

We are aware that HPD moved to have this application removed from the City Council review process. However, this document is referenced in the other documents and points are made here that are abbreviated in those documents.

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**ADDENDUM OF THE HPC  
ADDRESSING THE LEGAL  
POSTURE, INTER ALIA,  
OF THE BOROUGH  
PRESIDENT USED TO  
SUPPORT HIS  
RECOMMENDATION**

April 6, 2007

Hon. Amanda Burden  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

**Re: Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development**

Dear Madam Chair:

This addendum addresses the legal posture, inter alia, the Borough President uses to support his recommendation of the above ULURP application.

Primarily, Harlem is a community of medium to large families and extended families. There are many of these families that want permanent housing. It is presumptuous to imply that single persons want to remain single and this is what Harlem needs – small homes for single people to buy. (@ 1<sup>st</sup> Paragraph of Borough President's "Comments")

When carefully examining the Borough President's recommendation letter, his underlying motive to want to see small homes built for single people is going to be perceived, at least by the HPC and many other Harlem residents, as wanting small homes built in Harlem to recruit "settlers" (outsiders) into the district, which is part of what's displacing Harlem's indigenous out of Harlem. Whether or not this is actually intentional, we hope to demonstrate in our addendum that the Borough President's actions, by way of his Recommendation Letter, is helping toward that result.

The indigenous Harlem community has a serious problem with this because what's being built in Harlem as of lately does not take them into consideration. The Borough President's perceived motive is incorrect and not in the best interest of the majority of longstanding Harlem residents when, as stated above, many longstanding residents in Harlem would like to be homeowners themselves. The rule should be, take care of who lives in the community first, and not support methods that push these people out, then give away an extra.

Amanda Burden

April 6, 2007

Re: Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development

## **DEVELOPER'S PROPOSAL IS NOT COMPLIANT TO LEED STANDARDS**

Furthermore, the development does not meet standards for LEED Certification (Leadership in Energy and Environmental Design). However, the Borough President feels that the proposed "green" elements offered by the developer, though small, are important steps toward building sustainable neighborhoods. (@ 2<sup>nd</sup> Paragraph of Borough President's "Comments")

However, neither legally nor logically is there anything to prevent the City from requiring developers to build neighborhoods consistent with the Harlem community, which is more LEED compliant than what's being allowed as of recent. We must stop this, not regress backwards.

**(Originally we addressed the LEED issue from a landscape perspective because we believe that the natural benefit of plant life was considered in the building of homes in the past throughout Harlem, thus providing a natural approach to Leadership in Environmental Design. Without going into the energy aspect too much, many buildings were built to have skylights or large pain windows. This was a way of using natural energy for heat and so forth. That has changed and it seems that building after building is being built without factoring the use of plant life or natural energy. Certainly, there is no reason that our Harlem landscape and previous designs should deviate from what was standard in Harlem if these developers and architects are truly skilled in their professions. But to allow them to escape from other LEED requirements to the degree that they would be considered non LEED compliant should not be tolerated in our opinion.)**

The Harlem building landscape should not be made to look like other Manhattan areas that have a lesser "greener" landscape than what's traditional in Harlem. The Harlem Community more so than its representatives should be able to demand from developers what's in Harlem residents' best interest and such representatives should serve the will of the people, especially the majority.

Developers want the opportunity to build, more now than ever before. Here, Community Board 10 felt that this developer, without offering the community anything worthwhile – in the affordability department, just wanted to build a "prison like" building that if he were allowed to build it at the proposed site would create a precedent for other developers to do the same, when it comes to building from the ground up in that neighborhood. If the greater Harlem community (of course we can only speak for the CB 10 district in this immediate process) retains control of Harlem's traditional look, this

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development**

uncompromising stand would not deter the right developer from coming to Harlem to develop. But we cannot just jump at each and every developer that comes along for the sake of trying to re-build Harlem quickly; otherwise the wrong message is going to be sent and the wrong result will happen.

What the City should do is what is right for the community and develop strong incentives to encourage sustainable building designs with LEED standards.

### **THE AFFORDABILITY QUESTION**

The Borough President also states that the Community Board in its recommendation letter expressed the desire for the project to include units that would be affordable for families earning \$40,000. The only rationale for this statement as we can see it is to suggest that \$40,000 is not that much different than \$56,000 or less, the latter being the approximated yearly income a family of four would have to earn to qualify for the 7 "affordable" units, which is what the developer is willing to offer in exchange of getting free land or other unknown incentive in the Harlem Community. However, at the CB 10 level it never got that far because of the developer's other proposal defects. Refer to Borough President's "Community Board's Recommendation" section.

Although we think there is a big difference in the two incomes, the recommendation letter from Community Board 10 does not say anything about \$40,000 or infer that \$40,000 or 65% of the AMI should be the low end cutoff mark. See attached letter from Community Board 10 disapproving the present application.

The amount the Community Board was looking for at the actual General Board Meeting, although not stated in its letter, reflected affordability consistent with its majority population, which is low income, very low income and extremely low income residents. This is also what the majority of the community residents who attended the General Board meeting was asking for.

By offering this type of availability, the playing field is more leveled and more of Harlem residents have an opportunity to buy permanent homes, which should take precedence over outsiders desiring to come into Harlem. This is what is in the best interest of Harlem residents. They need an opportunity to buy permanent housing too. The other way around is making more available homes for outsiders to come to Harlem before the needs of those who are here are met first.

Amanda Burden

April 9, 2007

Re: Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development

## DISPOSITION OF CITY PROPERTY

Lastly, the Borough President uses Section 1801, paragraph j (sic) of Chapter 61 of the City Charter to suggest that HPD has limits to the way it disposes of residential real property and therefore these limitations prevent HPD from placing a resale restriction on these units longer than 15 years, which such restrictions would only keep the property affordable (to households earning 80% AMI or less, Id.) for 15 years should the property be resold within such period, instead of an indefinite period (permanently affordable). The correctly stated statute, **Section 1802, paragraph j** suggests no such limitation, neither does the statute imply such view. See attached Section 1802, paragraph j.

However, the Borough President could have also meant that Section 1802, paragraph j *only* allows HPD to dispose of residential real property and no other property, which is what that actual statute calls for:

Paragraph j reads:

*“Sell, lease, exchange or otherwise dispose of residential real property of the city, provided that no such sale, lease, exchange or other disposition shall be authorized without the approval of the mayor and until a public hearing has been held with respect to such action after the publishing of notice in the City Record at least thirty days in advance of such hearing...”*

But because this application was expedited to the City Planning Office without proper notice to any opposition/CB 10/other interested party, the community or anyone else didn't have an opportunity to ascertain where the Borough President was going with this before this application came to the City Planning Department. However, the application relates to property that is not residential but rather city owned lots.

We fail to see the purpose of this point made by the Borough President but rather see by the language of the statute that HPD when giving property away can put any Constitutional or statutorily allowed restriction on such property as a condition of having such property.

