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Gale A. Brewer, Borough President

January 11, 2021

**Recommendation on ULURP Application C200276 HAM
Harlem Open Door Cluster
By the NYC Department of Housing Preservation and Development**

PROPOSED ACTIONS

The New York City Department of Housing Preservation and Development (“HPD” or “the Applicant”) is seeking approval for an Urban Development Action Area Project (“UDAAP”) designation, project approval, and disposition of City-owned property located at 131 West 133rd Street (Block 1918, Lot 16), 130 West 134th Street (Block 1918, Lot 53), 2735 Frederick Douglass Boulevard (Block 2045, Lot 13), and 2752 Frederick Douglass Boulevard (Block 2032, Lot 2), all located in Manhattan Community Board 10. This action will facilitate the creation of 48 units of homeowner units for low-income and persons without housing.

City-owned properties that are no longer in use or are in deteriorating condition are eligible to 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:¹²

- (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

¹ [New York State General Municipal Law § 694\(4\)](#).

² [HPD Description of UDAAP projects](#).

of residential real property.

BACKGROUND

These sites were acquired by the City of New York between 1972 and 1989 through foreclosures. This area has not been rezoned since 1961 when a city-wide rezoning took place. More recent efforts to rezone parts of Harlem include the 2017 East Harlem Rezoning, the 2012 West Harlem Rezoning, and the 2008 125th Street Rezoning. The sites are not within a special or historic district. However, the 125th Street Special District is to the south and the Hamilton Heights/Sugar Hill, St. Nicholas, and Central Harlem Historic Districts are nearby. Community Board 10 has noted that there is a lack of affordable housing throughout the district.³

The proposed development of these sites follows a design competition in 2019 by HPD and the American Institute of Architects New York (AIANY).⁴ The competition addressed the need for affordable housing, the design and technical aspects of building on small lots, and the use of small City-owned lots as an opportunity for such development.

PROPOSED DEVELOPMENTS

The Applicant will partner with two Minority Business Enterprises (“MBE”), Iris Development and Lemor Development Group, in collaboration with a Women Business Enterprise (“WBE”), Curtis Ginsburg Architects, who were hired to construct four structures that will vary in height, size, and number of units (see below chart). The proposed structures will have several homeowner housing units consisting of a mix of studio, one-, two-, and three-bedroom units. The rents for the units will be set between 80% and 130% of Area Median Income (“AMI”). At the low end, an individual earning \$90,960 a year would pay \$21,616 as a down payment and \$365 in monthly maintenance. At the upper end, a family of four earning \$147,810 a year would pay \$56,692 as a down payment and \$978 in monthly maintenance.⁵

Table 1: Proposed Site Details

Address	Unit Count	Zoning Square Feet	Proposed Zoning Square Feet	Proposed FAR	Proposed Number of Floors	Proposed Height (in feet)
131 West 133 rd Street	11	3,324	10,614	3.19	6	60
130 West 134 th Street	11	2,998	10,311	3.44	6	60
2735 Frederick Douglass Boulevard	15	2,813	16,811	5.93	10	100
2752 Frederick Douglass Boulevard	11	2,500	9,320	3.74	6 + Mezzanine	70

³ [Community Board 10 statement on affordable housing in Harlem.](#)

⁴ [Big Ideas for Small Lots NYC: Housing Design Competition.](#)

⁵ [2020 HPD AMI Guidelines.](#)

Table 2: Unit Distribution

Address	Studio	One- bedroom	Two- bedroom	Three- bedroom	Total
131 West 133 rd Street	-	-	11	-	11
130 West 134 th Street	-	-	11	-	11
2735 Frederick Douglass Boulevard	1	10	-	4	15
2752 Frederick Douglass Boulevard	-	10	1	-	11

The proposed development is one of four ULURP applications (C200277 HAM, C200278 HAM, C200279 HAM) filed by the Applicant for a total of 12 sites in Central Harlem. Of the 12 sites, 11 are in Community Board 10 and one site is in Community Board 11. The additional sites are proposed to be a mix of rental housing units and homeowner units for low-income and persons without housing. Though these applications are separate, they are being financed together.

