

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
OFFICE OF DEVELOPMENT

ST. NICHOLAS PARK
URBAN RENEWAL AREA

Manhattan
Community Districts No. 9 and 10

SEVENTH AMENDED URBAN RENEWAL PLAN
December 1991

HISTORY OF PRIOR APPROVALS

Original

City Planning Commission (CP No. 20520):	November 20, 1968
Board of Estimate (Cal. #2):	December 19, 1968

Amendments

First

City Planning Commission (CP No. 20867):	September 10, 1969
Board of Estimate (Cal. #37):	October 23, 1969

Second

City Planning Commission (CP No. 1072):	March 18, 1970
Board of Estimate (Cal. #5):	April 16, 1970

Third

City Planning Commission (CP No. 21279):	September 9, 1970
Board of Estimate (Cal. #11):	October 8, 1970

Fourth

City Planning Commission (CP No. 21892):	April 26, 1972
Board of Estimate (Cal. #6):	May 25, 1972

Fifth

City Planning Commission (CP No. 22251):	March 14, 1973
Board of Estimate (Cal. #4):	April 12, 1973

Sixth

City Planning Commission (CP No. 22369):	June 27, 1973
Board of Estimate (Cal. #8):	April 16, 1973
1st Minor Change (C770356):	November 9, 1977
2nd Minor Change (N820637):	April 26, 1982
3rd Minor Change (N840061):	August 15, 1983

Seventh (December 1991):

City Planning Commission (CP No.):
City Council:
Mayor:

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A: URBAN RENEWAL AREA

1. BOUNDARY

The St. Nicholas Park Urban Renewal Area ("Area") is located in Community District Nos. 9 and 10, in the borough of Manhattan. Area I is generally bounded by (i) 145th Street on the north, (ii) Adam Clayton Powell Boulevard on the east, (iii) 127th Street on the south, and (iv) St Nicholas Avenue on the west. The boundary of the Area is described in Exhibit A ("Project Boundary Description") and is shown on Map 1, dated December, 1991 ("Project Boundary Map"). The Project Boundary Map also shows all thoroughfares and street rights-of-way. The major streets include: 135th Street 145th Street, Amsterdam Avenue, St. Nicholas Avenue, Frederick Douglass Boulevard, and Adam Clayton Powell, Jr.

Those properties in the Area which have been or will be acquired by the City of New York ("City") pursuant to this Urban Renewal Plan ("Plan") are indicated on the Project Boundary Map and are listed in Exhibit B ("Properties Acquired And to be Acquired").

2. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to Article XV ("Urban Renewal Law") of the General Municipal Law of the State of New York ("State"). The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity:

- a. Vacant, substandard, and/or deteriorating buildings with high levels of code violations.
- b. Safety hazards due to the presence of obsolescent and vacant buildings.
- c. Vacant, unfenced, and unsanitary lots.
- d. Obsolete and dilapidated buildings and structures characterized by defective construction, outmoded design, physical deterioration, lack of proper sanitary facilities, and/or inadequate fire or safety protection.

A: URBAN RENEWAL AREA (continued)

- e. Illegal uses and conversions.
- f. Inadequate maintenance.
- g. Abandoned or underutilized properties.

B: URBAN RENEWAL PLAN

1. LEGAL AUTHORITY

This Plan is issued by the City, acting by and through its Department of Housing Preservation and Development ("HPD"), pursuant to the Urban Renewal Law. All properties to be acquired in accordance with this Plan will be acquired pursuant to the Urban Renewal Law in accordance with the State's Eminent Domain Procedure Law.

2. STATEMENT OF COMPLIANCE

This Plan complies with Section 502(7) of the Urban Renewal Law, as more particularly set forth in the statement below:

a. Proposed Land Uses

See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures

See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights

Not applicable.

B. URBAN RENEWAL PLAN (continued)

d. Proposed Methods Or Techniques Of Urban Renewal

See Section D.

e. Proposed Public, Semi-Public, Private Or Community Facilities Or Utilities

No significant adjustments or improvements in utilities or community facilities are contemplated, except as set forth in Section D.

