DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

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POSITIVE DECLARATION

Project Identification
Sugar Hill Rezoning
CEQR No. 10DCP031M
ULURP Nos. N 100274PPM; N 100275PCM; 100277ZMM
10007SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Sugar Hill Rezoning

The proposal involves an application by Broadway Housing Communities (BHC), for a zoning map amendment from a C8-3 and R7-2 district to an R8A residential zoning district affecting properties (Block 2069, Lots 21 and 28 and p/o Lots 14 and 16) in the Hamilton Heights section of the West Harlem neighborhood in Manhattan, Community District 9. The proposal includes the acquisition and disposition of City-owned property, in the form of an exchange of easements between the applicant, BHC, and the NYC Department of Environmental Protection (DEP) and the NYC Department of Citywide Administrative Services (DCAS). Additionally, discretionary financing will be sought by BHC from the NYC Department of Housing Preservation and Development (HPD), New York State Division of Housing and Community Renewal (DHCR) and the New York State Office of Temporary Disability Assistance (OTDA).

The proposal involves an application by Broadway Housing Communities (BHC) for a zoning map amendment from a C8-3 and R7-2 district to an R8A residential zoning district affecting properties (Block 2069, Lots 21 and 28 and p/o Lots 26 and 14) in the Hamilton Heights section of the West Harlem neighborhood in Manhattan, Community District 9. The proposal also includes the acquisition and disposition of City-owned property, in the form of an exchange of easements between the applicant, BHC, and the NYC Department of Environmental Protection (DEP) and the NYC Department of Citywide Administrative Services (DCAS). Additionally, discretionary financing will be sought by BHC from HPD, DHCR and OTDA.

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The proposed actions would facilitate a proposal by BAC to construct an approximately 169,333 square foot 13-story mixed-use building on a property (the project site) located at 404-414 West 155th Street (Block 2069, Lot 21 and p/o 26). The proposed development would include 124 affordable units for individuals earning up to 80% of the Area Median Income (AMI); an approximately 18,036 square foot Faith Ringgold Children's Museum of Art and Storytelling; a 12,196 square foot day care and early childhood center; 2,350 square feet of non-profit program and office space for BHC; and a 114-space below-grade accessory parking garage, which would be demolished to allow construction of the proposed development.

The project site currently contains a two-story 300-space public parking garage with a cellar on an approximately 21,685 square foot lot. The project site is located 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. Block 2069, Lot 26 is currently occupied by a DEP facility and portions of the lot would serve as an easement for the proposed development's entry plaza from St. Nicolas Avenue. The garage for the proposed development would be accessed via a new curb cut located along West 155th Street. The DEP facility's garage access would be made available via the proposed easement, with a new curb cut located along St. Nicholas Avenue. The rezoning area is within the boundaries of both the NYC Landmarks Preservation Commission's (NYCLPC) Hamilton Heights/Sugar Hill Historic District and State/National Register (S/NR) Sugar Hill Historic District. Additionally, the rezoning area contains other tax lots (Block 2069, Lot 28 and p/o Lot 14) on the project site that contain a residential building (p/o Lot 14) and undeveloped land (Lot 28), which would not be developed as a result of the rezoning.

Absent the proposed actions, the existing structure and uses on the project site would remain. For the purposes of the environmental review, the proposed development is considered the reasonable worst case development scenario. It is expected that construction of the proposed development would be completed by late 2012.

Statement of Significant Effect:
On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The action, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.

2. The action, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.

3. The action, as proposed, would result in significant adverse impacts on historic resources in the affected area.

4. The action, as proposed, may result in significant adverse impacts on urban design and visual resources.

5. The action, as proposed, may result in significant adverse impacts related to neighborhood character.

6. The action, as proposed, may result in significant adverse impacts related to hazardous materials.

7. The action, as proposed, may result in significant adverse impacts to air quality.

8. The action, as proposed, may result in significant adverse noise impacts.

9 The action, as proposed, may result in significant adverse construction-related impacts.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Open Space – Changes to the area's open spaces may occur due to increased demand for use of publicly accessible spaces.

2. Shadows – The proposed action would allow an increase in development density and greater building height at the development site. Shadows cast by the proposed building could affect publicly accessible open spaces in the study area.

3. Historic Resources – The proposed action would result in the demolition of a two-story garage located within both the NYC LPC's Hamilton Heights/Sugar Hill Historic District and the S/NR Sugar Hill Historic District and the construction of a new building on the site.

4. Urban Design/Visual Resources – The proposed action could affect architectural historic resources and consequently urban design and visual resources may be affected.

5. Neighborhood Character -The proposed action could affect architectural historic resources and consequently neighborhood character may be affected.

6. Hazardous Materials - The proposed action could result in new construction and in-ground disturbance which, given the historical on-and off-site uses and conditions, has the potential to result in hazardous materials impacts.

7. Air Quality – The proposed action would allow new residential and community facility uses on a site that previously allowed only automotive, commercial or light industrial use and could have the potential to result in mobile and stationary source air quality impacts.

8. Noise – The proposed action would allow new residential and community facility uses on a site that previously allowed only automotive, commercial or light industrial use and could have the potential to result in mobile and stationary source noise impacts.

9. Construction – Potential significant adverse impacts on architectural resources and hazardous materials could also result in construction impacts.

10. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed action will identify and describe any other potential effects on the environment.

Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Tuesday, May 11, 2010 at 1pm at the New York City Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007. Written comments will be accepted by the lead agency until Monday, May 24, 2010.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Justin Jarboe, at (212) 720-3567.

Robert Dobruskin

Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
New York City Department of City Planning

4/6/10
Date