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development**

## CONCLUSION

It seems that the incentive for building this project is for the developer and more for an outside home buyer seeking to buy property in Harlem as an investment looking for a lucrative return, which excludes most of the current Harlem residents, rather than for a necessity of permanent affordable housing for the current Harlem community. Let's give that angle a try for once.

The essence of what the Harlem community needs is missing in the Borough President's Recommendation letter. The CB wisely disapproved this project. The Borough President states at page 3 of his recommendation letter, "*While the proposal makes good use of the available programs for affordable housing production, the expiration of affordability points to the need for stronger policies governing the use of city-owned land for permanent affordable housing.*" Policy is different from law. There is no law keeping the Borough President from starting with his own office toward advancing the need for stronger policies (not law) governing the use of city-owned land for permanent affordable housing.

City Planning with all due respect to the Borough President should consider in the affirmative the position of Community Board 10 for the reasons stated in this addendum and other letter, instead of the Borough President's Recommendation for this application.

As an additional notation we ask these questions. Was the requested disposition of this property approved by the mayor? Was a public hearing held with respect to such action after the publishing of the notice in the City Record at least thirty days in advance of such hearing regarding this disposition request? If the answer is yes because of this process, meaning that after this tribunal forum it will go to the City Council's Land Use subcommittee then on to the City Council for a full vote then on to the mayor for approval or disapproval and therefore the requirements of the statute will be fulfilled, provided that the correct notice to the public is given, the Harlem Platform Committee would still have these concerns. What is the selling price, all the exchange incentive aspects for the city to give away property or disposition requirements of the proposed transfer of these lots to this developer? How did this developer get chosen to potentially receive these lots or *what available programs for **affordable housing production does HPD offer to any developer or anyone for that matter and under what law grants it the legal authority to dispose of city property in such manner?*** We believe that the legislative intent is for this information to be provided to the public at every phase of this ULURP process to its completion. We have not been given this information thus far. Since we were not properly noticed at the Borough President's level that this application

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070258 HAM – West 146<sup>th</sup> Street Condos, 2735 Frederick Douglass Boulevard by the Department of Housing Preservation and Development**

would be expedited and therefore did not get a timely opportunity to gather this information before this present tribunal process, it would be helpful to make sure that HPC gets this information by allowing us to request it from HPD and the developer and then responding to it before City Planning renders a final decision. As you are aware our current response has been rushed and we did not have time to gather the stated information to incorporate into our previous response nor this one because of the unnoticed expedition request by the Borough President's Office to your office, which as obvious, your office obliged such request.

Very truly yours,  
The HPC

# HPC

Harlem Platform Committee  
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| <p><b>HARLEM PLATFORM<br/>COMMITTEE'S<br/>STATEMENT<br/>OF DISAPPROVAL WITH<br/>OUT PREJUDICE</b></p> |
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April 10, 2007

Hon. Amanda Burden  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

**Re: Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice**

Dear Madam Chair:

This is a development project that on the applicant's alleged face the Community Board 10 community wants to support but as the project is written makes it impossible.

Community Board 10 gave a letter recommending approval for this project with special conditions. The Borough President has also recommended this project but appears to be silent on those conditions raised by CB 10. However, for the reasons below we ask that City Planning not approve this project as is until certain things that both CB 10 and the Borough President overlooked are reworked so that this project's purpose – disposing of city property based on certain *facts* presented by the developer - can translate on paper without appearing to contradict such purpose. If the City Planning Commission cannot adjourn the ULURP process so as to give HPD and/or its benefactors time to address our concerns raised below and provide the HPC an opportunity to respond or if HPD or its benefactors cannot address these issues within the time frame of the City Planning Commission's ULURP phase, then we ask that the City Planning Commission approve this project with conditions that reflect our concerns. Simply put, HPD's benefactors' must be able to have its purpose translate on paper and not appear to contradict such purpose. If that is impossible to do for whatever procedural policy unknown reason then we of course ask the Commission to disapprove the project altogether without prejudice.

In particular we bring your attention to the Borough President's **PROJECT DESCRIPTION**.

HPD proposes to dispose of City-owned property to West Harlem Group Associates (WHGA). WHGA has partnered with Phippes Houses to develop a six-story residential building with 27 rental units. The building will contain (5) studio apartments, ten (10) one-bedroom apartments, ten (10) two-bedroom apartments, and two (2) three-bedroom

Page 2

Hon. Amanda Burden

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April 10, 2007

apartments. Eight (8) of the units will be targeted to households earning 30% of Area Median Income (AMI) or \$21,000/year for households of four, and nineteen (19) units will be targeted to households earning 60% of AMI or \$42,000/year for households of four. The 30% AMI target group will be composed of formerly homeless families who will be selected from homeless shelters in the City. All units will remain affordable for a minimum of 51 years.

The question that the HPC can't seem to set aside is this. How does a family of four, or three for that matter, fit into a studio or one bedroom apartment? More than ½ of the units (approximately 60%) are studio and one-bedroom apartments. Yet, the benefactors (WHGA and Phippes) allege that 8 units (approximately 30%) will go to formerly homeless families that earn an annual income of \$21,000 for households of four and 10 units (approximately a little more than 30%) will go to households earning an annual income of \$42,000 for households of four. That would realistically rule out 15 apartments – more than ½ (the studio and one bedrooms). The remaining apartments are 10 two-bedroom and 2 three-bedroom apartments (44 %). **[Editor's notation that wasn't included in the original document before the Commission - Although 60% and 44% seem to not add to the number of units available, but even if rounding off caused the discrepancy it still doesn't change the fact that there are not enough units to provide for families of four.]** Even if those apartments were used for what WHGA alleges they will be used for, there are not enough apartments of adequate size to accommodate other families, unless WHGA and Phippes Houses are planning to over crowd these apartments, including the studios. Or, WHGA and Phippes really mean "...households up to four." - The benefactors are really looking for small families, two or less. However, the Borough President himself appears to believe that the benefactors alleged purpose and the reality of the Harlem community reflected by its demographics are families that lean toward larger, four or more, and in need of larger apartments. See Borough President's Comment section, 5<sup>th</sup> paragraph – *"However, the demographics of the Harlem community could be even further acknowledged by providing more three bedroom units in this development."*

We can't even begin to address our feelings about the LEED compliancy issue until the above contradiction is rectified. Should a satisfactory result come out of this phase we can address that issue before the City Council Land Use subcommittee.



