A. INTRODUCTION

This application is for a set of actions intended to facilitate the redevelopment of a site in the Hamilton Heights North neighborhood of West Harlem, in Manhattan Community District 9 (refer to Figure 1-1 for project location). The requested actions include: (1) a zoning map change from C8-3 and R7-2 to a R8A residential zoning district; (2) acquisition/disposition of City-owned property, in the form of an exchange of easements between the applicant and the NYC Department of Citywide Administrative Services (DCAS); and (3) financing from the NYC Department of Housing Preservation and Development (NYCHPD), the New York State Division of Housing & Community Renewal (DHCR), and the New York State Office of Temporary Disability Assistance for the residential component of the Proposed Development (collectively, the "Proposed Action"). Broadway Housing Communities (BHC, a.k.a., "the applicant") is the applicant for the proposed rezoning and funding actions; applicants for acquisition/disposition action are BHC, DCAS (for acquisition and disposition), and NYC Department of Environmental Protection (NYCDEP) (for acquisition).

The Proposed Action would enable the applicant, BHC, to construct a mixed-use building on a parcel within the proposed rezoning area, consisting of one privately owned lot (Block 2069, Lot 21) located at 404-414 West 155th Street (the "Proposed Development Site"). The Proposed Development Site, which currently contains a two-story plus cellar public parking garage, is an approximately 21,685 sf lot on the northern portion of the block bounded by West 155th Street to the north, St. Nicholas Avenue to the west, St. Nicholas Place to the east, and West 153rd Street to the south, and is comprised of Lot 21 in its entirety.

The Proposed Action would facilitate construction of an approximately 169,333 gsf 13-story mixed-use building (140,934 zsf, excluding parking and mechanical deductions) on the Proposed Development Site (the "Proposed Development"). The existing 300-space garage structure currently on the site would be demolished to allow construction of the new building. The Proposed Development would include:

- approximately 124 residential units, all of which would be affordable;
- an approximately 18,036 sf Faith Ringgold Children's Museum of Art and Storytelling;
- a 12,196 sf day care facility and early childhood center for approximately 100 children;
- 2,350 sf of non-profit program and office space; and
- a 114-space below-grade accessory parking garage.

It is expected that construction on the Proposed Development Site would commence in the second half of 2010 with the demolition of the existing structure and site excavation, and the Proposed Development is expected to be completed by late 2012.

There are no current proposals for development of any of the other properties affected by the proposed zoning map change. Compared to future conditions without the Proposed Action (No-Build), the future with action (Build) condition analyzed in this document consists of 124

residential units, an approximately 18,036 sf museum, a 12,196 sf day care facility (100 children capacity), approximately 2,350 sf of office space, as well as a net reduction of 300 public parking spaces.

B. BACKGROUND AND EXISTING CONDITIONS

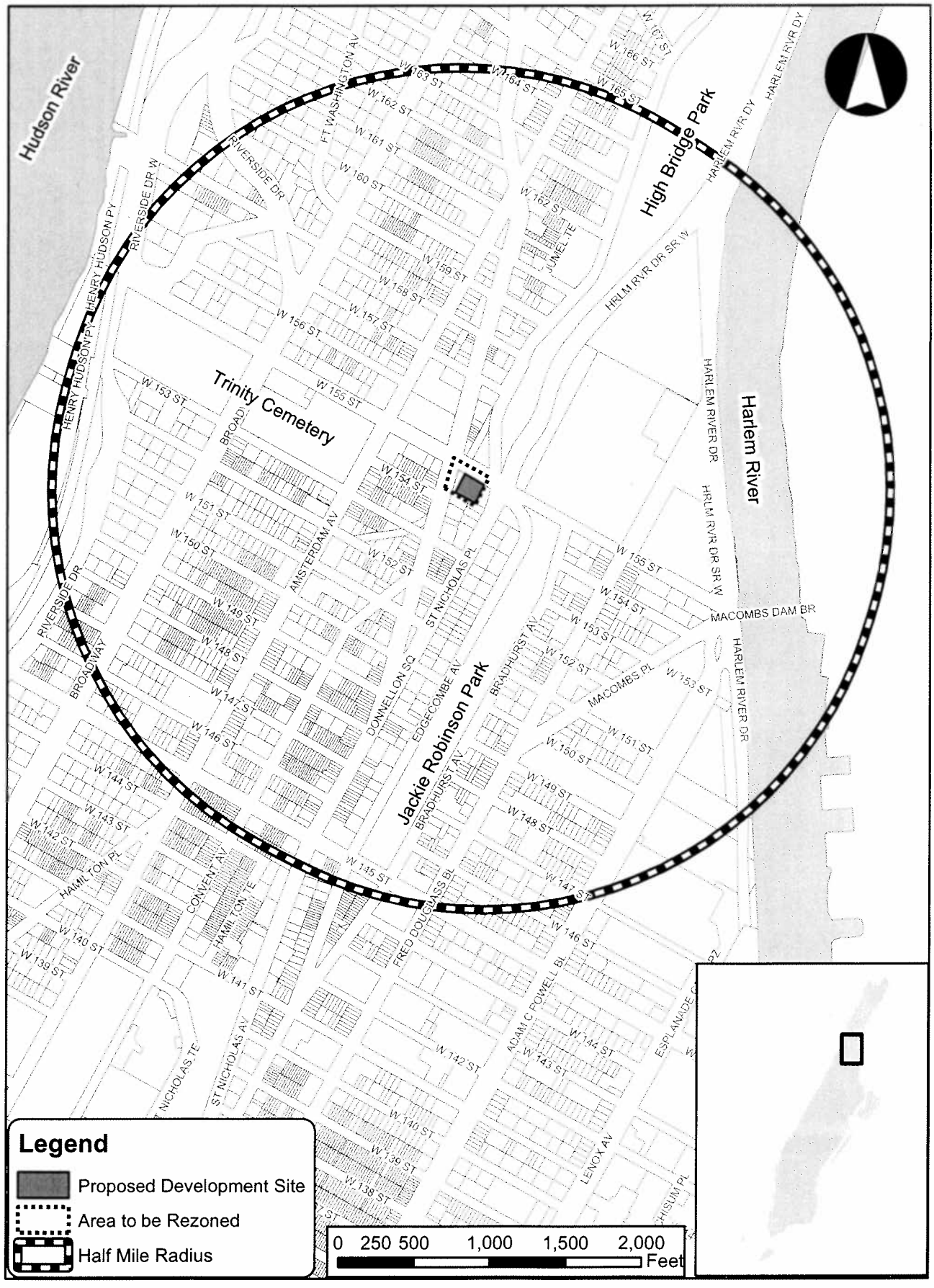
Sugar Hill is one of New York City's architecturally and historically rich neighborhoods. Since its initial development, the area has been home to a wide variety of New Yorkers, both native and foreign born, of varied ethnicity and races and from various economic levels. During the 1920's it was an epicenter of the Harlem Renaissance when African American cultural, intellectual and social prominence and wealth flourished. By the 1930s, the area became known as "Sugar Hill," a neighborhood that attracted many of the city's most prestigious African-American residents. W.E.B. Du Bois, founder of the NAACP, writers Zora Neale Hurston and Langston Hughes, Supreme Court Justice Thurgood Marshall, pioneering civil rights activists Roy Wilkins and Rev. Adam Clayton Powell, boxer Joe Louis, actress Lena Horne and musicians Paul Robeson, Cab Calloway, Count Basie and Duke Ellington all resided in Sugar Hill. Known as the foundation of the Civil Rights Movement, much of the area of Sugar Hill was named a historic district by the New York City Landmarks Preservation Commission (NYCLPC) in 2000. Today, the Hamilton Heights/Sugar Hill area remains an architecturally distinguished and culturally significant neighborhood.

The Proposed Development Site and Area to Be Rezoned

The proposed rezoning area covers approximately the northern third of the block bounded by West 155th and West 153rd Street, St. Nicholas Avenue and St. Nicholas Place (Block 2069), extending approximately 150 feet south from West 155th Street, and includes Lots 21 and 28 in their entirety, approximately 44% of Lot 26 and about 12% of Lot 14 (see Figure 1-2). Lots 14, and 28 are not part of the Proposed Development Site, whereas a portion of Lot 26 will contain an access easement for the Proposed Development, as shown in Figure 1-2. Current uses within the area affected by the Proposed Action are shown in Table 1-1 and discussed below.

The Proposed Development Site extends approximately 154 feet along the south side of West 155th Street with a maximum depth of approximately 144 feet. The Site is currently occupied by a two-story plus cellar public parking garage, with a capacity of approximately 300 spaces. Due to the hilly topography in the area, the Proposed Development Site is naturally sloped, sloping down approximately 17 feet from its western boundary to its eastern boundary (refer to photos in Figure 1-3). Due to this steep grade in the site, the existing garage rises three stories at the northeast corner and is one story at the northwest corner.

