate disposition of City-owned property. There are a number of boarded up storefronts, vacant lots, and deteriorating buildings in the vicinity of the development site. The proposal by the development team will turn one such set of mid-block vacant lots into a mixed-use residential and community facility building that will provide needed affordable housing units to a community with a demonstrated need for such.

With any City-owned land, it is important that the City seek permanent affordability to ensure public benefits are felt across multiple generations. The affordability period for this development is set at 40 years. While this is by no means permanent, given the development team's track record of providing affordable housing and given the investments already made into the community's health and well-being, there is a reduced risk of the units becoming market rate at a later date and the development remains appropriate.

The proposed development will not only provide much-needed affordable housing and community facility services that will be an asset to the neighborhood and city, but will also meet City goals for sustainable development. The developer will incorporate energy-efficient and green elements in the building, meeting NYSERDA and Enterprise Green Communities standards. The provision of open spaces for the daycare facility and residents of the building will also add to the livability of the proposal and the neighborhood.

As part of the review by this office of the ULURP certification set of illustrative plans, two potential zoning compliance issues were identified regarding the provision of the rear yard and the front setback requirements above the required 60 foot street wall. The applicant team was incredibly responsive in resolving these potential concerns and explaining that changes had already occurred to the building design due to ongoing discussions with the Department of Buildings. These are minimal changes to the proposal as originally depicted and include the reconfiguration of the daycare space and terrace to allow for a continuous twenty foot rear yard above the first floor.

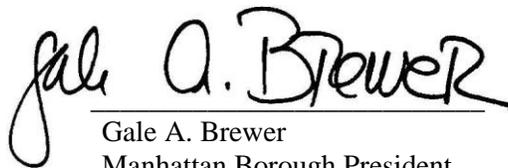
By consolidating HCCI's services into this new facility, the proposed development will create eight storefronts that could be rented to small businesses providing important neighborhood services. These storefronts are owned by a joint venture between HCCI and L+M. Small businesses operated by members of the community contribute to the livability and economic vitality of neighborhoods. In renting these storefronts following the construction of the proposed development HCCI and L+M should make every effort to find appropriate neighborhood retail tenants. In this effort, the development team should consult with Manhattan Community Board 10, the Department of Small Business Services and the Borough President's Office.

The proposal of 51 affordable units and provision of daycare services and the continued and expanded services program of HCCI have created a laudable development proposal. The designation of this project as an UDAA and approval of the project as an UDAAP is necessary to ensure this community asset is constructed. The disposition of City-owned property for this proposal is also appropriate.

BOROUGH PRESIDENT RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval with conditions of ULURP Application No. C 140207 HAM provided that the applicant:

- 1. work with the Community Board, Small Business Services, and the Borough President's Office to fill the eight vacated store fronts with neighborhood appropriate small businesses or services; and**
- 2. make all efforts to ensure that all units remain affordable to residents of the neighborhood after the 40-year affordability period.**


Gale A. Brewer
Manhattan Borough President