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan

No changes are proposed.

g. Proposed Program Of Code Enforcement

See Section D.5.

h. Proposed Time Schedule For Effectuation Of Plan

<u>Project Activity</u>	<u>Estimated Commencement Date</u>	<u>Estimated Completion Date</u>
Land Acquisition	June 1969	Jan. 1993
Relocation of Site Occupants	Aug. 1969	July 1993
Demolition and Site Clearance	June 1971	Sept. 1993
Site Preparation (Including Installation of Site Improvements)	Nov. 1971	Jan. 1994
Land Disposition	Nov. 1971	Jan. 1994
Project Completion		July 1995

B. URBAN RENEWAL PLAN (continued)

3. OBJECTIVES

This Plan seeks to:

- a. Eliminate blight and maximize appropriate land use;
- b. Remove substandard and insanitary structures;
- c. Remove impediments to land assemblage and orderly development;
- d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area;
- e. Provide new and/or rehabilitated low, moderate, and/or middle income housing exhibiting good design in terms of privacy, light, air, and open space;
- f. Provide convenient community facilities, parks and recreational uses, retail shopping, public parking, and private parking.
- g. Redevelop the Area in a comprehensive manner, removing blight and restoring the residential character of the Area, with appropriate support facilities.
- h. Encourage the upgrading of housing quality in the immediate vicinity.
- I. Facilitate economic development in the area by fostering the growth of tourism and entertainment establishments along 135th Street.

Following the completion of construction, the projected redevelopment and the surrounding area will have reasonable protection from decay, will constitute a stable environment, and will have a beneficial influence on abutting public and private developments.

C: LAND USE CONTROLS

1. LAND USE PLAN

The projected land uses in the Area are set forth in Map 2, dated December, 1991 ("Land Use Plan").

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

The meaning of the technical terms used in this Plan to establish controls on development (including, but not limited to, permitted uses, limits on building bulk, and required off-street parking and loading) will be as defined in the Comprehensive Amendment to the Zoning Resolution of the City, as published in the City Record on November 10, 1960 and approved by resolution of the City's Board of Estimate on December 15, 1960, as amended ("Zoning Resolution").

The zoning of the Area will be as set forth in the Zoning Resolution. The proposed amendments to the Zoning Map set forth in Section D.6 will have no force or effect until they are approved pursuant to Sections 200 and 197-c of the City's Charter ("Charter") and become a part of the Zoning Resolution. The predominant zoning of the Area at present is residential (R-7). With respect to any property acquired or to be acquired in accordance with this Plan, in any case in which a specific control of the Plan conflicts with a provision of the Zoning Resolution, the Zoning Resolution will govern until acquisition and the more restrictive of the two will govern after acquisition.

a. Permitted Land Uses

As shown in the Land Use Plan, the following uses will be permitted in the Area in accordance with the additional regulations, controls, and restrictions set forth in this Plan, and all other uses will be excluded:

(1) Residential

Residential uses, including appurtenant commercial, community facility, recreational and park uses, shall be permitted in accordance with the Zoning Resolution. Appurtenant community facilities and recreational uses are those which are appropriate in residential areas and include such uses as medical offices, health centers, limited recreational facilities, day care centers and uses of a similar nature. New and rehabilitated residential uses will be to serve families of low and moderate incomes as determined by the New York City Department of Housing Preservation and Development.

(2) Commercial

Appropriate retailing and service establishments shall be permitted in accordance with the Zoning Resolution. No individual commercial unit shall exceed 10,000 square feet.

C: LAND USE CONTROLS (continued)

(3) Community Facility

Appropriate Community Facilities shall be permitted in accordance with the Zoning Resolution. Such permitted public and semi-public uses shall include but not be limited to schools, libraries, community centers, hospitals, medical facilities and cultural centers.

(4) Public Open Space

Public Open Space, including playgrounds, landscape sitting area, and park land shall be permitted in accordance with the Zoning Resolution.

b. Additional Regulations, Controls, and Restrictions

(1) Building Bulk and Parking

Building bulk (including, but not limited to, zoning rooms, lot coverage, floor area, open space, height and setback requirements) and parking requirements will be as required by the Zoning Resolution, except as is more restrictively set forth below. Proposals by redevelopers will be subject to the review and approval of HPD as set forth in Section E.

(a) Height

New residential buildings will be limited to 60 feet in height.

(b) Supplementary Controls On Specific Sites

None.