Most of the Proposed Development Site (about 74% or approximately 16,047 sf) is currently zoned C8-3, with an R7-2 residential district mapped along an area at the southern edge of the site that ranges from 37 to 44 feet wide (approximately 5,638 sf). The C8-3 zoning district allows uses such as automotive sales and service facilities and warehouses, with a maximum allowable Floor Area Ratio (FAR) of 2.0 for commercial uses and 6.5 for allowable community facilities. Housing is not


Hudson River
Harlem River
High Bridge Park
Jackie Robinson Park
Trinity Cemetery
HENRY HUDSON PY
RIVERSIDE DR
RIVERSIDE DR W
FT WASHINGTON AV
W 163 ST
W 164 ST
W 165 ST
W 166 ST
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JUMEL TE
HARLEM RIVER DR
HRLM RVR DR SR W
HARLEM RVR DY
BROADWAY
AMSTERDAM AV
ST NICHOLAS PL
ST NICHOLAS AV
ST NICHOLAS TE
DONNELLON SQ
EDGECOMBE AV
BRADHURST AV
MACOMBS DAM BR
MACOMBS PL
FRED DOUGLASS BL
ADAM C POWELL BL
LENOX AV
HAMILTON PL
HAMILTON TE
CONVENT AV
ESPLANADE
Legend
Proposed Development Site
Area to be Rezoned
Half Mile Radius
0 250 500 1,000 1,500 2,000
Feet

Tax Map for Affected Block

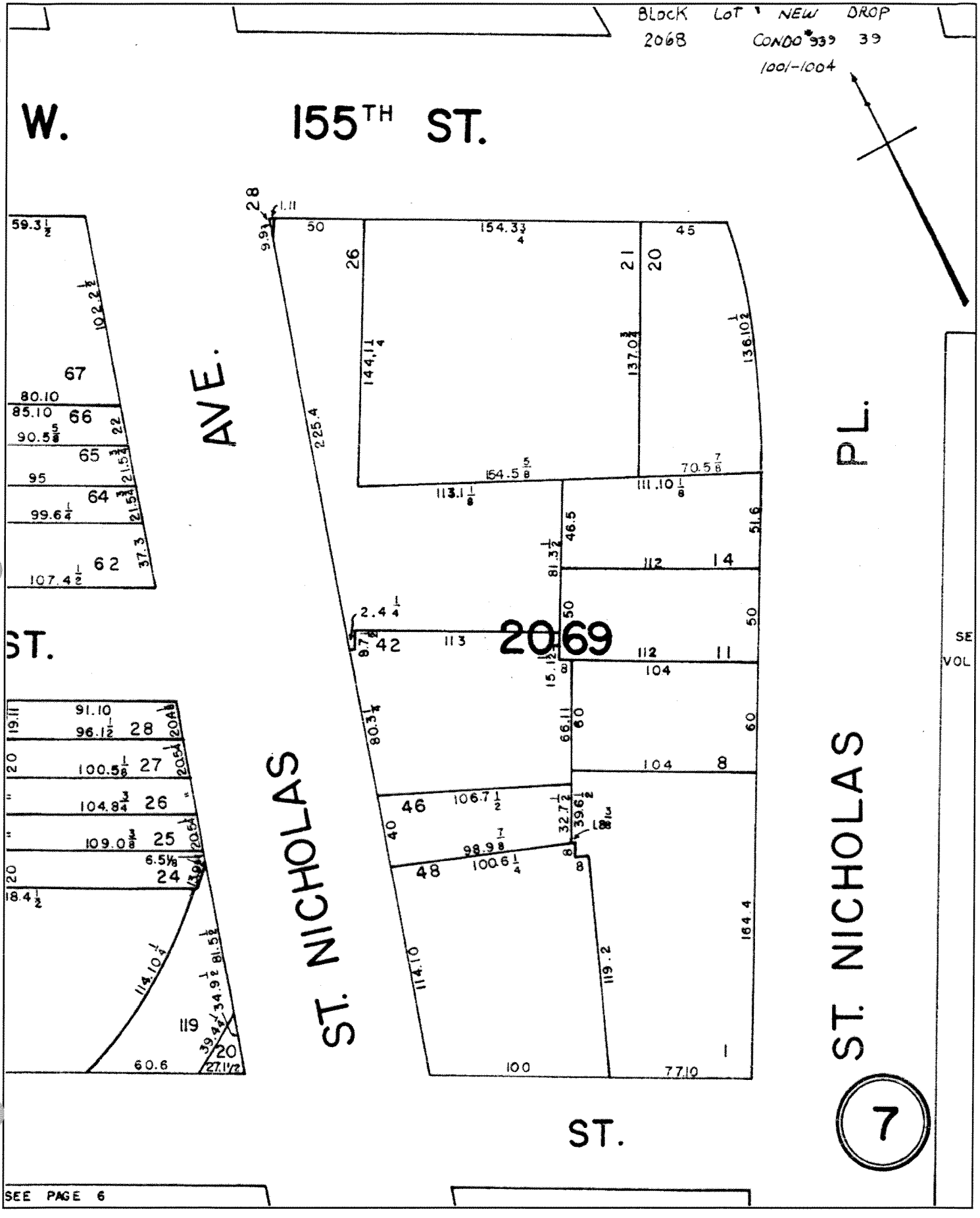
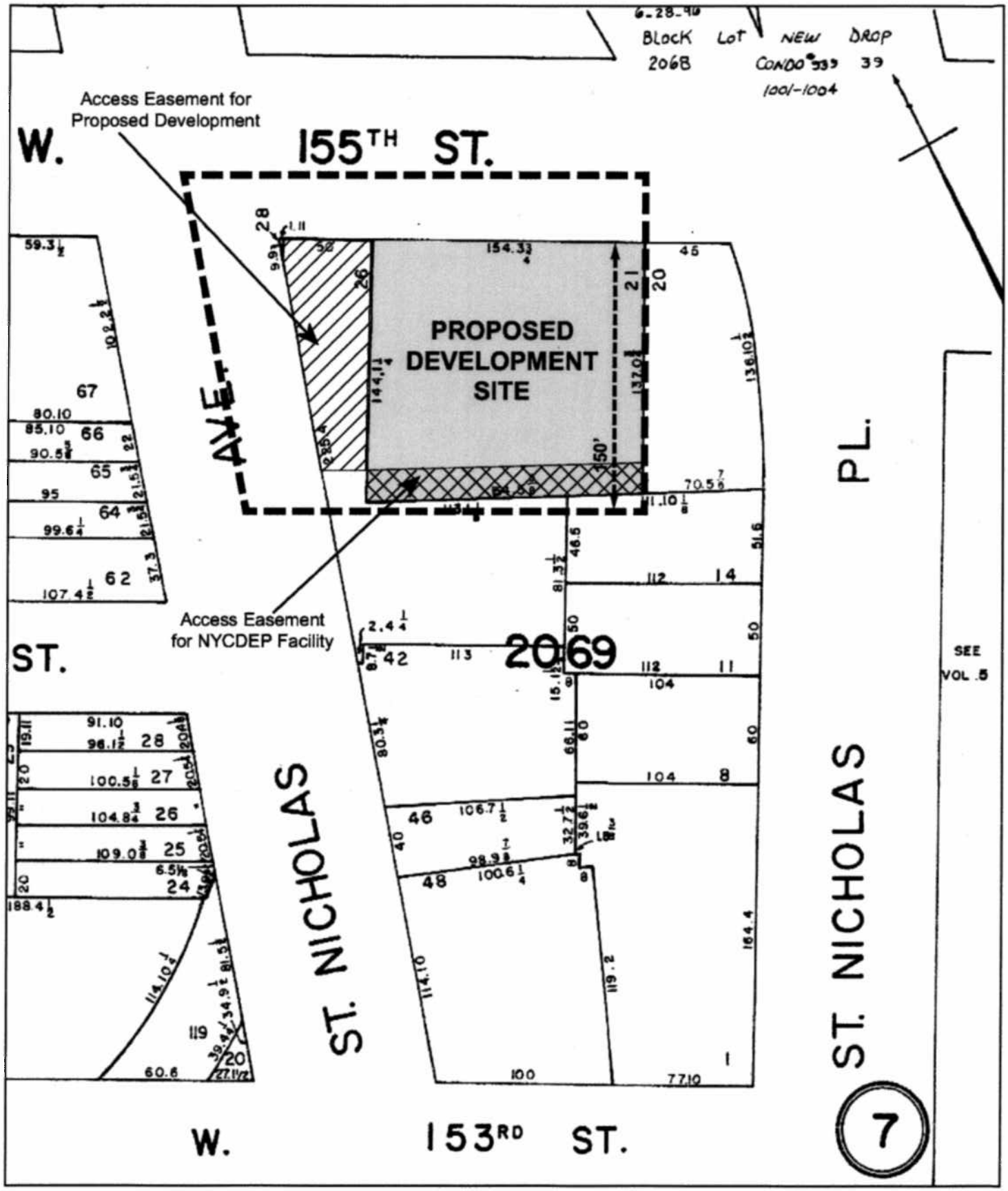


Figure 1-2b

Tax Lots Affected by Proposed Rezoning



permitted in C8-3 zoning districts. R7-2 is a general residence zoning district with a maximum allowable FAR of 3.44 for residential uses and 6.5 for allowable community facilities.

