



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

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
431 West 125th Street, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

December 23, 2020

**Recommendation on the ULURP Application No. C 210067 HUM
Harlem East Harlem Urban Renewal Plan Extension
by New York City Department of Housing Preservation and Development**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (the “Applicant”) is seeking an approval for an amendment to the Harlem East Harlem Urban Renewal Plan (“HEHURP”) for a 40-year extension of the duration of the HEHURP, following its expiration on December 19, 2020. Other than the stipulation to extend the term of the HEHURP, no additional changes are proposed to the HEHURP.

The Applicant is authorized to acquire parcels in an Urban Renewal Area for redevelopment in accordance with an Urban Renewal Plan pursuant to Section 504 of Article 15 (“Urban Renewal Law”) of the General Municipal Law. Amendments to an Urban Renewal Plan are required to go through the City of New York’s (the “City”) Uniform Land Use Review Procedure (“ULURP”). While Section 505 of the Urban Renewal Law does not specify any findings under which an Urban Renewal Plan can be amended, it does list the following criteria for approval of such plans:

- (a) The area is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
- (b) The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the plan;
- (c) The plan offers maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking if an urban renewal program;
- (d) The plan conforms to a comprehensive community plan for the development of the municipality as a whole; and
- (e) There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings, which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

BACKGROUND

Harlem East Harlem Urban Renewal Plan (1968)

The HEHURP governs the Harlem-East Harlem Urban Renewal Area (“HEHURA” or “Project Area”) and is generally bound by West 127th Street and East 133rd Street on the north, the Harlem River on the east, West 110th Street, East 106th Street, East 107th Street, and East 110th Street on the south, and Fifth Avenue, Madison Avenue, Park Avenue, Lexington Avenue, and Malcolm X Boulevard (Lenox Avenue) on the west.

The HEHURP was approved in 1968 by the City Planning Commission with the following objectives¹:

- (a) Redevelop the HEHURA in a comprehensive manner, removing blight and maximizing appropriate land use;
- (b) Remove or rehabilitate substandard and insanitary structures;
- (c) Remove impediments to land assemblage and orderly development;
- (d) Strengthen the tax base of the City by encouraging development and employment opportunities in the HEHURA;
- (e) Provide new housing of high quality and/or rehabilitated housing of upgraded quality.
- (f) Provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking; and
- (g) Provide a stable environment within the HEHURA which will not be a blighting influence on surrounding neighborhoods.

As properties have been acquired and disposed in accordance with the HEHURP, the HEHURP has taken on additional design restrictions that guide development. Since 1968, the HEHURP has been amended 15 times. The stated design objectives of the plan are as follows, to the extent deemed feasible by HPD²:

- (a) The HEHURA should be developed in a manner compatible with or beneficial to the surrounding community;
- (b) The project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern; and
- (c) In areas with exceptionally strong or uniform street character, the new construction should reinforce the existing urban pattern.

The HEHURP is set to expire on December 19th, 2020.

15th Amendment to the Plan (2008)

In January 2008, the 15th Amendment to the HEHURP added design restrictions that would regulate the building form of sites to be acquired and conveyed for the East 125th Street East Harlem Media, Entertainment and Cultural Center (“M/E/C”). Specifically, it includes controls for, among other things, building height, required street walls, public open space, ground floor uses, building bulk, and use.

¹ <https://nycdcp.app.box.com/s/dng50eufbq4pqziwge6h84ve1qp71m71/file/704260431317>

² <https://nycdcp.app.box.com/s/dng50eufbq4pqziwge6h84ve1qp71m71/file/704260431317>

PROPOSED DEVELOPMENT

Area Context

As the HEHURP spans across a significant swath of East and Central Harlem, the sites included in the plan contain a variety of land uses, including residential, religious, industrial, educational, commercial, and recreational uses. There is a significant concentration of NYCHA campuses within the HEHURP as well, including Wagner, Jefferson Johnson, Taft, Corsi Houses, Lehman Village, Upaca sites 5 and 6, and the Robinson developments.

The area is well served by both train and bus routes. The project area is served by the 4, 5, and 6 subway lines along Lexington Avenue. New York City Transit bus routes include the M1, M35, M60-SBS, M15, M15-SBS, M98, M101, M103, and M116 routes.

The majority of the HEHURP is zoned R7-2. Contextual R6A, R7A, R7B, R7D, and R7X districts are mapped along the midblocks. M1-6/R10 is also included as a district within the district.

Site Description

The HEHURP is located in Manhattan Community Districts 10 and 11 and is generally bounded by West 127th Street and East 133rd Street on the north, the Harlem River on the east, West 110th Street, East 106th Street, East 107th Street, and East 110th Street on the south, and Fifth Avenue, Madison Avenue, Park Avenue, Lexington Avenue, and Malcolm X Boulevard (Lenox Avenue) on the west. However, only sites listed in Exhibit A³ of the HEHURP are subject to the terms of the HEHURP.

