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Gale A. Brewer, Borough President

January 11, 2021

**Recommendation on ULURP Application C200278 HAM
Central Harlem Infill - NCP
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 properties located at 109 West 126th Street (Block 1911, Lot 26), 142 West 129th Street (Block 1913, Lot 52), 61 West 130th Street (Block 1728, Lot 9), 203 West 135th Street (Block 1941, Lot 27), 136 West 137th Street (Block 1921, Lot 49), and 2803 Frederick Douglass Boulevard (Block 2045, Lot 89). All of these sites are located in Manhattan Community Board 10. This action will facilitate the creation of 58 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 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: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

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

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

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.

BACKGROUND

These sites were acquired by the City of New York between 1968 and 1991 through foreclosures. The sites and the area around them were zoned R7-2 in 1961. This area has not been rezoned since 1961. Several other areas in Harlem were rezoned which include the 2017 East Harlem Rezoning, the 2012 West Harlem Rezoning, and the 2008 125th Street Rezoning. The sites under consideration in this ULURP are not within a special or historic district. However, the 125th Street Special District is located 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. They were hired to construct six structures that will vary in height, size, and number of units (see below chart). The proposed structures will have several rental housing units consisting of a mix of studio, one-, and three-bedroom units. The rents for the units will be set between 27% and 77% of Area Median Income (“AMI”). At the low end, an individual earning \$23,880 a year would pay \$397 in monthly rent for a studio apartment. At the upper end, a family of four earning \$90,960 a year would pay \$2,161 in monthly rent for a three bedroom apartment.⁵

The proposed development is one of four ULURP applications (C200276 HAM, C200277 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.

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 1: List of Sites

Address	Unit Count	Zoning Square Feet	Proposed Zoning Square Feet	Proposed FAR	Proposed Number of Floors	Proposed Height (in feet)
109 West 126 th Street	7	1,782	4,190	3.14	4	41.6
142 West 129 th Street	10	2,548	8,783	3.37	6	60
2803 Frederick Douglass Boulevard	11	2,000	7,998	3.98	6	61.6
203 West 135 th Street	10	2,498	8,640	3.47	6	61.6
61 West 130 th Street	10	1,998	5,787	3.27	6	60
136 West 137 th Street	10	2,498	8,592	3.42	6	60

Table 2: Unit Distribution

Address	Studio	One-bedroom	Three-bedroom	Total
109 West 126 th Street	7	-	-	7
142 West 129 th Street	-	9	1	10
2803 Frederick Douglass Boulevard	-	11	-	11
203 West 135 th Street	-	9	1	10
61 West 130 th Street	10	-	-	10
136 West 137 th Street	-	9	1	10

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. Some of the sites are near either the 125th Street, 135th Street, or 145th Street Subway stations along the 2/3 and A/B/C/D lines. Nearby bus stops include the M1, M2, M3, M7, M10, M60 SBS, M100, M101, M102, Bx15, Bx19, and Bx33 routes.

Site Descriptions

All of the sites are currently on City-owned, vacant land, with adjacent multifamily residential buildings that vary in height from three to seven stories. The zoning for all sites is R7A which allows for medium-density quality housing apartments. 2803 Frederick Douglass Boulevard and 203 West 135th Street also have C1-4 overlays. The maximum FAR is 3.44 and if Inclusionary Housing is provided, the maximum FAR increases to 4.6.

The development site located at 109 West 126th Street is 17.83 feet wide, and thus the Applicant will seek a Mayoral Zoning Override (MZO) due to its narrow width.⁶ An MZO would allow for

⁶ Minimum Lot Area or Lot Width for Residences. ZR 23-32. Last amended June 29, 2006.

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 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 (C200276 HAM, C200277 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.

Due to the narrowness of 109 West 126th Street, the Applicant is seeking a Mayoral Zoning Override (MZO). I would like to note that the Applicant's request for an MZO 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.

Overall, the proposed application 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 record of success in creating affordable housing.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application C200278 HAM.



Gale A. Brewer
Manhattan Borough President