TABLE 1-1
Existing Land Uses in Directly Affected Area (Area to be Rezoned)

Block/ Lot	Address	# of Stories	Estimated Height (in feet)	Existing Uses	Approx. Lot Area (1)	Estimated Floor Area (1)
PROPOSED DEVELOPMENT SITE						
2069/21	404-414 West 155th Street	2	30 max.	300-space attended parking garage	21,685	65,070
REMAINDER OF REZONING AREA						
2069/14 (part)*	87 St. Nicholas Place*	6	60	Residential with ground floor retail	692	2,791
2069/26 (part)**	416 West 155th Street**	N.A.	N.A.	Surface parking area adjacent to a 2-story NYCDEP building (located on the southern portion of the lot, mostly outside the rezoning area)	9,020	0
2069/28	89 St. Nicholas Place	N.A.	N.A.	Vacant	12	0

(1) Lot area and floor area numbers shown in table are only for the portions of each lot that fall within the rezoning area.
* Lot 14 has a lot area of approximately 5,768 sf, and contains a 6-story residential building (23,256 sf). Approximately 12% of this lot (estimated at approximately 692 sf) falls within the rezoning area.
** Lot 26 has a lot area of approximately 20,500 sf, and contains a 2-story commercial building (approximately 16,779 sf) and a paved vehicle storage area. Only part of this lot (estimated at 44% or approximately 9,020 sf) falls within the rezoning area, and is comprised exclusively of the vehicle storage area. This portion of Lot 26 is the easement area to serve as the entry plaza portion of the Proposed Development Site.

Lots 26 and 28, and a portion of Lot 14, are included in the rezoning area but do not comprise part of the Proposed Development Site. Immediately to the west of the Proposed Development Site is Lot 26, which is located partially within the rezoning area (approximately 44%, or 9,020 sf of this lot falls within the rezoning area). Lot 26 is owned by the City and under control of the New York City Department of Environmental Protection (NYCDEP), and includes a 2-story building at the southern portion of the lot, which falls entirely outside the rezoning area. The building is occupied by a NYCDEP leak detection facility and includes offices and a storage and equipment facility with a 2-truck garage. The portion of Lot 26 that falls within the proposed rezoning area , which is entirely enclosed by a brick wall with a fence above (see Figure 1-3, photo #6), is currently used predominantly for vehicle storage and parking and is also available for staging in the event of emergencies. It is entered through the existing NYCDEP building garage entrance. The Old Croton Aqueduct passes underneath Lot 26.

The proposed rezoning area also includes the northern portion of Lot 14 (estimated at 12% of the lot), approximately 11 to 13 feet wide, comprising approximately 692 sf. Lot 14 is occupied by a 6-story elevator apartment building, with approximately 24 units, and it is the only lot within the rezoning area that falls within the NYC Landmarks Preservation Commission (NYCLPC) designated Hamilton Heights/Sugar Hill Northeast Historic District. The rezoning area also includes a very small triangular parcel at the corner of St. Nicholas Avenue, identified as Lot 28, which is comprised of only 12 sf (approximately 2 feet wide and less than 10 feet deep), and is currently vacant.

Surrounding Area

The Proposed Development Site and rezoning area (shown in Figure 1-2) are located in West Harlem, also known as Hamilton Heights. The Proposed Development Site and proposed rezoning area are located at the crossroads of three distinct communities: Washington Heights, a stronghold of the region's Dominican population; Central Harlem, primarily African American; and West Harlem, a mixed community of blacks, whites and Hispanics. Much of the area to the east, west and south of the rezoning area falls within the NYCLPC Hamilton Heights/Sugar Hill Historic District.

The area surrounding the proposed rezoning area encompasses the northern portion of the Hamilton Heights North neighborhood in West Harlem (Community District 9), Washington Heights South (Community District 12), and the Polo Grounds neighborhood in Central Harlem (Community District 10). Hamilton Heights North and Washington Heights South are separated by West 155th Street, a major crosstown street, and both these neighborhoods are separated from the Polo Grounds and the rest of Central Harlem by the Fordham Cliffs. The historical significance of the area dates back to the Revolutionary War, when Jumel Mansion, approximately five blocks north of the rezoning area, served as George Washington's headquarters.

The area is predominantly residential, and includes two major parks. To the north of the rezoning area, across West 155th Street, is Highbridge Park, which extends north to Dyckman Street, between Edgecombe and Amsterdam Avenues. This 118.75-acre park is widely known for its important landmarks, the Highbridge tower and the High Bridge (the city's oldest standing bridge), and also offers natural beauty and recreational fun, including a recreation center with pool, open vistas and an unusual geologic makeup. Among its strongest features are the magnificent cliffs and large rock outcroppings that dominate the park. The proposed rezoning area is also located approximately two blocks to the west of Jackie Robinson Park, a 12.77-acre park that extends from West 155th Street south to 145th Street, between Bradhurst and Edgecombe Avenues, which provides ten blocks of recreational resources. It includes a pool and recreation center, as well as baseball diamonds, basketball courts, volleyball courts, and two playgrounds, as well as a bandshell that hosts concerts throughout the warm season.

P.S. 28 is located at the corner of West 155th Street and St. Nicholas Avenue, diagonally across from the rezoning area. The area is largely comprised of prewar buildings up to six stories in height. Newer mid-century buildings, especially those owned by the New York City Housing Authority, are taller, with the Polo Grounds Towers reaching a maximum of 30 stories. Driven in part by the existing infrastructure and housing stock, the area surrounding the proposed rezoning area has experienced greater construction activity in recent years. Within the immediately surrounding area, this has been limited mostly to rehabilitation of residential prewar buildings. However, some new construction projects are in progress or planned near the rezoning area.

The area is well connected by the transit system and regional road network. The area is well connected to the greater region via West 155th Street which connects to the Westside Highway (Route 9A), FDR Drive, and Major Deegan Expressway/New York State Thruway (Interstate Route 87). The C subway line stops adjacent to the rezoning area at the intersection of West 155th Street and St. Nicholas Avenue, and the number 1 subway line stops at West 157th Street and Broadway. Bus routes connect the area to the Bronx, Harlem, and Midtown Manhattan. Yankee Stadium is located directly across the Harlem River, just over a ½-mile from the rezoning area, and is connected to the area by McCombs Dam Bridge.

Photographs of Proposed Development Site and Rezoning Area



1.

View of Proposed Development Site from the corner of West 155th Street and St. Nicholas Place, looking southwest. Lot 20 (not part of rezoning area) is to the left of photo, and Lot 14 is visible in background.

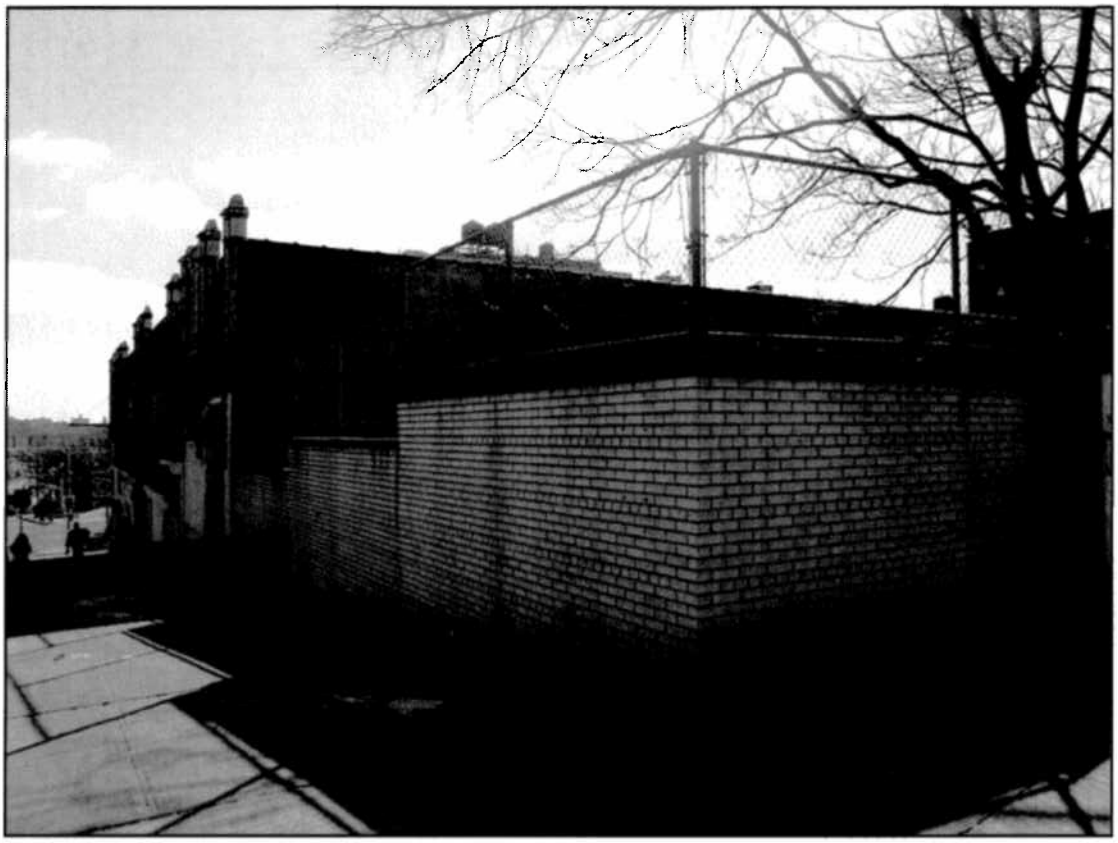


2.

View of Proposed Development Site (eastern facade) from adjacent sidewalk on West 155th Street, looking west towards St. Nicholas Avenue.