C: LAND USE CONTROLS (continued)

(2) Urban Design Objectives

It is the intent of this Plan that, to the extent deemed feasible by HPD, (i) the Area should be developed in a manner compatible with or beneficial to the surrounding residential area, (ii) new construction should be designed to relate to the surrounding community, (iii) the project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern, (iv) low rise buildings should be preferred for family occupancy, (v) low to medium rise buildings should be preferred for adult and elderly occupancy, and (vi) in areas with exceptionally strong or uniform street character, new construction should enforce the existing urban pattern and there should be minimal initial setbacks from front and side lot lines. (vii) streetscaping and other design techniques that preserve, enhance or foster cultural and historical preservation shall be encouraged.

(3) Underground Utility Lines

Any existing overhead telephone and electrical lines in the Area will be removed and relocated underground and all new or additional telephone and electrical lines will be placed underground, unless HPD determines that such placement underground either is not necessary or is not feasible.

c. Environmental Review

All projects for the redevelopment of the Area are subject to the requirements of Article 8 ("SEQRA") of the State's Environmental Conservation Law. SEQRA is implemented in the City by Executive Order 91 of 1977, the City Environmental Quality Review ("CEQR").

Any project for the redevelopment of the Area which requires a future discretionary act (including, but not limited to, the decision to provide funding) by the United States ("Federal") government will also be subject to the requirements of the National Environmental Policy Act at 42 U.S.C. 4321 ("NEPA"). NEPA is implemented through (i) regulations at 40 CFR 1500-1508 governing all Federal projects, (ii) supplementary regulations at 24 CFR 50 governing projects funded by the Federal Department of Housing and Urban Development ("HUD"), and (iii) supplementary regulations at 24 CFR 58 governing projects using Federal Community Development Block Grant, Rental Rehabilitation, or Housing Development Grant funds. The Federal environmental review process must consider, where applicable, criteria, standards, policies, and regulations concerning noise impact, historic properties, flood plains, wetlands, coastal zones, air quality, water quality, wildlife, endangered species, and solid waste.

D: RENEWAL ACTIONS

1. ACQUISITION

a. Properties Acquired or to be Acquired Pursuant To This Plan

Those properties in the Area which have been or are to be acquired by the City pursuant to this Plan are listed in Exhibit B and are shown on Map 1.

The properties comprising the sites numbered 1 to 11, as identified on the Land Use Plan, have been acquired with Federal and State assistance. All properties acquired with Federal and State assistance will be subject to (i) HUD approval of the redeveloper, (ii) the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601), as amended ("Uniform Relocation Act"), and (iii) State disposition requirements. However, such properties will not be subject to NEPA unless their redevelopment involves a future discretionary act of the Federal government. All other properties, as identified on the Land Use Plan, have been or will be acquired with City funds, without Federal or State assistance.

b. Properties Acquired Through Other Means

Those properties in the Area which have been or are acquired by the City through authority other than that set forth in this Plan will nevertheless be developed in accordance with this Plan, unless HPD determines that an alternative use is appropriate.

2. RELOCATION

Relocation of residential and commercial residents is anticipated.

- a. HPD will relocate site occupants in compliance with all applicable laws and regulations, including, but not limited to, Section 505 (4)(e) of the Urban Renewal Law. Occupants of sites acquired or to be redeveloped with Federal funding, if any, will alternatively receive benefits and services pursuant to the Uniform Relocation Act.

D. RENEWAL ACTIONS (continued)

- b. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

3. DEMOLITION AND/OR REHABILITATION

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation in accordance with the objectives and requirements of this Plan. Sites designated for rehabilitation only are: Sites 14 and 15.

4. LAND DISPOSITION

Properties acquired will be disposed of for redevelopment in accordance with this Plan, including the provisions set forth in Section E.

5. CODE ENFORCEMENT

Throughout the Area, there will be a continuous program of enforcement of applicable existing laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction. All properties will be required to meet at least the minimum standards contained in all applicable laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction.

6. ZONING MAP AMENDMENTS

A Zoning Map Amendment is necessary to implement the land use and redevelopment proposals of this Plan. Such rezoning will be undertaken pursuant to Sections 200 and 197-c of the Charter. The rezoning to be undertaken is as follows:

A C1-4 commercial zone shall be overlaid on Block 1959, having a width of 100 feet from the southerly line of 135th Street starting 100 feet from their westerly line of Frederick Douglass Boulevard, going until the easterly line of St. Nicholas Avenue.

