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Gale A. Brewer, Borough President

January 11, 2021

**Recommendation on ULURP Application C200277 HAM
Harlem NCP CB11 Site
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 2 East 130th Street (Block 1754 Lot 68) located in Manhattan Community Board 11. This action will facilitate the creation of seven units of housing for low-income residents 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 of residential real property.

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

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

BACKGROUND

2 East 130th Street was acquired by the City of New York in 1989 through foreclosure. The site was rezoned from R7-2 to R7-B as part of the East Harlem Rezoning, which took effect on November 30, 2017. The site is not located within a special or historic district, though it is located about a quarter mile east from the Central Harlem Historic District. Additionally, the 125th Street Special Purpose District is nearby to the south.

The proposed development of these sites follows a design competition in 2019 by HPD and the American Institute of Architects New York (AIANY).³ 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. They were hired to construct a four-story residential building consisting of seven affordable studio units. Each studio is projected to be approximately 570 square feet and rent will be set between 27% and 77% of Area Median Income (“AMI”). An individual earning \$23,880 would pay \$ 397 in monthly rent for a studio apartment.⁴

The proposed development will be approximately 3,987 zoning square feet, with an FAR of 2.39, and a maximum height of 42 feet.

The proposed development is one of four ULURP applications (C200276 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

2 East 130th Street is located within Manhattan Community District 11 in East Harlem. The site is located near several parks, playgrounds, and open spaces, including Courtney Callender Playground, Moore Playground, Harlem Rose Garden, Collyer Brothers Park, and Marcus Garvey Park to the south. The proposed development is located across the street from P.S. 133 Fred R. Moore and is close to the 125th and 135th Street Subway stations along the 2/3 lines, the 125th Street subway station along the 4/5/6 lines, and the Harlem-125th Street Metro North train station. Also nearby are bus stops along the M1, M7, and M102 north-south lines.

³ [Big Ideas for Small Lots NYC: Housing Design Competition.](#)

⁴ [2020 HPD AMI Guidelines.](#)

Site Descriptions

2 East 130th Street is currently a vacant lot, with adjacent multifamily walkup buildings, ranging from three to four stories in height. It is also located adjacent to a religious facility, Kelly Temple Church of God in Christ. The R7B contextual district requires new buildings to be Quality Housing Buildings. The maximum FAR is 3.00, and maximum building height is 75 feet.

The Applicant will seek a Mayoral Zoning Override to allow development on the site, which at 16.67 feet wide, is below the 18-foot threshold set forth in the Zoning Resolution.⁵ An MZO would allow for a total of seven residential units on the site. Without an MZO, only two residential units could be constructed.

COMMUNITY BOARD RESOLUTION

At its Full Board meeting on December 15, 2020, Manhattan Community Board 11 voted to recommend approval of the application by a vote of 24 in favor, 1 opposed, 3 abstentions, and 3 recusal.

BOROUGH PRESIDENT'S COMMENTS

The Project addresses a long term need for more affordable housing. Community Board 11 has made it clear that affordable housing is one of their top priorities, which I share. Affordable housing creation was also a key goal of the 2017 East Harlem Rezoning, which included the site at 2 East 130th Street. This Project, along with the other pending applications (C200276 HAM, C200278 HAM, C200279 HAM), presents an opportunity to remedy a shortage of affordable housing in Harlem. I am supportive of this application, but one issue needs to be addressed.

I would like to note that the Applicant's request for a Mayoral Zoning Override when this Project is already going through a public review process seems dubious. This decision on behalf of the Applicant and the City raises questions about the use of MZOs in general.

These units will add to the housing stock in the community and give the most vulnerable who are Extremely Low Income access to quality affordable housing. Of the 72 units proposed under these applications, 36 units, or 50% will be designated for Very Low Income individuals and households. Of those 36 units, 12 units will be designated for Extremely Low Income individuals and households. The remaining 36 units, or 50%, will be designated for Low Income individuals and households.

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

⁵ Minimum Lot Area or Lot Width for Residences. ZR 23-32. Last amended June 29, 2006.

BOROUGH PRESIDENT'S RECOMMENDATION

**Therefore, the Manhattan Borough President recommends approval of ULURP
Application C200277 HAM.**

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

Gale A. Brewer
Manhattan Borough President