Holland & Knight

31 West 52nd Street | New York, NY 10019 | T 212.513.3200 | F 212.385.9010
Holland & Knight LLP | www.hklaw.com

Marcus Garvey Blvd.
Applicant's Statement of Conditions
Special Permit Pursuant to Section 74-743
November, 2022

12-10
DEFINITIONS

Large-scale general development (2/2/11)

A "large-scale general development" contains one or more #buildings# on a single #zoning lot# or two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection and is not either a #large-scale residential development# or a #large-scale community facility development#; and:

This Application involves the establishment of a large-scale residential development comprised of Block 1629, Lot 1 and 1634, Lot 1 (the "LSGD") that will contain five existing six-story residential buildings, one garage, and two new ten-story buildings between two zoning lots that are located directly across Gates Avenue from one another. The two zoning lots would be contiguous but for their separation by a street.

(a) has or will have an area of at least 1.5 acres;

The LSGD will include 170,000 square feet of lot area, equivalent to approximately 3.9 acres of land.

(b) has been or is to be used, #developed# or #enlarged# as a unit:

The LSGD has been used, and operated as a unit since the time of its development with five similarly constructed fully affordable housing buildings completed around 1972. The Application will continue to ensure that the LSGD be developed as a unit by requiring that all new housing also comply with income restricted guidelines. Accordingly, together with the existing building, the Propose Development results in the Project Area's continued use and development as a unit.

(1) under single fee ownership or alternate ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots#

comprising the #large-scale general development#; or

The LSGD is owned by the Applicant.

(2) under single fee, alternate or separate ownership, either:

(i) pursuant to an urban renewal plan for a designated urban renewal area containing such #zoning lots#; or

(ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation; and

N/A

(c) shall be located in whole or in part in any #Commercial# or #Manufacturing District#, subject to the restrictions of Section 74-743 (Special provisions for bulk modifications), paragraph (a)(1).

The LSGD is currently partially located within a C2-4 district and will be continue to be under the Rezoning included with this Application. Accordingly, the LSGD is partially located within a commercial district.

Such #zoning lots# may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#. In C5 and C6 Districts, however, a #large-scale general development# having a minimum #lot area# of five acres may include a #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #large- scale general development#, provided that such #building# covers less than 15 percent of the #lot area# of the #large-scale general development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

The LSGD includes Buildings 2, 3, 4, 5, and 6, and a total of 335 existing income restricted housing units between these five buildings. The two new primarily residential buildings included in the Proposed Development will expand upon the existing residential character of the LSGD by also including residential floor area provided as 155 new income-restricted housing units. Together, the existing buildings and the Proposed Development will provide a total of 490 total units of preserved and newly constructed income-restricted housing units developed over the course of a fifty-year period, and ultimately as a single unit.

The Proposed Development has been designed to build upon the existing building context within the Project Area and Surrounding Area. The Proposed Development will include two ten-story buildings that will step up from the existing six-story buildings located within the Project Area and which will serve as an anchor to the LSGD along Marcus Garvey Boulevard which is currently missing due to the presence of the existing one-story non-residential buildings at that location. New open space spaces would be constructed adjacent to Buildings A and B to serve residents of the LSGD. And to provide a sense of place, better passage, and buffer to pedestrians along Marcus Garvey Boulevard, each Development Site will provide a five-foot strip of sidewalk widening area with shade trees next to its new open space. Moreover, open areas located between existing buildings throughout the Project Area will be updated to increase the quality of open space for existing and residents of the LSGD.

When completed, the open spaces facilitated throughout the LSGD by the construction of Buildings A and B will provide a sense of integration between buildings in the Project Area that is lacking today. Accordingly, Buildings A and B form an integral part of the existing buildings within the large-scale development.