Page 3

Hon. Amanda Burden

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April 10, 2007

## Conclusion

In short, we cannot see the City Planning Department approving this project the way it is currently set up with the contradictions we pointed out unanswered nor can we see City Planning supporting a proposed action with some hidden agenda not consistent with the applicant's belief of what the project development's proposed purpose is. That would be supporting deceitfulness and "trying to pull the wool over the Harlem community's

eyes." HPD should not give away City owned property to anyone who can't clearly show what such property will be used for. That would violate the public's trust. Because in essence, HPD is the trustee of property ultimately being owned by a government which is for and by the people. Since the project shows on its face that it cannot do what it says it will do on its second breath, the end result of this project will be something other than what's been presented to HPD. Hence, City Planning should not endorse something that *it* doesn't have a clear idea of what's going on.

Therefore, **City Planning should disapprove recommendation** of this application the way it is currently set up and recommend that HPD have its benefactors rewrite this project to be consistent with their alleged purpose, without prejudice. As an alternative, if this is possible, we ask that the **City Planning Commission approve recommendation** of this project with the following conditions:

- The development project build a few more 3 bedroom apartments and make less studios, which maybe none should be made at all, to justify the proposed purpose of WHGA and Phippes - affordable housing that can accommodate families of four or more.
- WHGA will give preference to Harlem residents of the CB 10 district for these affordable units and WHGA screen for those formerly homeless families who prior to being homeless lived in Harlem (CB 10 district) as the priority, Harlem residents who prior to being homeless lived in Greater Harlem and then the homeless selected from homeless shelters from the City.
- The method of selection for all of the units shall be provided to HPD, the Borough President of Manhattan and Community Board 10.
- WHGA explain and make work on paper the 51 years affordability. (See BP's Letter of Recommendation where the number of years are mentioned a few times as "51.")

Page 4

Hon. Amanda Burden

Re: **Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice**

April 10, 2007

Sincerely,

The Harlem Platform Committee

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**ADDENDUM OF THE HPC  
ADDRESSING THE LEGAL  
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April 6, 2007

Hon. Amanda Burden  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

**Re: Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented with modifications - (With the Modifications Stated the HPC Approves This Project)**

Dear Madam Chair:

This addendum addresses the legal posture, inter alia, the Borough President uses to support his recommendation of the above ULURP application. It also opposes Community Board 10's approval to a certain degree. However, the criticisms here look for modification as oppose to outright rejection of this project.

As we stated in our opposition and addendum letters to ULURP Application No., C 070258, Harlem is primarily a community of medium to large families and extended families. There are many of these families that want permanent housing. In the instant application the developer per suggestion of the Community Board 10 changed the floor plans to increase the size of the units and provide additional three-bedroom units. We see this as providing opportunities for Harlem families seeking affordable housing to stay in the community. The Borough President has endorsed CB 10's approval. However, the 8 units that the developer makes available under the language "affordable" allege to be for families of four. This would certainly mean that those units would have to be at least three-bedroom units. Neither the developer nor the Borough President says that and this needs to be clarified. (@ 2nd Paragraph of Borough President's "Project Description" and 2<sup>nd</sup> Paragraph of Borough President's "Comments")

Furthermore, if this is an opportunity for Harlem families seeking affordable housing to stay in the community, then the Community Board and the Borough President need to be realistic with the average income of the majority population of Harlem which is nowhere near 80% AMI (or approximately \$56,720 annually for a family of four). There must be a condition placed on this project that can guarantee an average Harlem family of four

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

seeking affordable housing the opportunity to stay in the community yet able to afford to buy these units. You can't say one thing but mean another. What is the real motive here, to have a real estate investment for outsiders or meeting the need of Harlem's indigenous, which seems to be implied in both CB 10 and the Borough President's letters?

### **DEVELOPER'S PROPOSAL IS NOT COMPLIANT TO LEED STANDARDS**

Our position in this area is the same as in our opposition letter and addendum to ULURP Application No., C 070258 HAM. Refer to those letters.

### **THE AFFORDABILITY QUESTION**

Here, the Borough President doesn't misstate Community Board 10's view on affordability. However, CB 10 struggled with this area. If one attended the General Board meeting on March 7, 2007 one would see that the real desired affordability range the Community Board and the community, including members of the HPC, were hoping for covers low income, very low income and extremely low income residents of Harlem. However, that said, we understand that we have to be realistic too and we understand the forces that surround us in this vicious housing market. So we believe that a fair compromise would be to make provisions toward affordable home ownership geared toward low income first. \$57,000 is not geared toward low income. Otherwise, again, this deal only benefits people wanting to move to Harlem hoping for a gentrification change that will make Harlem's Black population the minority. That is the other reality.

However, that goes against fundamental due process. An example of this would be - There is one side, a people who exist and live in Harlem. There is the developer who more than likely doesn't live in Harlem and there is the prospect that has not come into the picture. Yet everyone is more concerned with the developer and the unknown prospect over the current resident who is very real. This makes no sense and the City Planning Department must come to this conclusion and make some provision that supports the HPC's sentiments.

By offering this type of availability expressed in this letter, the playing field is more leveled and more of Harlem residents have an opportunity to buy permanent homes, which should take precedence over outsiders desiring to come into Harlem. This is what is in the best interest of Harlem residents. They need an opportunity to buy permanent housing too. The other way around makes housing more available for outsiders who desire to come to Harlem before the housing needs of those who are here are met first.

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

## **DISPOSITION OF CITY PROPERTY**

Our position in this area is the same as in our opposition letter and addendum to ULURP Application No., C 070258 HAM. Refer to those letters.

## **THE UNDERGROUND PARKING PROBLEM**

Lastly, the underground parking problem never got an opportunity to be fully discussed because there was no quorum at Community Board 10's Land Use Committee prior to the full General Board vote. However, that doesn't mean it is not relevant and can't be argued here and be considered. Furthermore, because of the Borough President's expedited request that City Planning honored we incorporate our arguments in our opposition to ULURP Application No. C 070258 HAM here.

There is a school in the middle of the block of 114<sup>th</sup> Street. This is the same side of the street where the underground parking garage will go for this project. Although, the purpose of the underground parking garage is a zoning requirement because of the zoning map change that reflects the increase of the residential FAR, upward, in that residential area, this purpose must be stated absolutely if an underground parking garage must be there, because of the school, as we will further expound upon below. The underground parking requirement of many new Harlem buildings is not being used for the statutory purpose it was intended for but rather for commercial underground parking. This is something that is not hearsay but what we know. So in this instance we need to be clear for safety reasons due to the close proximity of the school.

Notwithstanding the above, we also believe that the City at any department level can make recommendations or alter a statutory requirement in the interest of Public Safety under its broad police powers. How that is done is really not a problem. If the City is more concerned with public safety then the change can legally happen. The building will be on the North East corner of Frederick Douglass Boulevard. The school is down the street a little, between Frederick Douglass Boulevard and Adam Clayton Powell Boulevard. Frederick Douglass Boulevard has two-way traffic. The 114<sup>th</sup> Street side is a one-way street going east. The entrance to the parking garage comes shortly after a car turns from Frederick Douglass either North or South onto 114<sup>th</sup> Street. This is dangerous for the children coming and leaving from school and a potential traffic nightmare. There

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

is also the flow of NYCHA vehicles always operating on that street because of the A. Phillip Randolph Public Houses on that street, school buses, etc.