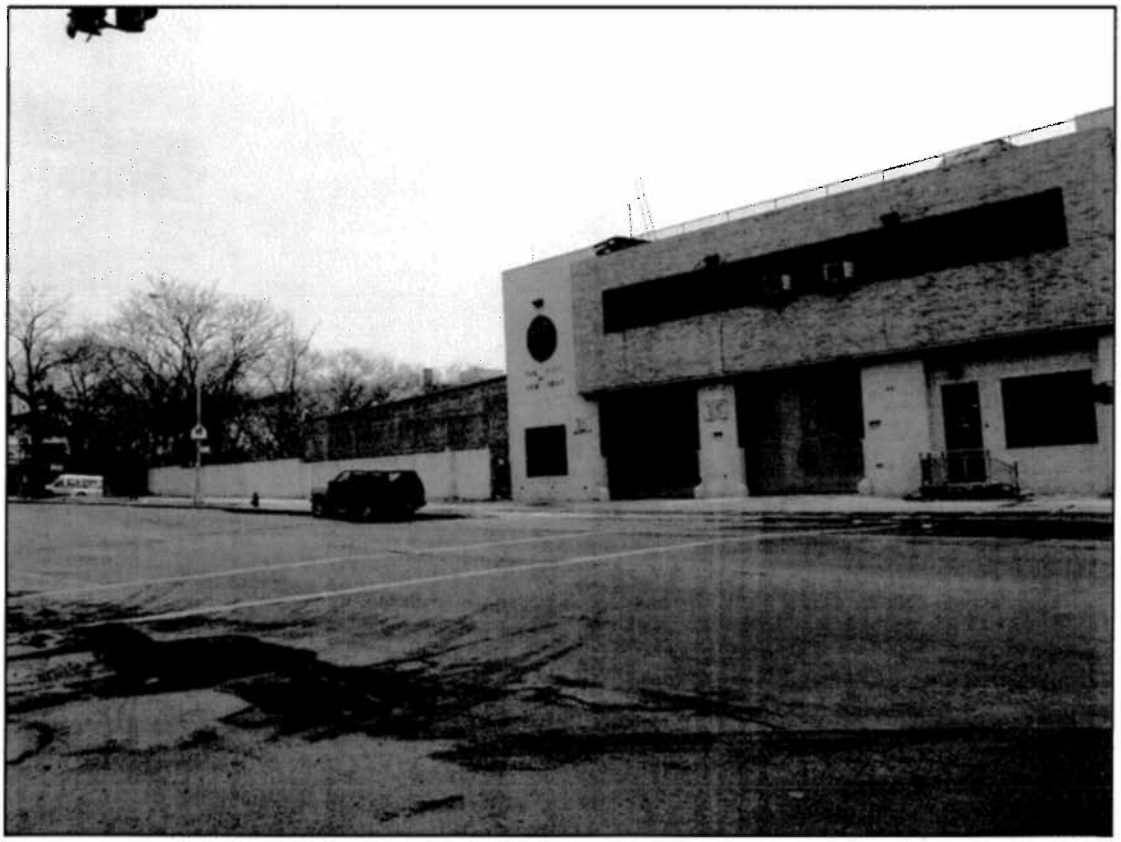
3.

View from the corner of St. Nicholas Place and West 155th Street looking southeast towards northern portion of Lot 26. Proposed Development Site is visible beyond.



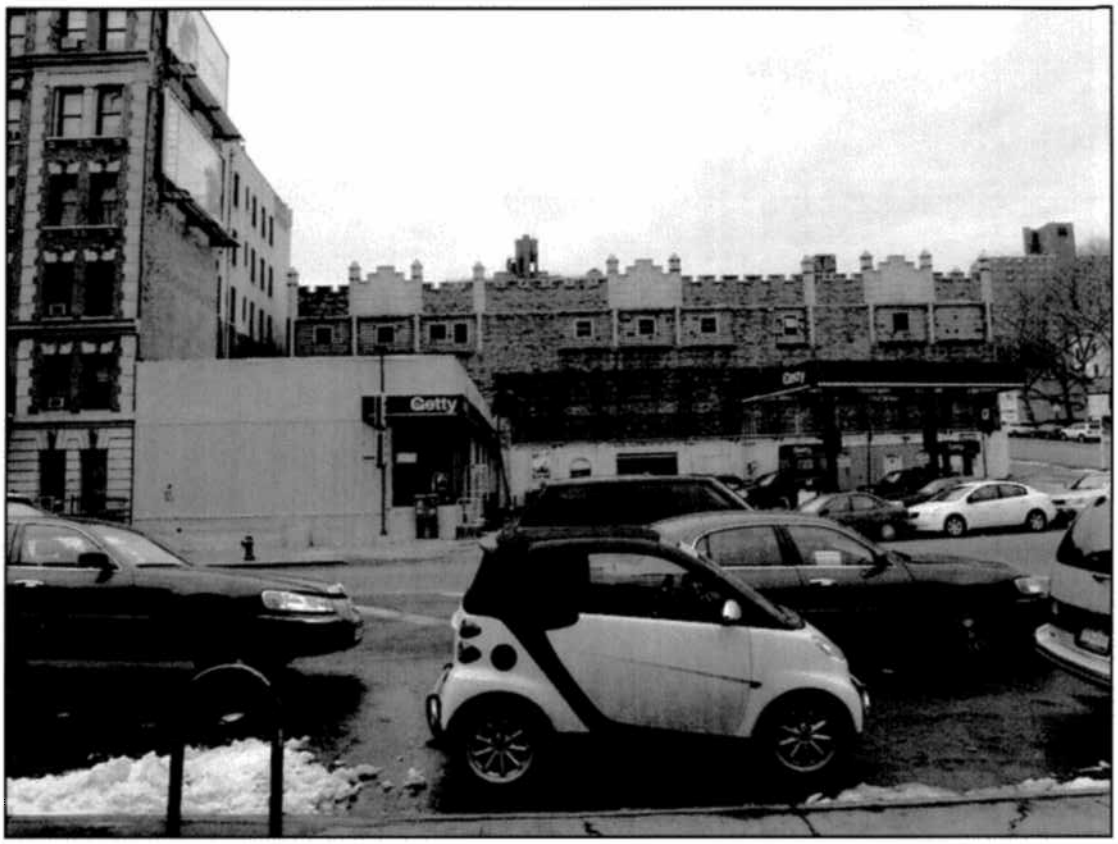
4.

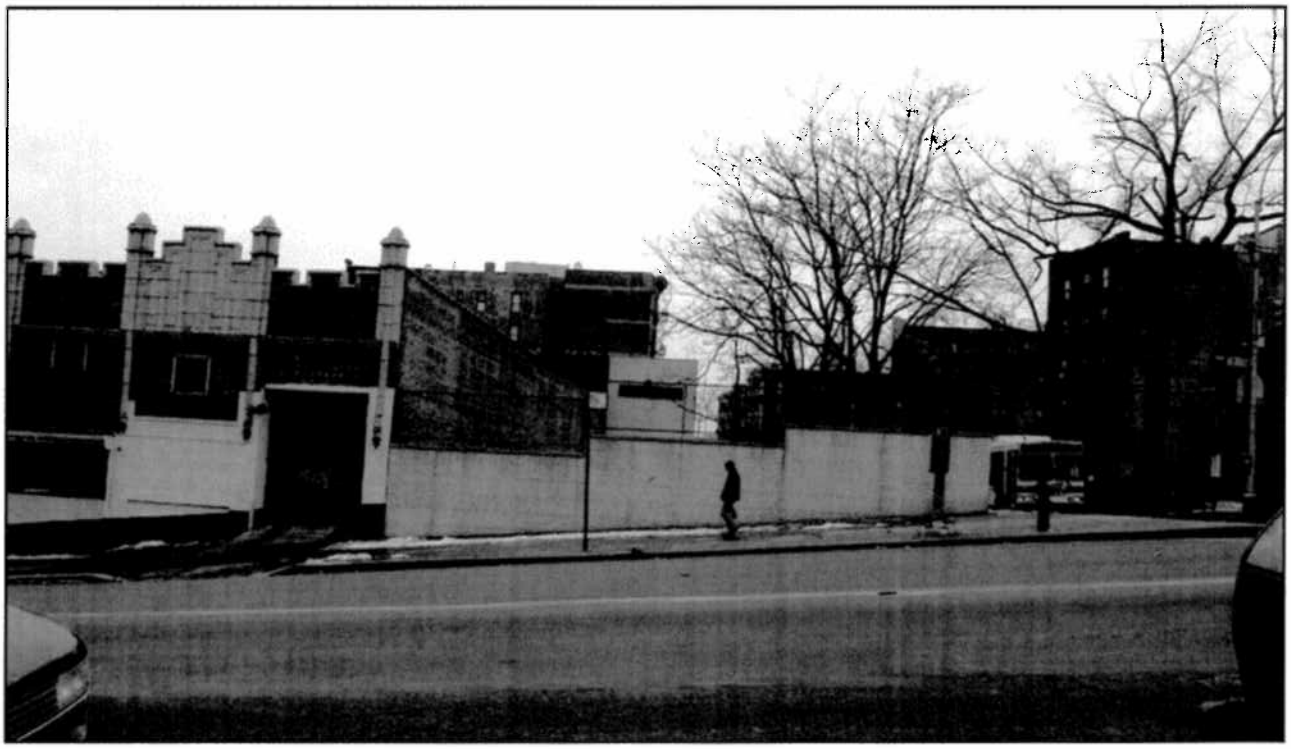
View from St. Nicholas Avenue looking north-east towards Lot 26. The southern portion of the lot (to the right) is occupied by a NYCDEP leak detection facility, whereas the northern portion (to the left) is enclosed and used for surface parking.



