



IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 705 10th Avenue (Block 1077, Lot 29) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
 - 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;
- to facilitate the development of an eight-story building containing approximately 157 affordable housing units and an open space area, Borough of Manhattan, Community District 4.
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This application for an Urban Development Action Area Program (UDAAP) designation, project approval and disposition of City-owned property was filed by the New York City Department of Housing Preservation and Development (HPD) on November 24, 2021. The UDAAP designation, along with the related actions, would facilitate the construction of an eight-story mixed-use development containing approximately 157 permanently affordable dwelling units along with approximately 6,128 square feet of community facility space and approximately 0.58 acres of publicly accessible open space to be operated by the New York City Department of Parks and Recreation (DPR) at 705 Tenth Avenue in the Clinton/Hell’s Kitchen neighborhood of Manhattan Community District 4.

On June 8th, 2022, the City Planning Commission approved the application for the Lirio (C 220221 (A) ZSM), the proposed development on an MTA-owned site at 806 Ninth Avenue at West 54th Street. The proposed text amendment action (N 220339 ZRM) of this application was the same as that for the Lirio. Subsequently, the text amendment action was withdrawn.

RELATED ACTIONS

In addition to the UDAAP designation, project approval and disposition (C 220340 HAM) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- C 220337 ZSM** Special permit to allow development over a railroad-right-of-way
- C 220338 ZSM** Special permit pursuant to Zoning Resolution Section 96-104 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations
- N 220339 ZRM** Zoning text amendment to allow CPC to modify, by special permit, non-FAR bulk regulations (withdrawn)

BACKGROUND

A full background discussion and description of this application appears in the report for the related special permit (C 220338 ZSM).

ENVIRONMENTAL REVIEW

This application (C 220340 HAM), in conjunction with the applications for the related actions was reviewed pursuant to the New York State Environmental Quality Review Act (SEQR), and the SEQR regulations set forth in Volume 6 of the New York Code of Rules and Regulations (NYCRR), Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 21HPD031M. The lead agency is HPD.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on March 23, 2021.

UNIFORM LAND USE REVIEW

On March 28, 2022, the application (C 220340 HAM), in conjunction with the applications for the related actions (C 220337 ZSM and C 220338 ZSM), was certified as complete by the Department

of City Planning and duly referred to Manhattan Community Board 4 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 220339 ZRM), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Manhattan Community Board 4 held public hearings on this application and the related actions on June 1, 2022. On June 1, 2022, by a vote of 38 in favor, three opposed, and five abstaining, Manhattan Community Board 4 adopted a resolution recommending disapproval of the application with conditions. A summary of the Community Board's recommendations appears in the report for the related special permit (C 220338 ZSM).

Borough President Recommendation

The application was considered by the Manhattan Borough President, who, on July 6, 2022, issued a recommendation approving the application with conditions. A summary of the Borough President's recommendations appears in the report for the related special permit (C 220338 ZSM).

City Planning Commission Public Hearing

On July 13, 2022 (Calendar No. 8), the City Planning Commission scheduled July 27, 2022, for a public hearing on this application (C 220340 HAM) and the related applications (C 220337 ZSM and C 220338 ZSM). The hearing was duly held on July 27, 2022 (Calendar No. 23). There were 11 speakers in favor of the application and three in opposition, as described in the report on the related special permit application (C 220338 ZSM), and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of city-owned property (C 220340 HAM), in conjunction with the related applications (C 220337 ZSM and C 220338 ZSM), is appropriate.

A full consideration and analysis of the issues and the reasons for approving the application appears in the report on the related special permit (C 220338 ZSM).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at West 48th and West 49th streets, west of 10th Avenue (Block 1077, part of Lot 29), as an Urban Development Action Area; and

WHEREAS, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

THEREFORE, be it further **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located at West 48th and West 49th streets, west of 10th Avenue (Block 1077, Lot 29), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area;

and the City Planning Commission recommends that the New York City Council find that:

- a) The present status of the area tends to impair or arrest sound development of the municipality;
- b) financial aid, in the form of tax incentives to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law, is necessary to enable the project to be undertaken; and
- c) The project is consistent with the policy and purposes stated in the Section 691 of Article 16 of the General Municipal Law; and

BE IT FURTHER RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration

described in this report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at West 48th and West 49th streets, west of 10th Avenue (Block 1077, Lot 29) in Community District 4, Borough of Manhattan, to a developer selected by the Department of Housing Preservation and Development, is approved (C 220340 HAM).

The above resolution (C 220340 HAM), duly adopted by the City Planning Commission on August 24, 2022 (Calendar No. 9), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

KENNETH J. KNUCKLES, Esq., *Vice-Chairman*

DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH I. DOUEK, RICHARD EADDY, DAVID GOLD, LEAH GOODRIDGE, RASMIA KIRMANI-FRYE, ORLANDO MARÍN, JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*