Community Board 10 failed to address this situation as well as the Borough President. But despite their failure to do so this situation must be addressed and dealt with in a satisfactory manner. The Harlem Platform Committee believes that this is one of those exceptions where such an underground parking requirement does not have to be mandatory.

#### **CONCLUSION**

It seems that the incentives for building this project are for the developer and more for an outside home buyer seeking to buy property in Harlem as an investment looking for a lucrative return, which excludes most of the current Harlem residents, rather than for a necessity of permanent affordable housing for the current Harlem community. If this is not the case then HPD should incorporate the sentiments expressed in this addendum to demonstrate an incentive for all parties concerned but largely for the Harlem community.

We incorporate the rest of our sentiments found in the Conclusion section of our opposition letter to ULURP Application No. C 070258 HAM in this present conclusion section.

Ultimately, we endorse this project but only with these sound suggestions provided in this addendum and ask that the City Planning Department approve this project with those stated modifications.

Very truly yours,  
The HPC

**TESTIMONY OF PATRICK A. WEHLE  
DEPUTY DIRECTOR, MAYOR'S OFFICE OF CITY LEGISLATIVE AFFAIRS  
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON  
PLANNING, DISPOSITIONS & CONCESSIONS  
MAY 15, 2007**

Good afternoon Chair Garodnick and members of the Council, I am Patrick Wehle, Deputy Director of Legislative Affairs in the Mayor's Office. Thank you for the opportunity to testify today on LU 445, the 136 Wythe Avenue disposition.

To ensure that the community is an active participant in the process to determine the future use of the Wythe Avenue site the Administration, in conjunction with Council Member David Yassky, established a Community Steering Committee with the goal of ensuring that the future use of the site fits the community's needs. The Wythe Avenue Firehouse Community Steering Committee includes representatives from the Mayor's Office and a consortium of agencies as well as Council Member Yassky and representatives from Brooklyn Borough President Marty Markowitz's office and Community Board 1. Council Member Diana Reyna and Assembly Member Joseph Lentol have also actively participated in the dialogue.

Since its inception in March the Wythe Avenue Firehouse Community Steering Committee has met three times and the community's participation has proven invaluable. Our stated goal has been to reach consensus on an adaptive reuse and vision strategy within six months of establishing the Committee. Nearly three months into this process the Committee has made significant progress toward reaching consensus on future use. A Request for Proposals (RFP) will be issued for the site to be redeveloped into an active space for community and/or cultural

use. The Department of Housing Preservation and Development and the Economic Development Corporation have shared with the Committee a draft of the RFP and we anticipate releasing a final RFP in July with the intention of designation by next Spring.

Thank you for the opportunity to testify and I would be happy to address any questions you may have.



**TESTIMONY OF PATRICK A. WEHLE  
DEPUTY DIRECTOR, MAYOR'S OFFICE OF CITY LEGISLATIVE AFFAIRS  
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON  
PLANNING, DISPOSITIONS & CONCESSIONS  
MAY 15, 2007**

Good afternoon Chair Garodnick and members of the Council, I am Patrick Wehle, Deputy Director of Legislative Affairs in the Mayor's Office. Thank you for the opportunity to testify today on LU 436, the 58-03 Rockaway Beach Boulevard disposition.

To ensure that the Far Rockaway community is an active participant in the process to determine the future use of the Rockaway Beach Boulevard site the Administration, in conjunction with Council Member James Sanders, established a Community Steering Committee with the goal of ensuring that the future use of the site fits the community's needs. The Rockaway Beach Boulevard Community Steering Committee includes representatives from the Mayor's Office and a consortium of agencies as well as Council Member Sanders and representatives from Queens Borough President Helen Marshall's office and Community Board 14.

Since its inception in March the Rockaway Beach Boulevard Firehouse Community Steering Committee has met four times and the community's participation has proven invaluable. Our stated goal has been to reach consensus on an adaptive reuse and vision strategy within six months of establishing the Committee. Nearly three months into this process the Committee has made significant progress toward reaching consensus on future use. The community's principal desire is to house a vocational school at this site which would capitalize on the area's need for construction and healthcare services by offering targeted job training programs. The Community

Steering Committee has agreed that before moving forward with disposition Council Member Sanders will work with a consultant to better study the vocational school proposal.

Thank you for the opportunity to testify and I would be happy to address any questions you may have.

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DEPUTY DIRECTOR, MAYOR'S OFFICE OF CITY LEGISLATIVE AFFAIRS  
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON  
PLANNING, DISPOSITIONS & CONCESSIONS  
MAY 15, 2007**

Good afternoon Chair Garodnick and members of the Council, I am Patrick Wehle, Deputy Director of Legislative Affairs in the Mayor's Office. Thank you for the opportunity to testify today on LU 434, the 120 East 125<sup>th</sup> Street disposition.

To ensure that the East Harlem community is an active participant in the process to determine the future use of the 125<sup>th</sup> Street site the Administration, in conjunction with Council Member Melissa Mark-Viverito, established a Community Steering Committee with the goal of ensuring that the future use of the site fits the community's needs. The East Harlem Firehouse Community Steering Committee includes representatives from the Mayor's Office and a consortium of agencies as well as Council Member Mark-Viverito and representatives from Manhattan Borough President Scott Stringer's office and Community Board 11.

Since its inception in March the East Harlem Firehouse Community Steering Committee has held three meetings and the community's participation has proven invaluable. Our stated goal has been to establish consensus on an adaptive reuse and vision strategy within six months of establishing the Committee. Nearly three months into this process the Committee has made significant progress toward reaching consensus on future use. The Committee has held the first of two public meetings to solicit input from the community. Following the second public meeting the Committee will begin drafting Request for Proposals (RFP) goals and guidelines for

the site to be redeveloped into an active space for community and/or cultural use with the intention of releasing an RFP in the Fall.

Thank you for the opportunity to testify. I would be happy to address any questions you may have.

**TESTIMONY OF PATRICK A. WEHLE  
DEPUTY DIRECTOR, MAYOR'S OFFICE OF CITY LEGISLATIVE AFFAIRS  
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON  
PLANNING, DISPOSITIONS & CONCESSIONS  
MAY 15, 2007**

Good afternoon Chair Garodnick and members of the Council, I am Patrick Wehle, Deputy Director of Legislative Affairs in the Mayor's Office. Thank you for the opportunity to testify today on LU 435, the 299 Degraw Street disposition.

To ensure that the community is an active participant in the process to determine the future use of the Degraw Street site the Administration, in conjunction with Council Member David Yassky, established a Community Steering Committee with the goal of ensuring that the future use of the site fits the community's needs. The Degraw Street Firehouse Community Steering Committee includes representatives from the Mayor's Office and a consortium of agencies as well as Council Member Yassky and representatives from Brooklyn Borough President Marty Markowitz's office and Community Board 6. Council Member Bill de Blasio and Assembly Member Joan Millman have also actively participated in the dialogue.