D: RENEWAL ACTIONS (continued)

7. STREET MODIFICATIONS

To meet the objectives of this Plan, streets within the Area may be mapped, demapped, or modified to improve or limit access of vehicular traffic in order to enhance pedestrian and vehicular circulation and site development. All street modifications, including, but not limited to, closings and openings of new streets, will take into consideration the objectives of this Plan and the policies and requirements of City agencies and public utility companies. Such remapping of streets will be contingent upon the approval of all governmental agencies involved and will be undertaken pursuant to Sections 202 and 197-c of the Charter.

Street modifications already undertaken pursuant to this plan are:

- ° Demapping of 130th Street, between Frederick Douglass Boulevard and St. Nicholas Avenue;
- ° Demapping of 131st Street between Frederick Douglass Boulevard and St. Nicholas Avenue;

There are no new street modifications proposed.

8. UTILITIES

Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply will be provided in accordance with the requirements of the City's Department of Environmental Protection ("DEP"). Sanitary and storm sewers will conform to the requirements contained in the "Rules and Regulations Governing the Construction of Private Sewers and Drains" of DEP's Bureau of Sewers.

9. PUBLIC, SEMI-PUBLIC, AND PRIVATE COMMUNITY FACILITIES

The predominant land use of the Area will be residential. However, land or space may be made available for public or non-profit institutions providing community services. In addition, some new housing may have incorporated within it private community facilities for the use of residents. The Area is well served by existing parks, schools, and shopping facilities.

E: REDEVELOPER OBLIGATIONS

1. RECORDABLE AGREEMENTS

The requirements of this Plan will be implemented, wherever applicable, by appropriate covenants or other provisions in the disposition instruments.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

No covenant, lease, agreement, conveyance, or other instrument will be effected or executed by the City or by a redeveloper or any of its successors or assigns, whereby land in the Area is restricted upon the basis of race, creed, color, gender, national origin, sexual orientation, or affectional preference. Appropriate covenants running with the land, which will prohibit any such restrictions, will be included in the disposition instruments.

5. DESIGN REVIEW

Prior to commencement of construction, each redeveloper will be required to submit site plans, landscape plans, architectural drawings, outline specifications, and schedules of materials and finishes for the construction of improvements on the land, all in sufficient detail to permit determination of compliance with the intent and controls of this Plan and the design and character of proposed construction, for the review and approval of HPD. Each redeveloper will submit any material change thereafter proposed for the review and approval of HPD prior to commencement of construction of such change. Final working drawings will be submitted before construction begins.

E: REDEVELOPER OBLIGATIONS (continued)

6. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. COOPERATION WITH HPD

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project, including, but not limited to, the Application for Sponsorship (Form Dev-2A and Form DEV-2B Disclosure Statements), Project Summary or Plan and Project, and the Land Disposition Agreement.

8. COOPERATION WITH OTHER CITY AGENCIES

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. CERTIFICATE OF COMPLETION

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

F: MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to Section 505 of the Urban Renewal Law and Section 197-c of the Charter.

2. MINOR CHANGES

Where literal enforcement of the restrictions set forth in this Plan would result in unnecessary hardship, would involve practical difficulties, or would constitute an unreasonable limitation beyond the intent and purpose of this Plan, HPD may authorize such minor changes of the terms of these restrictions as conform with the intent and purpose of this Plan; provided, however, that (i) no variations or modifications will be less restrictive than applicable Federal, State, and City laws, codes, ordinances, and regulations, and (ii) concurrence is obtained from the City Planning Commission ("CPC").

3. SUBDIVISIONS AND MERGERS

The subdivision or merger of any of the development sites in the Area will be permitted where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of a subdivided development site is marketable and developable in accordance with this Plan and with all applicable laws, codes, ordinances, and regulations. The subdivision or merger of a development site will not require review or approval by CPC, but the Urban Renewal Plan, as modified to indicate such subdivision or merger will be filed with the Department of City Planning for information purposes.

G: DURATION OF LAND USE PLAN

This Plan will remain in effect for a period of forty (40) years from the date of the original approval of this Plan by the City's Board of Estimate, except as provided in Section F.