Project Description

The scope of the proposed 16th amendment to the HEHURP is limited to extending the term of the HEHURP, and the Applicant does not propose any new development.

The design controls included within the plan, if renewed, would specifically apply to the East Harlem Media, Entertainment and Cultural Center (“M/E/C”), of which one site has been conveyed according to the HEHURP, but others remain under HPD ownership. With renewal of the plan, the remaining sites would be conveyed according to the design guidelines included in the HEHURP.

COMMUNITY BOARD RECOMMENDATIONS

While the majority of the HEHURP is located within the bounds of Manhattan Community Board 11 (CB11), a small portion is located within Manhattan Community Board 10 (CB10). Therefore, the Applicant presented the project to both Community Boards: CB11 on June 10,

³ <https://nycdep.app.box.com/s/dng50eufbq4pqziwge6h84ve1qp71m71/file/704260431317>

September 9, October 14, October 27, November 18, and November 24, 2020; and CB10 on September 17, October 15, and November 4, 2020.

During their November 4, 2020 full board meeting, Community Board 10 voted to approve the Application No. C210067-HUM without conditions, with the Board voting 31 in favor, one member opposed, and one member abstaining.

During their November 24, 2020 full board meeting, Community Board 11 voted to approve the C210067-HUM application with conditions. The Board voting 22 in favor, six opposed, and 11 members abstaining and outlined the following conditions:

1. That the renewal term not exceed twelve (12) years;
2. That the renewal only apply to the blocks remaining to be developed as part of the East 125th Street Development Project; and
3. That the design guidelines outlined in the current plan remain in place.

During the discussion of the application at Community Board 11, several concerns were raised about the duration of the plan, and the ability of the Department of Housing Preservation and Development to use the HEHURP to acquire properties.

BOROUGH BOARD RESOLUTION

The application also was presented to the December 17, 2020 meeting of Manhattan Borough Board, and a resolution was passed in support by that Board with the following condition after a brief discussion reviewing the recommendations of Community Board 11 and Community Board 10:

1. HPD must give an update every 5 years to Manhattan Community Boards 10 and 11, and the Manhattan Borough President, to alert them of any changes in plans for Acquisition Parcels within the HEHURP.

BOROUGH PRESIDENT'S COMMENTS

I have a deep understanding of the importance of maintaining Urban Renewal Plans, stemming in large part from my experience with the expiration of the West Side Urban Renewal Plan. That plan, which facilitated the development of several Mitchell Lama projects, was allowed to expire, and almost immediately, I saw many of those Mitchell Lama buildings turn private and lose long term affordability requirements. While Urban Renewal plans might be imperfect, and a relic of the days of large-scale top-down planning, they remain an important tool in preserving certain desirable aspects of neighborhoods that were previously negotiated and are protected by the continuing restrictions included in an Urban Renewal Plan.

In the case of the Harlem East Harlem Urban Renewal Plan, there are key design guidelines that were amended in the plan that must be preserved. Several sites within the plan are subject to height restrictions that, if removed, allow the scale of buildings to be increased and permanently alter the character of the neighborhood.

One phase of the East Harlem Media, Entertainment and Cultural Center project along 125th Street was conveyed pursuant to the plan. However, other sites that have been acquired and have gone through ULURP, have not yet been conveyed. To ensure that these parcels are developed in accordance with the design guidelines, there needs to be an active urban renewal plan. If the plan were allowed to expire, buildings on those sites could become magnitudes taller, and out of scale with the surrounding neighborhood.

While I understand the concerns of Community Board 11 about the duration of a 40-year extension, I believe that 40 years, which is consistent with other Urban Renewal Plan extensions, ensures that the beneficial aspects of the plan can remain in effect and ensure that this adequate time for wise planning to occur. Additionally, East Harlem faces significant development pressure now. This is likely to increase. Maintaining an active Urban Renewal Plan will allow for city acquisition of sites and added leverage in future negotiations with owners of rent stabilized buildings who may want to sell.

HPD has assured the community that they have no imminent plans to acquire any new sites under the plan. But we know that priorities change. Extending the plan will help to ensure that future actions by HPD will be brought before the relevant community board/s, and the Borough President's Office. To maintain transparency between HPD and the public, I recommend that HPD be required to give an update to Community Boards 10 and 11 and the Borough President's office on any changes to acquisition plans every 5 years.

I respect the views of those on Community Board 11 who oppose the plan. Urban Renewal areas are an imperfect tool for long term planning. However, this application to extend the term of the Urban Renewal Plan does not preclude future amendments to the plan and, in the interim, preserves existing protections.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends **approval** of ULURP Application No. C 210067 HUM if the following conditions are met:

1. HPD must give an update every 5 years to Manhattan Community Boards 10 and 11, and to the Manhattan Borough President, to alert them to any plan for the acquisition of parcels within the HEHURP.



Gale A. Brewer
Manhattan Borough President