Since its inception in March the Degraw Street Firehouse Community Steering Committee has met three times and the community's participation has proven invaluable. Our stated goal has been to reach consensus on an adaptive reuse and vision strategy within six months of establishing the Committee. Nearly three months into this process the Committee has made significant progress toward reaching consensus on future use. A Request for Proposals (RFP) will be issued for the site to be redeveloped into an active space for community and/or cultural

use. The Department of Housing Preservation and Development and the Economic Development Corporation have shared with the Committee a draft of the RFP and we anticipate releasing a final RFP in July with the intention of designation next Spring.

Thank you for the opportunity to testify and I would be happy to address any questions you may have.



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

JOAN L. MILLMAN  
Assemblywoman 52<sup>nd</sup> District

□ Room 510 Capitol  
Albany, New York 12248  
518-455-5426

□ 341 Smith Street  
Brooklyn, New York 11231  
718-246-4889

CHAIR  
Legislative Commission  
on Government Administration

COMMITTEES  
Aging  
Corporations  
Labor  
Small Business  
Steering  
Transportation

May 15, 2007

Testimony Presented to:  
New York City Council  
Land Use Subcommittee on Planning and Dispositions

Submitted By:  
Joan L. Millman  
Member of Assembly, 52<sup>nd</sup> Assembly District

RE: Disposition of Engine Co. 204 Firehouse

Thank you for the opportunity to submit testimony. First, I would like to extend my sincere appreciation to the Mayor's Office for working with the community and listening to our objections to the permanent sale of the Engine co. 204 firehouse at 299 DeGraw Street in Brooklyn. It is my hope that the City Council will do the same.

Until we can further determine the effects of the firehouse closure on neighborhood fire response times, the City must maintain ownership of this building. Due to the rate of development in Downtown and Brownstone Brooklyn, there has been a recent influx of families with young children moving into the community and this is a trend that is likely to accelerate. Ultimately, all of these new residents are creating a demand for more city services, not less.

I recommend that the Mayor's Office and the City Council continue its work with the community to find the best interim use for the firehouse. As the long term necessity of the firehouse is further studied, the City should lease the building to a non-profit or a government agency that can provide the necessary services for the increasing number of families with young children in the neighborhood.

The closing of the firehouse has been a great loss to the Cobble Hill area. If the Council accepts these recommendations, I am confident that the property will be put to good use while we determine the long term need for the firehouse. Please join me in making these recommendations. Thank you for your consideration on this matter.

**UNIFORMED**  
FIRE DEPARTMENT, CITY OF NEW YORK  
**FIRE OFFICERS**  
LOCAL 854, INTERNATIONAL ASSN. OF FIRE FIGHTERS, AFL-CIO  
**ASSOCIATION**

225 BROADWAY ☆ NEW YORK, NY 10007 ☆ SUITE 401  
TEL: (212) 293-9300 ☆ FAX: (212) 292-1560 ☆ EMAIL: WWW.UFOA.ORG

**TESTIMONY OF LT. STEPHEN J. CARBONE, VICE PRESIDENT  
UNIFORMED FIRE OFFICERS ASSOCIATION  
BEFORE THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON  
PLANNING, DISPOSITIONS AND CONCESSIONS**

April 30, 2007

Mr. Chairman, members of the City Council Subcommittee on Planning, Dispositions and Concessions, thank you for this opportunity to testify in support of proposals to use vacant firehouses as community service centers.

My name is Lieutenant Steve Carbone, Vice President of the Uniformed Fire Officers Association. With me is Lieutenant Edward Boles, a member of our Executive Board.

The new plans, which appear to also have the support of the Mayor's office, are a common-sense alternative to selling the firehouses off to the highest bidder.

The UFOA would prefer that the Mayor authorize the restoration of engine companies in the same six neighborhoods they served until four years ago, but at least Mayor Bloomberg sees the wisdom of keeping the closed firehouses viable until his successor has the opportunity to restore the Fire Department to its full strength.

Ladies and gentlemen of the City Council, don't let anyone tell you we have a newer, better Fire Department than we had on 9/11 2001. We are operating with six fewer engine companies today and it is the general public that is being made to pay the price.

In 2002, the last full year before the closings, average response time to Structural Fires was four minutes and thirteen seconds (4:13). Four years later in 2006, average response time was a dismal 4:29, or 16 seconds slower, on average, to 27,817 Structural Fires.

And I am sorry to report today that response times are not getting better, they are getting worse. Last year, average response time to Structural Fires was 4:27 for the first four months of 2006. This year it is 4:29 --- two seconds slower.



— AFFILIATED WITH —

NEW YORK STATE AFL-CIO

NEW YORK CITY CENTRAL LABOR COUNCIL AFL-CIO • MARITIME PORT COUNCIL OF GREATER NEW YORK & VICINITY  
UNION LABEL & SERVICE TRADES COUNCIL OF GREATER NEW YORK & LONG ISLAND • NATIONAL SAFETY COUNCIL



There is a second major reason for these unacceptable delays. The annual workload for the FDNY has increased dramatically in the last five years. When Mayor Bloomberg took office in 2002, Total Fire Department Incidents were 426,542.

In 2003 that jumped to 443,988.

In 2004 it was 456,696.

In 2005 it was 485,702, the highest number in the history of the Fire Department.

In 2006 it was only slightly less at 484,954, but the first four months of this year show new and troubling increases to levels not seen before. Already Department statistics show 7,890 more Total Incidents that we had in the same four months of 2006.

Will New York City be able to get by with this level of fire service in the year 2030, when we have 9 million people?

# HARLEM PLATFORM COMMITTEE

## POSITION STATEMENT

ULURP C 070283 HUM  
ULURP C 070284 HAM

Planning, Dispositions & Concessions  
May 15, 2007

- I. Additional Information **CORRECTED**
- II. Overview
- III. Addendum – Legal Posture, Inter Alia of the  
Borough Presidents position

### HPC

Harlem Platform Committee

Tele: 917-677-3613

Fax: 253-679-3613

E-mail: [hpc125@gmail.com](mailto:hpc125@gmail.com)

This project needs to be re-submitted altogether because what they say they want to do doesn't add up with the particular size units they are willing to build. This was also read into the record at the City Planning So the City Planning Commission is not representing the comments of HPC's concerns honestly.