EXHIBIT A

PROJECT BOUNDARY DESCRIPTION

The boundary of the St. Nicholas Park Urban Renewal Project is described as follows:

Lying within the Borough of Manhattan in the City of New York, New York;

Beginning at the intersection of the northerly line of W. 145th Street with the westerly line of Amsterdam Avenue;

Running thence easterly along the northerly line of W. 145th Street to its point of intersection with the easterly line of Bradhurst Avenue;

Thence southerly along the easterly line of Bradhurst Avenue to its point of intersection with the northerly line of W. 144th Street;

Thence easterly along the northerly line of W. 144th Street to its point of intersection with the westerly line of Frederick Douglass Boulevard;

Thence northerly along the westerly line of Frederick Douglass Boulevard to its point of intersection with the northerly line of W. 145th Street;

Thence easterly along the northerly line of W. 145th Street to its point of intersection with the easterly line of Adam Clayton Powell Jr. Boulevard;

Thence southerly along the easterly line of Adam Clayton Powell Jr. Boulevard to its point of intersection with the southerly line of W. 131st Street;

Thence westerly along the southerly line of W. 131st Street to its point of intersection with the easterly line of Frederick Douglass Boulevard;

Thence southerly along the easterly line of Frederick Douglass Boulevard to its point of intersection with the southerly line of W. 127th Street;

Thence westerly along the southerly line of W. 127th Street to its point of intersection with the westerly line of St. Nicholas Avenue;

Thence northerly along the westerly line of St. Nicholas Avenue to its point of intersection with the southerly line of W. 141st Street;

Thence westerly along the southerly line of W. 141st Street to its point of intersection with the easterly line of Convent Avenue;

Thence southerly along the easterly line of Convent Avenue to its point of intersection with the southerly line of W. 140th Street;

Thence westerly along the southerly line of W. 140th Street to its point of intersection with the westerly line of Amsterdam Avenue;

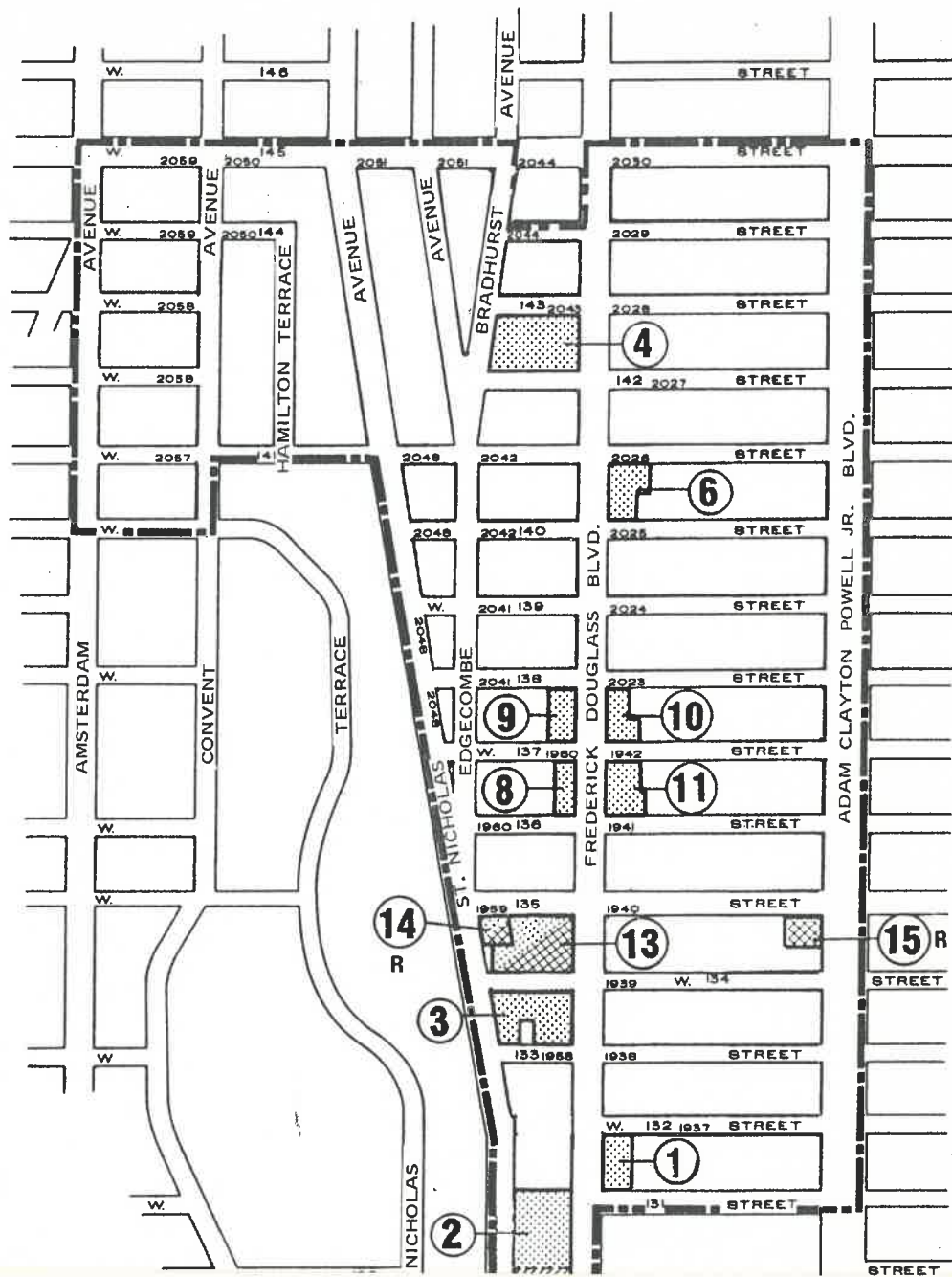
Thence northerly along the westerly line of Amsterdam Avenue to its point of intersection with the northerly line of W. 145th Street, which is the point of place of beginning.