5.

View from St. Nicholas Place near West 155th Street, looking west. Lot 20 (which is just to the east of the rezoning area), is occupied by a gas service station, and is located on the corner, with Lot 14 to the left of photo. Proposed Development Site is visible in background.





6.

View from West 155th Street near St. Nicholas Avenue, looking south. Proposed Development Site is to the left, and the northern portion of Lot 26 is to the right.

C. PROJECT PURPOSE AND NEED

The Proposed Development Site, located at the northern boundary of Harlem's Sugar Hill, was acquired by Broadway Housing Communities in January, 2008. Broadway Housing Communities (BHC) is a not for profit organization with a 25 year track record of developing and managing nationally recognized, innovative community-based housing and programs to redress poverty and homelessness. The current C8-3 zoning which covers most of the Development Site does not allow residential uses. The Proposed Action would enable the applicant (BHC) to develop this property with a new 13-story mixed-income mixed-use development that is intended to serve the needs of the surrounding community, by providing a range of affordable housing options, an early childhood day care center, the Faith Ringgold Children's Museum, community not-for profit office space, and accessory parking.

Harlem's booming real estate market and influx of prosperous professionals that began at the turn of this century is commonly described as Harlem's Second Renaissance. This rapid force of gentrification in West Harlem and Washington Heights makes low income families especially vulnerable. In this context, the Proposed Development seeks to demonstrate that housing opportunities for households in poverty buttressed by educational and cultural resources can affirmatively contribute to the revitalization of West Harlem. The Proposed Development is expected to provide 124 units of housing of varying sizes, which would serve 51 single adults and 73 families ranging in income from homelessness to 80% of the Area Median Income. Thus the Proposed Development seeks to advance BHC's mission to provide quality housing and services to the City's lower-income families, and expand the supply of affordable housing in the City.

The proposed Faith Ringgold Children's Museum of Art & Storytelling is intended to serve as a cultural asset that would help revitalize the neighborhood by providing cultural resources and new, healthy opportunities for children and families. The museum is intended to teach children and families from the neighborhood and afar to take pride in themselves and their communities through art and storytelling. The Proposed Development is also expected to include an Early Childhood day care center serving 100 children, which would serve the surrounding community, and allow low- and moderate-income mothers to secure employment.

By combining a permanent affordable place to live with comprehensive educational, family and cultural resources, the Proposed Development seeks to provide much needed services for New York's low-income children and families. In addition, the Proposed Development seeks to transform an underutilized commercial site into a green model of urban community revitalization that integrates affordable housing, education and cultural resources to enrich the neighborhood for generations to come. Best practices at the highest standard of affordable housing, museum based early childhood education, and nonprofit resources for families will also be provided.

Finally, the proposed acquisition/disposition of City-owned property, in the form of an easement exchange, which is described in detail in Section IV below, would enable the applicant to locate its main entrance to the Proposed Development on St. Nicholas Avenue through a landscaped plaza. Currently, this area accommodates NYCDEP vehicle storage, and is restricted in its development potential due to its irregular shape and the presence of the Old Croton Aqueduct running beneath it. NYCDEP would benefit by exchanging use of this parcel for use of the easement from BHC which is more conveniently located to the building on the NYCDEP site. This easement would

provide an automobile egress to the NYCDEP site from St. Nicholas Avenue, and would fulfill NYCDEP's need for vehicle storage and parking as well as emergency staging.

D. DESCRIPTION OF THE PROPOSED ACTION

Zoning Map Change

The Proposed Action includes an amendment of the City's zoning map for a portion of the northern end of the block bounded by West 155th and West 153rd Streets, St. Nicholas Avenue, and St. Nicholas Place, changing the zoning from C8-3 and R7-2 to a R8A residential district, as illustrated in Figure 1-4. The proposed R8A zoning district would allow residential uses in the entire rezoning area, which are prohibited under the existing C8-3 zoning on the northern portion of the block. It would also allow a wider range of community facility uses, including museums, schools, and libraries. R8A zoning districts permit residential and community facility uses, and in general allow for a more diverse group of residential and community facility uses than those allowed by the existing C8-3 and R7-2 zoning districts.

The proposed R8A district would allow residential and community facility uses within Use Groups 1-4, and establish envelope controls within the new district. Table 1-2 provides a comparison of the zoning use groups allowed in the existing C8-3 and R7-2 districts and the proposed R8A district. As shown in the table, residential Use Groups 1 and 2 and community facilities Use Groups 3 and 4 would be allowed as-of-right under the proposed zoning, while commercial Use Groups 5 through 14, and 16 (automotive and semi-industrial uses) would no longer be permitted. As such, all of the existing uses in the rezoning area are expected to be in conformance with the proposed R8A zoning.

TABLE 1-2
Use Groups Allowed in Existing (C8-3 & R7-2) and Proposed (R8A) Zoning Districts

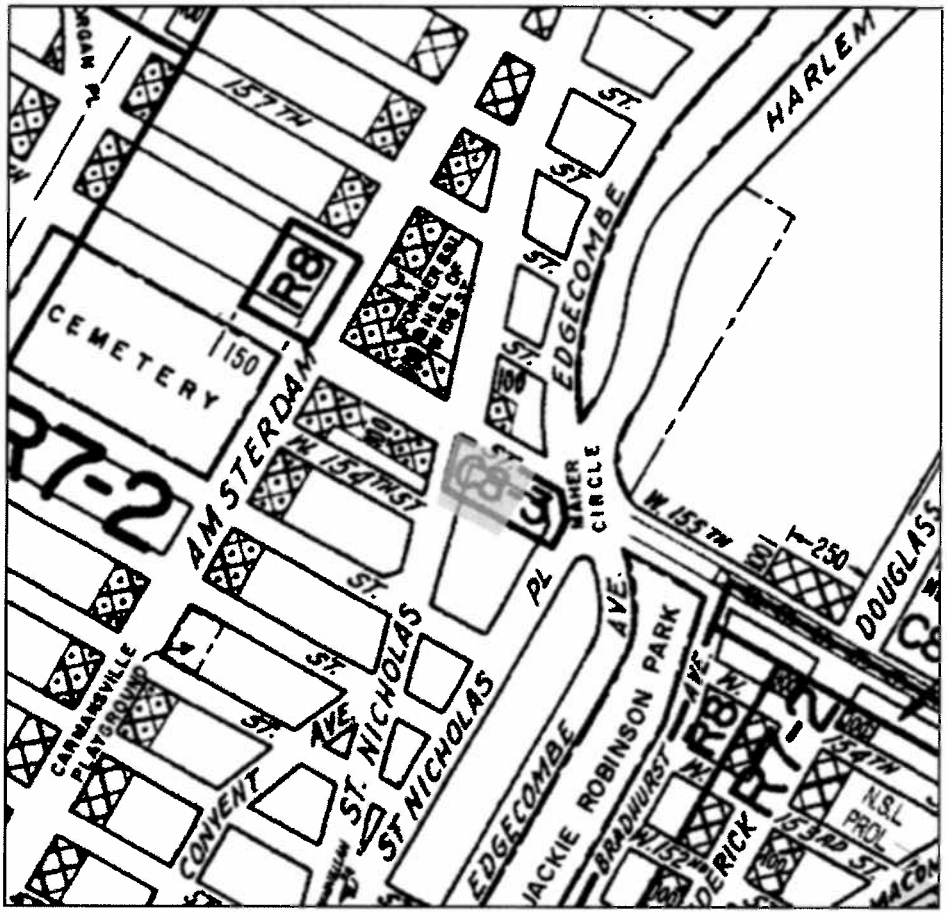
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
C8-3				X	X	X	X	X	X	X	X	X	X	X		X		
R7-2	X	X	X	X														
R8A	X	X	X	X														

Source: NYCDCP *Zoning Handbook*

The proposed R8A zoning district is a contextual zoning district, which regulates the height, bulk, and setback of new buildings. The maximum allowable FAR for the proposed R8A district is 6.02 for residential uses, and 6.50 for community facilities. The maximum allowable lot coverage is 70 percent for an interior lot, such as the Proposed Development Site. The minimum building base height is 60 feet, the maximum building base height is 85 feet, and the maximum building height is limited to 120 feet. Compliance with the Quality Housing Program is mandatory for residential buildings in R8A districts. Quality Housing buildings must include amenities relating to the planting of trees, landscaping and recreational space.