**MEETING**

**Issue:** ULURP C 070283 HUM / ULURP C 070284 HAM

**Event:** Planning, Dispositions & Concessions

**Date:** May 15, 2007

**PRESENTER DEMOGRAPHICS**

**Organization:** Harlem Platform Committee

**Telephone:** 917-677-3613

**Fax:** 253-679-3613

**Email:** HPC125@Gmail.com

**Submitted:** May 15, 2007

**Status:** Copyright © Harlem Platform Committee 2007

**PROJECT NAME:** West 128<sup>th</sup> Street Apartments

**DEVELOPERS:** West Harlem Group Assistance and Phipps Houses

**LOCATION:** 21-29 West 128<sup>th</sup> Street

**PROPERTY:** BLOCK/LOT - Block 1726 / Lots 24, 25, 26, 126 [City Owned]  
SITE 2 – Of the Central Harlem East Urban Renewal Area, as an  
Urban Development Action Area.

## **ADDITIONAL INFORMATION**

*(This is an updated document. Due to the rush in completing the initial document, the layout was not completed in the copies provided to the Planning, Dispositions & Concessions Subcommittee of the Land Use Committee. This corrected document will be filed with the Land Use Committee on May 17, 2007 to be part of the record and will be available for the full City Council to consider)*

- ULURPs C 070283 HUM and C 070284 HAM were approved by CB10
- The City Planning Commission [CPC] states some of HPC's opposition points in its approval decision letter. However, the opposition points noted by the Planning Commission were not totally reflective of what the HPC member testifying said or wrote, which was submitted.
- The CPC even requested from the HPC member copies of what the

member read in the record. Therefore, the record clearly shows that the opposition points and issues were read into the record and submitted in writing.

- It appears that the CPC's decision was arbitrary because it did not correctly reflect HPC's opposition points and reasons.
- This project partially addresses the housing deficit for Low, Very Low and Extremely Low Income Residents. This deficit is delineated clearly on the last page of the Overview section included in the Harlem Platform Committee's documents submitted to you today.
- The Harlem Platform Committee [HPC] **requests** that the **project be rewritten without prejudice and not rejected** to allow the Developers time to address the issues noted in the 'Overview' – **April 11, 2007** and 'Legal Posture' – **April 10, 2007 documents** submitted.
- This additional time, HPC believes, will allow the applicants time to address the issues noted in the submitted documents noted above and therefore allow them to better address the needs of the community (which appears to be their alleged purpose).

Or....

We ask the full Land Use Committee, and or the full City Council Body, to incorporate our approval for this application with our recommendations for modifications, which we submitted to the City Planning Commission – See April 10, 2007 documents. We see no law that would prohibit such action. However, the Land Use Committee or City Council can allow further hearings affording the parties to make their case.

Encl/ Attachments (April 11, 2007 and April 10, 2007 documents)

**Harlem Platform Committee Testimony  
ULURP C 070283 HUM / ULURP C 070284 HAM  
City Planning Hearing / April 11, 2007**

**Page 1 of 5**

|                               |  |
|-------------------------------|--|
| <b>MEETING</b>                |  |
| <b>Issue:</b>                 | ULURP C 070283 HUM / ULURP C 070284 HAM    |
| <b>Event:</b>                 | City Planning Hearing                      |
| <b>Date:</b>                  | April 11, 2007                             |
| <b>PRESENTER DEMOGRAPHICS</b> |  |
| <b>Organization:</b>          | Harlem Platform Committee                  |
| <b>Telephone:</b>             | 917-677-3613                               |
| <b>Fax:</b>                   | 235-679-3613                               |
| <b>Email:</b>                 | HPC125@Gmail.com                           |
| <b>Submitted:</b>             | April 11, 2007                             |
| <b>Status:</b>                | Copyright © Harlem Platform Committee 2007 |

Good Morning!

The Harlem Platform Committee [HPC] is here to address **ULURP C 070283 HUM & ULURP C 070284 HAM**. These ULURPs affect the area of 21-29 West 128<sup>th</sup> Street between Fifth Avenue and Malcolm X Boulevard in Harlem.

**PROJECT NAME: West 128<sup>th</sup> Street Apartments**

**DEVELOPERS: West Harlem Group Assistance and Phipps Houses**

**LOCATION: 21-29 West 128<sup>th</sup> Street**

**PROPERTY: BLOCK/LOT - Block 1726 / Lots 24, 25, 26, 126 [City Owned]  
SITE 2 – Of the Central Harlem East Urban Renewal Area, as an  
Urban Development Action Area.**

**PREFACE**

This project partially addresses the real housing deficit in Harlem for Low Income, Very Low Income and Extremely Low Income housing as indicated by the National Low Income Housing Coalition [Attachment 1]. Not all the housing in this ULURP project is "Income Targeted". Also, the project does not provide an opportunity for home ownership. There is also concern that there are no assurances that the Harlem homeless will be given priority for the housing slated for the "formally homeless families".

**PRESENTATION TEXT**

**----- Not Properly Vetted -----**

This ULURP was not properly vetted so that maximum input from the community at-large could be achieved. The Land Use Committee of Community Board 10 at which the ULURP was presented did not have a quorum. Therefore, no presentation was made at the meeting. Because of this there was no community input about the project. The ULURP was subsequently presented at the General Board Meeting of Community

Board 10 in March without due notice to the community. This also limited community input into the project because the community was not notified that the ULURP was going to be discussed.

The community that happen<sup>ed</sup> to be present at the March General Community Board 10 meeting voiced concerns that this ULURP did not adequately address the issue of making the housing units available primarily for the homeless in Harlem and, indicated that the issue should be included as one of the conditions for approval of the project. The ULURP was approved without the addition of ~~the~~<sup>that</sup> condition.

**----- Homeless Units -----**

**Definition of "Formally Homeless Families"**

The definition of "formally homeless families" was not clearly defined in the ULURP for this project. Does this phrase mean families that have completed some type of program, families that have been living in a shelter for a specified period of time, and/or families that have essentially just "left the streets"? Does the definition of families mean one adult, two adults, and/or one adult with a child, etc? In other words does the definition of families mean only families with children and/or families without children?

**Status of Homeless Units In These ULURPs**

The units that are "set aside" for "formerly homeless families" consist of approximately 30% (8) of the total units provided (27). Only one unit of these eight is a 3-bedroom apartment, which limits the availability of such housing for large or extended families. Even the Manhattan Borough President addressed this issue. 30% of AMI does reflect household earnings of about \$21,000/year given the numbers provided by the project and does reflect "Income Targeted" rent for the surrounding community.

**Problem With Section 8**

Example rent provided by the Developer indicates that the "formally homeless" tenants would pay rent at 30% AMI. The remainder of the rent is to be provided by the section 8 program. Section 8 in its present format is only available for up to 5 years. After that time period a tenant may be "bumped up" into the 60% AMI of the non-formally homeless family rent rates. An unanswered question is – What happens to the rent of the "formally homeless" after the 5 years are up? This question is not addressed in the material provided by the Developer.

**----- Non-Homeless Units -----**

The rent indicated for the regular (non-homeless) units is 60% of AMI and represents incomes that are at least approximately \$ 42,000/year. These apartments therefore are definitely not "Income Targeted" for the surrounding community and therefore, because it does not completely address the deficit of low income housing, is of no benefit of housing to the community.