EXHIBIT B

PROPERTIES ACQUIRED AND TO BE ACQUIRED

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
1	1937	1, 2, 3, 4, 61, 63, 64
2	1956	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 62, 63,
3	1959	1, 7, 8, 9, 10, 11, 13, 15, 16, 17, 18, 19, 20 21, 22, 23 24, 25, 26, 27
4	2043	28, 29, 30, 32, 34, 36, 37, 39, 45, 46, 47, 48, 50, 52, 53, 54, 55
6	2026	1, 2, 3, 4, 59, 61, 62 63, 64
7	1955	26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39 40, 41, 42, 45, 46, 47, 48, 49
8	1960	44, 45, 46, 47, 48, 49, 50, 51
9	2041	16, 17, 18, 19, 20, 21, 22, 23
10	2023	1, 2, 3, 4, 5, 61, 62, 63, 64
11	1942	1, 2, 3, 4, 5, 61, 62, 63, 64
13	1959	30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 48, 49, 50, 51, 52, 53
14	1959	54, 56, 58
15	1940	35





FACT SHEET

ST. NICHOLAS URBAN RENEWAL PROJECT

SEVENTH AMENDED PLAN

DECEMBER, 1991

Reason for Amendment

To facilitate the construction of between 115 and 160 new units of housing on Manhattan Block 1959 in conjunction with the Strivers Center development plan, as well as supporting and Strivers-related retail establishments along 135th Street and along Frederick Douglass Boulevard.

Specific Changes

1. Designation of three new development sites in the plan, including Site 13, on block 1959 at the intersection of 135th Street and Frederick Douglass Boulevard, Site 14, on block 1959 along St. Nicholas Avenue, and Site 15, a single parcel on Block 1940 at the intersection of Adam Clayton Powell Jr. Boulevard and 135th Street.
2. Designation of acquisition parcels for the three new development sites.
3. Designation of permitted land-use on Block 1959 as "Residential/Commercial."
4. Removal of the portion of Block 1244 bounded by 144th Street, Frederick Douglass Boulevard, 145th Street and Bradhurst Avenue from the St. Nicholas Park Urban Renewal Area in order that it may be included in the new Bradhurst Urban Renewal Area.
5. Elimination of proposed street closing along 134th Street between Frederick Douglass Boulevard and St. Nicholas Avenue, and proposed street opening of 132nd Street between Frederick Douglass Boulevard and St. Nicholas Avenue.

Other Changes

1. The time schedule for project activities (Subsection B.2.h.) has been updated.
2. The language of the plan has been revised to current standard, including new language in Section F relating to subdivisions and mergers of sites.

Pages Affected

Maps 1 and 2. Entire plan has been retyped on the word processor.

Project Data

	<u>City-owned</u>	<u>Private</u>	<u>Total</u>
Acquisition (parcels)	15	12	27
Relocation - Residential	0	28	28
Non-Residential	1	0	1
Demolition - Residential	1	5	7
Non-Residential	1	0	1

FOR INFORMATION ONLY/NOT PART OF URBAN RENEWAL PLAN