Area Context

The development sites are all located within Manhattan Community District 10 in Central Harlem. These sites are located near several landmarks and destinations in Harlem including, the Apollo Theater, The City College of New York, Jackie Robinson Park, the Schomburg Center, and Harlem Hospital. The sites are near either the 135th Street, or 145th Street subway stations along the 2/3 and A/B/C/D lines. Also nearby are bus stops along the M1, M2, M3, M7, M10, M102, Bx19, and Bx33 routes.

Site Descriptions

All sites are currently City-owned, vacant land, with adjacent multifamily residential buildings that vary in height from three to seven stories. 131 West 133rd Street and 130 West 134th Street share the same block. The remaining two sites are also clustered near each other. 2735 Frederick Douglass Boulevard and 2752 Frederick Douglass Boulevard are located near the intersection of Frederick Douglass Boulevard and West 146th Street. The zoning for all sites varies (see chart below) which allows for medium-density quality housing apartments.

Table 3: Zoning and FAR

Address	Zoning	Maximum FAR	Maximum FAR (with Inclusionary Housing)	Proposed FAR
131 West 133 rd Street	R7-2	3.44	4.60	3.2
130 West 134 th Street	R7-2	3.44	4.60	3.42
2735 Frederick Douglass Boulevard	C4-4D/ R8A	6.02	7.20	5.93
2752 Frederick Douglass Boulevard	R7-2 (C1-4)	3.44	4.60	3.74

COMMUNITY BOARD RESOLUTION

At its Full Board meeting on December 2, 2020, Manhattan Community Board 10 voted to recommend approval of the application by a vote of 19 in favor, 6 opposed, 2 abstentions, and 1 recusal.

BOROUGH PRESIDENT'S COMMENTS

The Project addresses a long term need for more affordable housing. Community Board 10 has made it clear that affordable housing is one of their top priorities, which I share. This Project, along with the other pending applications (C200277 HAM, C200278 HAM, C200279 HAM), presents an opportunity to remedy a shortage of affordable housing in Harlem. I am supportive of this application, but several issues need to be addressed.

HPD should provide the necessary assistance to prospective buyers to help ensure that they are from the community. Open Door unit purchasers should receive timely and sufficient down payment assistance, particularly for residents who will face higher payments. In addition, the majority—if not all—of these purchasers would-be first-time homeowners, so technical guidance will be crucial to ensuring the success of the Open Door program. I have raised this issue previously and hope that HPD will ensure that purchasers have all the financial and technical support they need to become successful homeowners.⁶ This assistance is necessary to make the program truly accessible to a range of lower income individuals and households.

I raised the concern of re-sale restrictions with HPD. I understand that if the purchaser sells their unit or refinances during the regulatory period, the purchaser may realize up to a 2% appreciation on the original purchase price, per year of owner occupancy. Upon re-sale, the purchaser will be required to sell to a household making no more than the Project's income range. I am pleased that HPD has set these regulations to ensure that units remain affordable in perpetuity. Affordable housing is needed in Harlem, and this Project will help to address that.

⁶ [Gale A Brewer, Manhattan Borough President, Testimony before the New York City Council Committee on Housing and Buildings Oversight Hearing on Homeownership and HPD Programs. December 12, 2017.](#)

Additionally, I am in support of the partnership with MBEs and WBEs to bring housing to Central Harlem. These entities have a proven record of success in creating affordable housing.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application C200276 HAM and requests that the Applicant include following conditions:

1. That HPD must demonstrate that it is carefully considering applicants' assets as it determines that they are qualified for these affordable units; and
2. That HPD increase access and assistance for down payments and other technical assistance to the individuals and households who are selected to purchase these units.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style.

Gale A. Brewer
Manhattan Borough President