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Gale A. Brewer, Borough President

January 11, 2021

**Recommendation on ULURP Application C200279 HAM
Harlem NCP Western Site
By the New York City Department of Housing Preservation and Development (HPD)**

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 313 West 112th Street (Block 1847, Lot 13), located in Manhattan Community District 10. This action will facilitate the creation of seven rental housing units 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

313 West 112th Street was acquired by the City of New York in 1970, through a foreclosure. The area around and including the site were zoned R7A in 1961 when the previous rezoning was conducted. 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 site is not within a special or historic district. However, the 125th Street Special District is nearby 0.6 miles to the north. Additionally, 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 DEVELOPMENT

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 structure with a height of 42 feet. Per the Applicant, the proposed structure will have seven rental housing units consist of seven studio units. The structure will have approximately 3,465 zoning square feet (2.06 FAR). 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 would pay \$397 in monthly rent for a studio apartment. At the upper end, a family of four earning \$90,960 would pay \$2,161 in monthly rent for a three bedroom apartment.⁵

The proposed development is part of four ULURP applications (C200276 HAM, C200277 HAM, C200278 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 site is a single lot located on Block 1847, Lot 13 within Manhattan Community District 10 in Central Harlem. The site is located near the southeastern corner of Morningside Park, on the north side of West 112th Street between Manhattan Avenue and Frederick Douglass Boulevard. The site is 0.2 miles (4-minute walk) north of Central Park and 0.5 miles (11-minute walk) away from the Cathedral of St. John the Devine. The B/C 110th Street – Cathedral Parkway Subway station is a 0.2 mile (4 minute) walk from the site. Also nearby are bus stops along the M2, M3, M4, M7, M10, M11, and M116 routes.

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.](#)

Site Description

The site is currently vacant land, with adjacent multifamily residential buildings that vary in height from three to seven stories. The zoning for this site is R7A which allows for medium-density quality housing apartments. The maximum FAR is 4.0 and if Inclusionary Housing is provided, the maximum FAR increases to 4.6.

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.⁶ 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 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, C200278 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 record of success in creating affordable housing.

⁶ 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 C200279 HAM.**

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive style with a large, looped initial "G".

Gale A. Brewer
Manhattan Borough President