**----- The Need For "Income Targeted" Home Ownership -----**

This ULURP would have been stronger if it offered "Income Targeted" rents for all units in perpetuity as well as eventually providing "Income Targeted" home ownership as a goal.

HPD again in this project essentially "gives away" precious Harlem based land to for the creation of permanent sources of income for the Developer while creating no "Income Targeted" home ownership for community residents. Overall, this type of housing, in the long run, is not beneficial to the Harlem community.

**----- Potential Architectural Contribution -----**

This ULURP involves the development of a newly constructed 6-story elevator building in Harlem.

Review of the image provided indicates that the building should fit into the Harlem architectural arena. The cornice is an important visual component of the housing in Harlem that has been sadly removed from many buildings or not included in new buildings.

Of concern is how this project will be monitored to insure that all of the physical representations that are being made at this point will be done when the project is completed. What mechanisms will be in place to assure consistency between the image offered now and it's completed "look"? The answer to this question is not present in the ULURP documents provided.

**SUMMARY**

This project only *partially* addresses the real housing deficit in Harlem for Low Income, Very Low Income and Extremely Low Income housing [Attachment 1]. That is, this project provides just some "Income Targeted Housing" for the surrounding community with the remaining units unaffordable to the surrounding community. Also the project does not offer the opportunity for home ownership.

There is also strong concern the project does not ensure that a majority of the units, (if not all of the units), available to former homeless families will be available specifically to the homeless of Harlem.



HPC requests that

- All the units in this project address the need to close the documented deficit in housing for Low Income, Very Low Income and Extremely Low Income residents of the Village of Harlem [Attachment 1].
- The Developer provides a clear written definition of what is meant by “formally homeless families” to include composition and number.
- The Developer provides in writing a plan delineating how the Developer will make the housing for “formerly homeless families” specifically available to the Harlem based homeless.
- The Developer provides a clear written plan outlining the selection process to be used in assessing applicants for the “formally homeless families” priced units.
- The Developer provides workshops on the Section 8 Program to all of the “formerly Homeless families” accepted for housing units. The workshops should include information about the rules and regulations associated with Section 8, including tenant eligibility time limits.
- The Developer delineate in writing to the “formerly Homeless” tenants what the rent will be after Section 8 “runs out” after 5 years.
- The Developer indicate in writing what process will be followed to ensure that the image provided as a representation of how the building will look is actually how it will look upon project completion.

## **CONCLUSION**

In conclusion, because of the concerns and questions noted above, the Harlem Platform Committee as indicated in the previously submitted “Legal Posture”, requests that the project be rewritten without prejudice to address the issues noted above and therefore to better address the needs of the community (which appears to be their alleged purpose).

Thank you.

| New York's 15th District |                         | Representative: Charles Rangel |                          |
|--------------------------|-------------------------|--------------------------------|--------------------------|
|                          | Total Renter Households | Severely Burdened Households   | Share of Severe Burden   |
|                          | 70,078                  | 37,278                         | 53%                      |
|                          | 32,731                  | 7,032                          | 22%                      |
|                          | 222,271                 | 46,842                         | 21%                      |
|                          | Total Renter Households |                                | Share of Severe Burdened |
|                          |                         |                                | 80%                      |
|                          |                         |                                | 15%                      |
|                          |                         |                                | 100%                     |

Source: Special tabulation of Census 2000 (CHAS data)

| Rents and Incomes in Constituent Areas     |  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
|--|--|--------------------------|-----------|-------------------------|---------|---------------------|---------|------------------|----------|------------|----------|-------------------------------|-------|-----------------------|--------|-----------------------|---------|-----------------------|-----|-----------------------|----|
| Fair Market Rent Area<br>New York, NY/HMFA | <table border="1"> <tr> <td>Renter Households (2006)</td> <td>2,141,486</td> </tr> <tr> <td>Two-BR Fair Market Rent</td> <td>\$1,189</td> </tr> <tr> <td>Two-BR Housing Wage</td> <td>\$22.87</td> </tr> <tr> <td>Area Med. Income</td> <td>\$71,580</td> </tr> <tr> <td>30% of AMI</td> <td>\$21,474</td> </tr> <tr> <td>Rent Affordable at 30% of AMI</td> <td>\$537</td> </tr> <tr> <td>Hours at Minimum Wage</td> <td>\$6.75</td> </tr> <tr> <td>Hours at Renters Wage</td> <td>\$27.90</td> </tr> <tr> <td>Hours at Renters Wage</td> <td>135</td> </tr> <tr> <td>Hours at Renters Wage</td> <td>33</td> </tr> </table> | Renter Households (2006) | 2,141,486 | Two-BR Fair Market Rent | \$1,189 | Two-BR Housing Wage | \$22.87 | Area Med. Income | \$71,580 | 30% of AMI | \$21,474 | Rent Affordable at 30% of AMI | \$537 | Hours at Minimum Wage | \$6.75 | Hours at Renters Wage | \$27.90 | Hours at Renters Wage | 135 | Hours at Renters Wage | 33 |
| Renter Households (2006)                   | 2,141,486  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Two-BR Fair Market Rent                    | \$1,189  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Two-BR Housing Wage                        | \$22.87  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Area Med. Income                           | \$71,580   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| 30% of AMI                                 | \$21,474   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Rent Affordable at 30% of AMI              | \$537  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Hours at Minimum Wage                      | \$6.75   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Hours at Renters Wage                      | \$27.90  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Hours at Renters Wage                      | 135  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Hours at Renters Wage                      | 33   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| ELI  | Extremely Low Income (Income at or below 30% of area median)   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| VLI  | Very Low Income (Income between 31% and 50% of area median)  |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| LI   | Low Income (Income between 51% and 80% of area median)   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Not Low Income                             | Income greater than 80% of area median   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |
| Severely Burdened                          | Household spending >50% of income on housing costs   |                          |           |                         |         |                     |         |                  |          |            |          |                               |       |                       |        |                       |         |                       |     |                       |    |

| State-Level Statistics |           |                              |         |                          |      |                                     |    |
|------------------------|-----------|------------------------------|---------|--------------------------|------|-------------------------------------|----|
| ELI Households         | 634,545   | Severely Burdened Households | 597,732 | Share of Severe Burdened | 69%  | Median Housing Cost to Income Ratio | 50 |
| VLI Households         | 488,772   |                              | 180,519 |                          | 21%  |                                     | 43 |
| LI Households          | 554,178   |                              | 85,173  |                          | 8%   |                                     | 31 |
| Not Low Income         | 1,252,366 |                              | 20,523  |                          | 2%   |                                     | 18 |
| Total                  | 3,169,857 |                              | 863,945 |                          | 100% |                                     | 30 |

Source: NLHC tabulations of 2005 American Community Survey PUMS

**There is a Real Deficit of Affordable and Available Rental Units**

|   |          |
|---|----------|
| Deficit/surplus of Affordable Rental Units                                  | -336,365 |
| Deficit/surplus of Affordable and Available Rental Units                    | -527,851 |
| Deficit/surplus of Affordable and Available Rental Units Per 100 Households | -567,809 |
| Affordable and Available Rental Units Per 100 Households                    | 37       |
| Affordable and Available Rental Units Per 100 Households                    | 57       |

Congressional District Profiles were produced in January 2007 by the research staff at the National Low Income Housing Coalition. Please visit [www.nlihc.org](http://www.nlihc.org) or call (202) 662-1530 to request additional information.