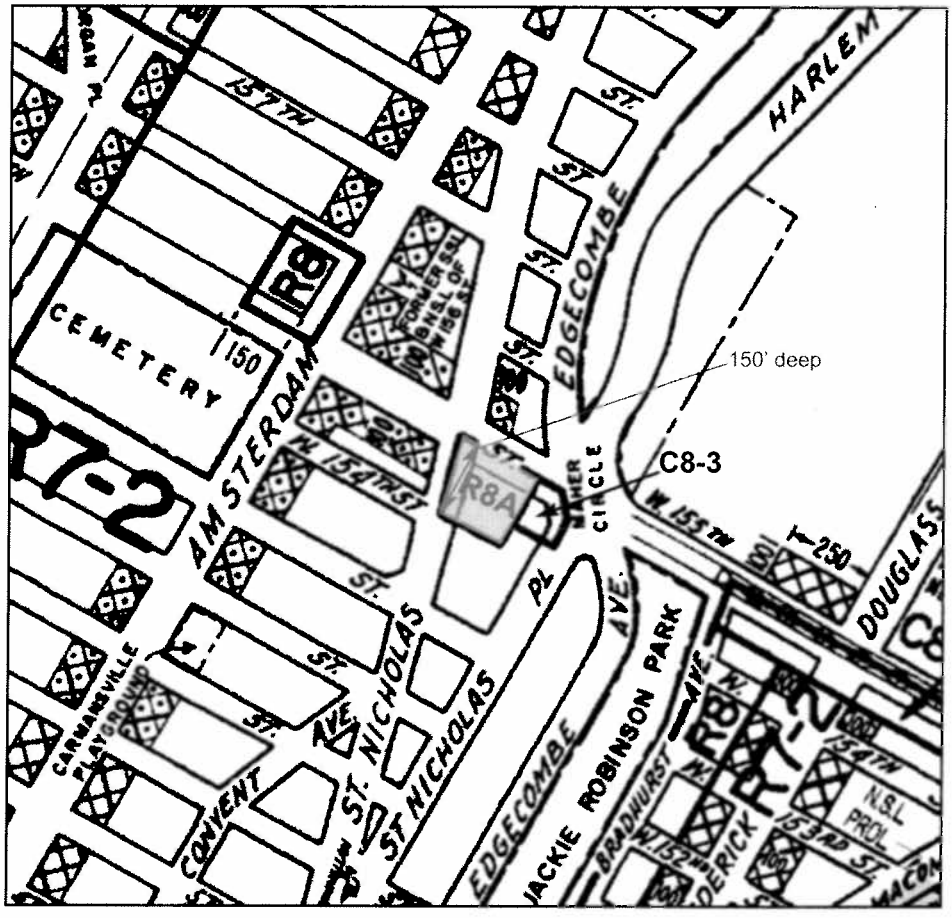
Figure 1-4
Existing and Proposed Zoning

EXISTING ZONING



Area to be Rezoned

PROPOSED ZONING



Area to be Rezoned

Acquisition and Disposition of City-Owned Property

The Proposed Action includes an easement for pedestrian ingress and egress from NYCDEP and the NYC Department of Citywide Administrative Services (DCAS). As noted above, the Proposed Development Site's frontage along West 155th Street is quite steep, with a difference in elevation of approximately 17 feet between the eastern and western edges of the site. This makes access to the site very challenging, particularly for the museum and day care uses, which require drop-offs and pick-ups at the curb.

As shown in Figure 1-5, the Proposed Development Site is bounded on its western side by a roughly triangular, 4,597 square foot paved portion of the City-owned NYCDEP property on Lot 26 that has frontage along St. Nicholas Avenue. BHC would acquire an easement over this area (shown in Figure 1-5 as the "Easement from DEP for Broadway Housing") for use as a plaza, which Broadway Housing would pave and landscape, to provide access to the primary entrances for the museum, day care and residential spaces of the Proposed Development, and the existing NYCDEP uses would be relocated to the proposed NYCDEP easement area as described below. In exchange, as shown in Figure 1-5 as the "Easement from Broadway Housing for DEP Use," the roughly rectangular, 4,321 square foot southern portion of the Proposed Development Site would be the subject of an easement from BHC to NYCDEP for vehicle parking and storage and for emergency staging. BHC would pave this area and construct a curb cut leading to it in connection with the construction of the Proposed Development. In both instances, the easements would be surface easements and would exclude the below grade volumes that encompass the Old Croton Aqueduct on the NYCDEP Site and the future garage on the Proposed Development Site. Other than as described above, permanent above-grade construction would not be permitted on either easement.

The proposed access easement for NYCDEP would not result in any increase in traffic, as this easement would not alter the operation of the existing NYCDEP facility. NYCDEP would benefit from the use of the proposed NYCDEP easement, which is more conveniently located to the building on the NYCDEP site, which would provide an automobile egress to the NYCDEP site from St. Nicholas Avenue, and which would fulfill NYCDEP's need for vehicle storage and parking as well as emergency staging. In connection with the City's acquisition of the proposed NYCDEP easement, NYCDEP will request a Mayoral zoning override to permit NYCDEP vehicle parking, storage and emergency staging uses on the proposed NYCDEP easement area, which will be located in the R8A zoning district.

Funding/Financing

The Proposed Action includes financing from the NYC Department of Housing Preservation and Development (NYCHPD) for the residential component of the Proposed Development. NYCHPD, which will be the lead financing agency, has issued a commitment for an $8.7 million loan through their Low Income Rental Program, which is funded primarily with HOME funds from the U.S. Department of Housing and Urban Development (HUD). In addition, an allocation of federal Low Income Housing Tax Credits expected to yield $24.9 million is anticipated to be made by NYCHPD in September 2010.

In addition, State funding is also being sought for the subsidized housing, day care center and/or children's museum. At this time, State funding is expected to include approximately $3.9 million in

NYS Low Income Housing Tax Credits allocated by the NYC Division of Housing Community Renewal (DHCR), as well as approximately $3.0 million in funding from the NYS Office of Temporary Disability Assistance under their Homeless Assistance Program.

Restrictive Declaration and (E) Designation

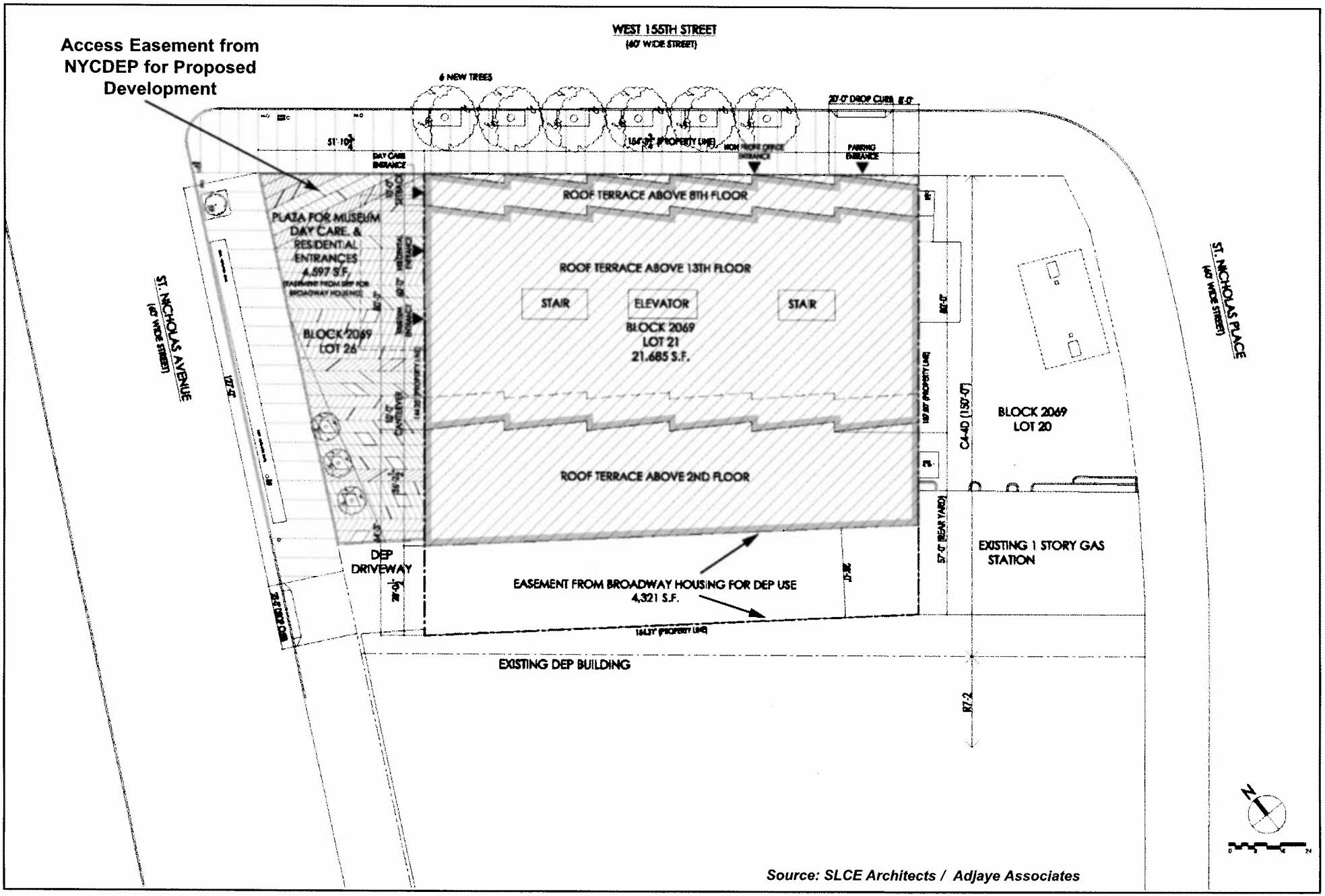
As described in greater detail in Chapter 8, "Hazardous Materials," due to the potential presence of hazardous materials at the Proposed Development Site (which is owned by the applicant), a restrictive declaration would be prepared and executed to require the preparation of a hazardous materials sampling protocol, including a health and safety plan, which would be submitted to the NYCDEP for approval. The restrictive declaration would establish an agreement to test and identify any potential hazardous materials pursuant to the approved sampling protocol and, if any such hazardous materials are found, submit a hazardous material remediation plan including a health and safety plan to NYCDEP for approval. If necessary, remediation measures would be undertaken pursuant to a NYCDEP-approved remediation plan prior to construction of the Proposed Development. The applicant would also commit to a site specific Health and Safety Plan on the portion of Lot 26 to be used as the entrance plaza in the Reciprocal Easement Agreement with the City.

As also described in greater detail in Chapter 10, "Noise," the Proposed Action includes the mapping of an (E) designation for noise attenuation on the Proposed Development Site. The (E) designation is a mechanism which ensures that no significant adverse impacts would result from a proposed action because of steps which would be undertaken prior to the development of a rezoned site. The (E) designation would ensure that the Proposed Development Site would not be developed unless necessary remedial measures are implemented. Only one site (the Proposed Development Site) would receive (E) designations under the proposed rezoning.

E. REASONABLE WORST CASE DEVELOPMENT SCENARIO

In order to assess the potential effects of the Proposed Action, a reasonable worst-case development scenario (RWCDS) for both "future No-Action" (No-Build) and "future with the Proposed Action" (Build) conditions will be analyzed for an analysis year, or Build year, of 2012. Only one site (Lot 21) would be affected in its entirety by the proposed rezoning, and that site is owned by the applicant, who intends for the site to be redeveloped and fully occupied by 2012. Therefore, 2012 is the Build year for environmental analysis purposes. As such, a RWCDS for both "future No-Action" and "future With-Action" conditions will be analyzed for an analysis year of 2012.

The future With-Action (Build) scenario identifies the amount, type and location of development that is expected to occur by the end of 2012 as a result of the Proposed Action. The future without the action (No-Build) scenario identifies similar development projections for 2012 absent the Proposed Action. The effect of the Proposed Action would be the incremental change in conditions between the No-Build and Build scenarios.



Source: SLCE Architects / Adjaye Associates

Sugar Hill Rezoning EIS

Figure 1-5

Preliminary Site Plan for Proposed Development - Illustrating Reciprocal Easements

Apart from the applicant-owned Proposed Development Site, the proposed rezoning area includes portions of two other tax lots (Lots 26 and 14) and a small 12 sf lot. Table 1-3 lists each of the four lots on Block 2069 that would be affected by the proposed rezoning action, including the Proposed Development Site. For each lot, the table provides a brief description of the existing use and development on the lot, the approximate lot area, the existing FAR, and the percent of the lot's maximum allowable floor area under the proposed R8A zoning. As shown in Table 1-3, apart from the Proposed Development Site, none of the other parcels are likely to be redeveloped as a result of the proposed zoning change. Lot 14 was eliminated from further consideration because it would be built to 92% of its allowable floor area with the proposed rezoning, it includes more than 6 rent stabilized residential units, and falls within the NYCLPC-designated Hamilton Heights/Sugar Hill Northeast Historic District. Lot 26 is a City-owned parcel that is occupied by a public facility (a NYC Department of Environmental Protection leak detection facility) and is also located above the Old Croton Aqueduct, and is therefore unlikely to be redeveloped as a result of the Proposed Action. Finally, Lot 28 is a very small parcel consisting of 12 sf, which cannot be feasibly developed.

The Future Without the Proposed Action (No-Action Condition)

In the absence of the Proposed Action, the rezoning area would continue to be zoned C8-3 and R7-2. None of the properties within the proposed rezoning area would be expected to be redeveloped, and the existing land uses would remain. The Proposed Development Site would continue to be occupied by a public parking garage (Lot 21). Therefore, for CEQR analysis purposes, the No-Action condition would be identical to the existing conditions.

The Future With the Proposed Action (With-Action Condition)

In the future with the Proposed Action, the rezoning area would be rezoned from C8-3 and R7-2 to R8A. The new land uses that are expected to result from the Proposed Action would represent a continuation of general land use trends in a manner compatible with surrounding land uses. The Proposed Action would allow for the construction of residential development that is consistent with the built character of the area. New development that is projected to result from the Proposed Action would occur on an underutilized site, namely the Proposed Development Site. As discussed above, apart from the Proposed Development Site, no other lots are expected to be developed as a result of the Proposed Action. Therefore, the Proposed Development as described below is the only incremental development expected as a result of the Proposed Action, and represents the reasonable worst case development scenario for analysis purposes. Planned development on the Proposed Development Site is described below.

Proposed Development Site

The Proposed Action would facilitate construction of an approximately 169,333 gsf 13-story mixed-use building (140,934 zsf, excluding parking and mechanical deductions) on the Proposed Development Site. The existing garage structure currently on the site would be demolished to allow construction of the new building. The proposed new building would include approximately 121,683 gsf (114,878 zsf) of residential floor area, with approximately 124 residential rental units.

TABLE 1-3
Lots within the Proposed Rezoning Area and their Existing FAR and Percent of Proposed R8A Floor Area

Block	Lot	Lot Area (sf)	Owner	Existing Use	# of Stories	Approx. Building FA [1]	Existing Zoning	Proposed Zoning	Max. Allowable FAR [R/C/CF] [1]		Existing Built FAR	% of Maximum FA with Proposed R8A Zoning [1]
									Existing	Proposed		
2069	p/o 14	5,768	79 S N Ltd	Residential	6	23,256	R7-2	R7-2 & R8A	3.44/---/6.5	3.75/---/6.5 [2]	4.03	107.5% [R]
	21	***21,685***	***Broadway Housing Development Fund Co.***	***Parking***	***2***	***65,070***	***C8-3 & R7-2***	***R8A***	***0.89/1.48/6.5*** [2]	***6.02/---/6.5***	***3***	***46% [CF]***
	p/o 26	20,500	NYC Dept. of Environmental Protection	Parking and Utility	2	16,779	C8-3 & R7-2	R7-2 & R8A	2.51/0.54/6.5 [2]	4.58/---/6.5 [2]	0.82	12.6% [CF]
	28	12	Leemilts Petroleum Inc	Vacant	N.A.	0	C8-3	R8A	---/2.0/6.5	6.02/---/6.5	0.00	N.A.

Notes:

Highlighted bold, italicized text indicates the Proposed Development Site under the control of the applicant.

[1] FA: Floor area. R/C/CF: Residential/Commercial/Community Facility.

[2] Pursuant to ZR Section 77-22, the maximum FAR of the zoning district shall be applied to each portion of the zoning lot within the respective district, and the sum of the product shall be the adjusted maximum FAR applicable to the zoning lot. The following breakdowns were applied:

Lot 14: Existing Condition: 100% of lot in R7-2 district; With Proposed Rezoning: 88% in R7-2 and 12% in R8A

Lot 21: Existing Condition: 74% of lot in C8-3 district and 26% in R7-2; With Proposed Rezoning: 100% in R8A

Lot 26: Existing Condition: 27% of lot in C8-3 district and 73% in R7-2; With Proposed Rezoning: 56% in R7-2 and 44% in R8A

All 124 units would be affordable to individuals or households earning up to 80% of the Area Median Income (AMI). Although the specific unit mix has not been determined at this time, it is expected that there would be a mix of studios, one-, two-, and three-bedroom units. The proposed development would also include an approximately 18,036 sf Faith Ringgold Children's Museum of Art and Storytelling; a 12,196 sf day care facility and early childhood center; 2,350 sf of non-profit program and office space; and a 114-space below-grade accessory parking garage. The new development is scheduled to be completed by late 2012.

The site's gradient/slope along West 155th Street will be used to create separate access points for the Proposed Development's users, with a separate entrance for residents and children at the St. Nicholas Avenue level, a mid-block entrance for the museum, also off of St. Nicholas Avenue, and an entrance for the proposed garage at the lowest level of the Proposed Development, along West 155th Street (refer to site plan in Figure 1-5). As discussed above and illustrated in Figure 1-5, the Proposed Action includes the acquisition of an access easement on the northern triangular portion of adjacent Lot 26 (which is owned by the City). This easement area would be converted into an entry plaza for the Proposed Development, with entrances for the museum, day care and residential components. In return, the applicant would provide an access easement to NYCDEP along the southern 28 feet of the Proposed Development Site, which would be utilized for parking and vehicular access to NYCDEP's building.

As shown in the illustrative building section in Figure 1-6, the Proposed Development would consist of 13 stories plus one cellar, with a height of approximately 120 feet from the average curb level to the roof line. As shown in the figure, the preliminary design of the Proposed Development includes a setback at approximately 76 feet, with the upper portion of the building sliding back from the base with a 10-foot cantilever. The cellar level would be occupied mostly by the accessory parking garage, which would accommodate up to 114 spaces utilizing stackers. The first floor would be occupied mostly by the museum, as well as the non-profit office space and the lobbies for the residential and day care uses. As shown in Figure 1-6, residential uses would occupy the third through thirteenth floors. The Proposed Development would be developed in accordance with the Quality Housing regulations, which are mandatory in the proposed R8A zoning district. Quality Housing buildings must include amenities relating to the planting of trees, landscaping and recreational space. The Proposed Development fulfills this requirement by providing a total of approximately 8,026 sf of accessory recreation space, which consists of roof terraces above the second, eight and thirteenth floors of the building (refer to illustrative building section in Figure 1-6). An illustrative rendering of the Proposed Development is provided in Figure 1-7.

The Proposed Development would increase community use, historic connection, and public access on the site. Given the location of the Faith Ringgold Children's Museum of Art & Storytelling at the ground level of the Proposed Development, it is expected that historic photographs and art work would be visible to passers-by at the museum's first floor entrance and would provide substantive historic experiences within the museum. Moreover, the proposed landscaped entry plaza on St. Nicholas Avenue would be a publicly accessible community resource that highlights the presence of the Old Croton Aqueduct underneath that lot (Lot 26). The entry plaza is expected to draw attention to the path of the Old Croton Aqueduct, one of the great engineering feats of the 19th century. Although the plans for the plaza have not yet been finalized, it is expected that the entry plaza would be landscaped, and may include a linear configuration of concrete pavers to locate the Aqueduct, distinguishing it from the surrounding paved open space.

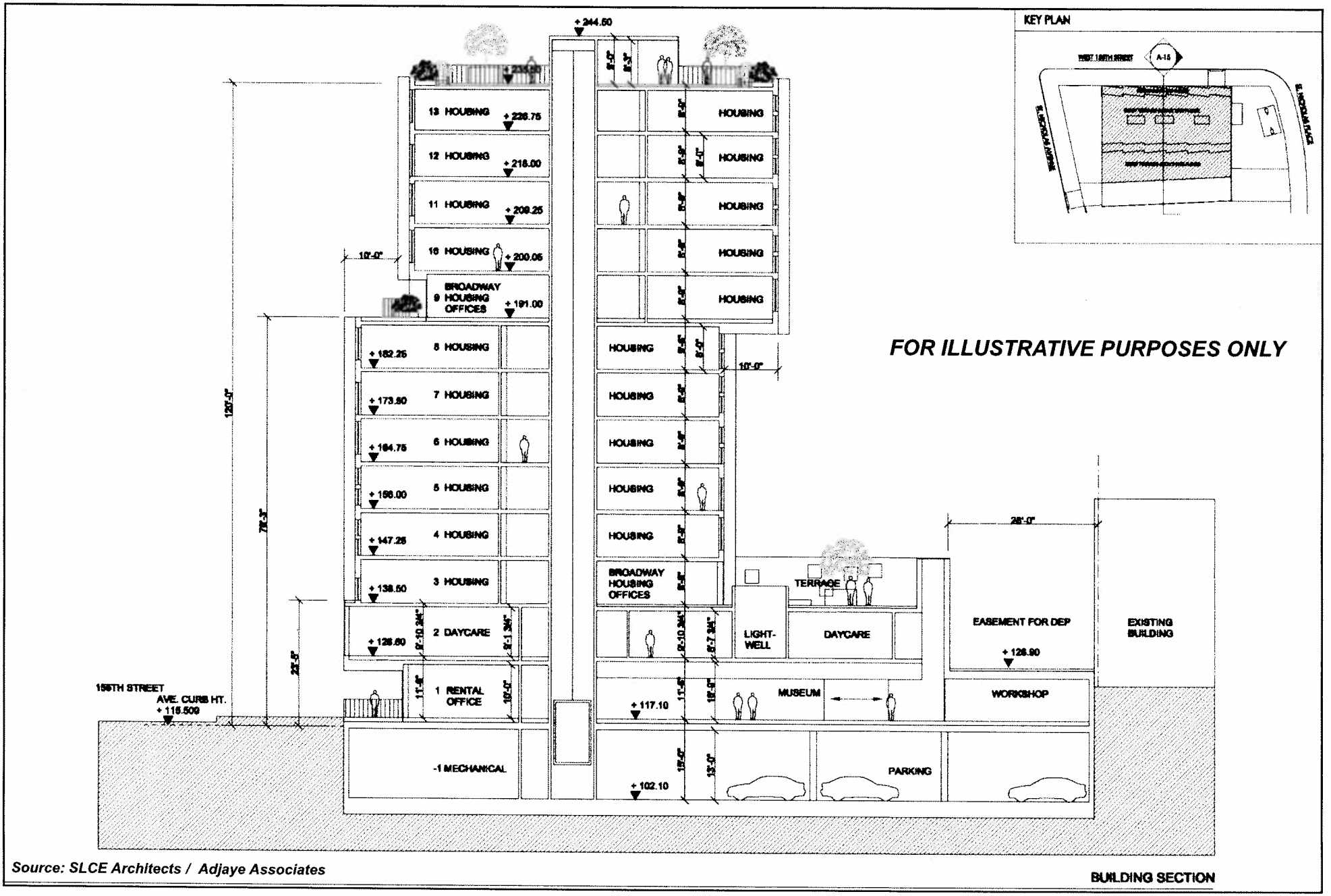
The proposed R8A zoning district requires accessory parking spaces for 12% of the proposed residential units, whereas no accessory parking is required for community facility or museum uses. Therefore, the Proposed Development requires approximately 15 parking spaces. The proposed 114-space accessory garage would serve the Proposed Development's residents, employees and visitors. In addition, as the Proposed Development would displace a 300-space public parking garage, any unutilized spaces in the proposed accessory garage may be rented to area residents on a monthly basis, as permitted by Zoning Resolution section 25-412.

As noted above, the 124 residential units within the Proposed Development are anticipated to serve 51 single adults and 73 families. 2000 Census data for Manhattan Community District 9, where the Proposed Development Site is located, indicate that the average household size for this area is approximately 2.54 persons per household. Conservatively applying this average to the 124 units, the Proposed Development would add a total of approximately 315 new residents to the area. In addition, the Proposed Development would also add a total of approximately 74 employees (33 day care employees, an estimated 24 museum employees, 9 non-profit office employees, up to 3 parking attendants, and an estimated 5 employees associated with the residential component, i.e., maintenance workers, etc..[1]

In the event that the proposed rezoning is approved but the planned funding for the Proposed Development does not materialize, the Proposed Development described above would not be constructed. In addition, as the acquisition and disposition of City-owned property described above is contingent upon the construction of the Proposed Development planned by BHC, this easement exchange would also not take effect in absence of the Proposed Development. Thus, for environmental analysis purposes, under the proposed zoning it can be assumed that instead of the Proposed Development described above, the development site may be developed with an as-of-right market-rate residential building with ground floor community facility uses, and an accessory garage. Without the easement exchange, such an as-of-right development will be accessible only from West 155th Street. Given the maximum allowable FAR and height limits for R8A districts, such an as-of-right development would be similar in height and bulk to the Proposed Development, and would also contain a similar number of units (or a smaller number of units, if unit sizes are larger), with no museum or day care uses.

With a lot area of 21,685 sf and a maximum allowable FAR of 6.02 for residential uses and 6.5 for community facility or mixed uses, up to approximately 140,953 zsf can be developed on the site on an as-of-right basis under the proposed R8A zoning. Assuming 21,685 sf (one floor) of community facility uses, the site could accommodate up 119,268 sf of residential use, or approximately 119 market rate residential units (based on 1,000 sf per unit). Such a market-rate development would require approximately 24 accessory parking spaces (at 0.2 spaces per unit), which is slightly higher than the requirement for the Proposed Development. However, as the garage capacity would be the same under either scenario, this would not affect the results of traffic or parking analysis for the Proposed Development (refer to traffic and parking assessment in EAS dated April 2, 2010). It should also be noted that without the easement exchange, such an as-of-right development would not provide the public plaza along St. Nicholas Avenue planned with the Proposed Development, and as such the open space analysis to be conducted for the Proposed Action conservatively excludes that plaza from the quantitative analysis. Therefore, for environmental analysis purposes,

[1] Based on following assumptions: day care – 1 employee per 3 children; museum – 1 employee per 750 sf; non-profit office – 1 employee per 250 sf; residential – 1 employee per 25 units.



Source: SLCE Architects / Adjaye Associates

BUILDING SECTION



Figure 1-7
Proposed Development - Illustrative Rendering (View from St. Nicholas Avenue Looking Southeast)

the Proposed Development described previously represents the reasonable worst-case development scenario for the EIS, and an analysis of an alternate development scenario is not warranted.

F. PROPOSED ACTIONS AND REQUIRED APPROVALS

The Proposed Development described above would require the following actions:

- Approval of the New York City Planning Commission (CPC) for an amendment to the zoning map to change the rezoning area from C8-3 and R7-2 to R8A.
- Property disposition and acquisition in the form of a reciprocal easement for ingress and egress with NYCDEP and/or the NYC Department of Citywide Administrative Services (DCAS).
- Financing from the NYC Department of Housing Preservation and Development (NYCHPD), the New York State Division of Housing & Community Renewal (DHCR), and the New York State Office of Temporary Disability Assistance for the residential component of the Proposed Development.

The Proposed Action includes some discretionary public actions (such as the proposed rezoning) that are subject to both the Uniform Land Use Review Procedure (ULURP), as well as the City Environmental Quality Review (CEQR). ULURP is a process that allows public review of proposed actions at four levels: the community board, the Borough President, the City Planning Commission, and if applicable, the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of seven months. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

In addition, in order to effectuate the proposed easement exchange, NYCDEP would first need to secure the consent of the New York City Water Board following the appropriate procedures of the Board. The Mayor of the City of New York acting through DCAS would have the authority to effectuate the exchange pursuant to Section 384(a) of the New York City Charter. The City's simultaneous disposition and acquisition of the easements would be subject to ULURP pursuant to Section 384(b)(5) of the Charter, as described above, and a DCAS public hearing process.