# HPC

Harlem Platform Committee  
hpc125@gmail.com

**HARLEM PLATFORM  
COMMITTEE'S  
STATEMENT  
OF DISAPPROVAL WITH  
OUT PREJUDICE**

April 10, 2007

Hon. Amanda Burden  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

**Re: Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice**

Dear Madam Chair:

This is a development project that on the applicant's alleged face the Community Board 10 community wants to support but as the project is written makes it impossible.

Community Board 10 gave a letter recommending approval for this project with special conditions. The Borough President has also recommended this project but appears to be silent on those conditions raised by CB 10. However, for the reasons below we ask that City Planning not approve this project as is until certain things that both CB 10 and the Borough President overlooked are reworked so that this project's purpose – disposing of city property based on certain *facts* presented by the developer - can translate on paper without appearing to contradict such purpose. If the City Planning Commission cannot adjourn the ULURP process so as to give HPD and/or its benefactors time to address our concerns raised below and provide the HPC an opportunity to respond or if HPD or its benefactors cannot address these issues within the time frame of the City Planning Commission's ULURP phase, then we ask that the City Planning Commission approve this project with conditions that reflect our concerns. Simply put, HPD's benefactors' must be able to have its purpose translate on paper and not appear to contradict such purpose. If that is impossible to do for whatever procedural policy unknown reason then we of course ask the Commission to disapprove the project altogether without prejudice.

In particular we bring your attention to the Borough President's **PROJECT DESCRIPTION**.

HPD proposes to dispose of City-owned property to West Harlem Group Associates (WHGA). WHGA has partnered with Phippes Houses to develop a six-story residential building with 27 rental units. The building will contain (5) studio apartments, ten (10) one-bedroom apartments, ten (10) two-bedroom apartments, and two (2) three-bedroom

Page 2

Hon. Amanda Burden

Re: Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice

April 10, 2007

apartments. Eight (8) of the units will be targeted to households earning 30% of Area Median Income (AMI) or \$21,000/year for households of four, and nineteen (19) units will be targeted to households earning 60% of AMI or \$42,000/year for households of four. The 30% AMI target group will be composed of formerly homeless families who will be selected from homeless shelters in the City. All units will remain affordable for a minimum of 51 years.

The question that the HPC can't seem to set aside is this. How does a family of four, or three for that matter, fit into a studio or one bedroom apartment? More than ½ of the units (approximately 60%) are studio and one-bedroom apartments. Yet, the benefactors (WHGA and Phippes) allege that 8 units (approximately 30%) will go to formerly homeless families that earn an annual income of \$21,000 for households of four and 10 units (approximately a little more than 30%) will go to households earning an annual income of \$42,000 for households of four. That would realistically rule out 15 apartments – more than ½ (the studio and one bedrooms). The remaining apartments are 10 two-bedroom and 2 three-bedroom apartments (44 %). **[Editor's notation that wasn't included in the original document before the Commission - Although 60% and 44% seem to not add to the number of units available, but even if rounding off caused the discrepancy it still doesn't change the fact that there are not enough units to provide for families of four.]** Even if those apartments were used for what WHGA alleges they will be used for, there are not enough apartments of adequate size to accommodate other families, unless WHGA and Phippes Houses are planning to over crowd these apartments, including the studios. Or, WHGA and Phippes really mean "...households up to four." - The benefactors are really looking for small families, two or less. However, the Borough President himself appears to believe that the benefactors alleged purpose and the reality of the Harlem community reflected by its demographics are families that lean toward larger, four or more, and in need of larger apartments. See Borough President's Comment section, 5<sup>th</sup> paragraph – "*However, the demographics of the Harlem community could be even further acknowledged by providing more three bedroom units in this development.*"

We can't even begin to address our feelings about the LEED compliancy issue until the above contradiction is rectified. Should a satisfactory result come out of this phase we can address that issue before the City Council Land Use subcommittee.

Page 3

Hon. Amanda Burden

Re: **Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice**

April 10, 2007

## Conclusion

In short, we cannot see the City Planning Department approving this project the way it is currently set up with the contradictions we pointed out unanswered nor can we see City Planning supporting a proposed action with some hidden agenda not consistent with the applicant's belief of what the project development's proposed purpose is. That would be supporting deceitfulness and "trying to pull the wool over the Harlem community's

eyes." HPD should not give away City owned property to anyone who can't clearly show what such property will be used for. That would violate the public's trust. Because in essence, HPD is the trustee of property ultimately being owned by a government which is for and by the people. Since the project shows on its face that it cannot do what it says it will do on its second breath, the end result of this project will be something other than what's been presented to HPD. Hence, City Planning should not endorse something that *it* doesn't have a clear idea of what's going on.

Therefore, **City Planning should disapprove recommendation** of this application the way it is currently set up and recommend that HPD have its benefactors rewrite this project to be consistent with their alleged purpose, without prejudice. As an alternative, if this is possible, we ask that the **City Planning Commission approve recommendation** of this project with the following conditions:

- The development project build a few more 3 bedroom apartments and make less studios, which maybe none should be made at all, to justify the proposed purpose of WHGA and Phippes - affordable housing that can accommodate families of four or more.
- WHGA will give preference to Harlem residents of the CB 10 district for these affordable units and WHGA screen for those formerly homeless families who prior to being homeless lived in Harlem (CB 10 district) as the priority, Harlem residents who prior to being homeless lived in Greater Harlem and then the homeless selected from homeless shelters from the City.
- The method of selection for all of the units shall be provided to HPD, the Borough President of Manhattan and Community Board 10.
- WHGA explain and make work on paper the 51 years affordability. (See BP's Letter of Recommendation where the number of years are mentioned a few times as "51.")

Page 4

Hon. Amanda Burden

Re: **Opposition to Borough President of Manhattan's Recommendation on ULURP Applications Nos. C 070284 HAM and C070283 HUM – 21 – 27 West 128<sup>th</sup> Street by the Department of Housing Preservation and Development as presented Without Prejudice**

April 10, 2007

Sincerely,

The Harlem Platform Committee

# HARLEM PLATFORM COMMITTEE

## POSITION STATEMENT

### ULURP C 070259 HAM

Planning, Dispositions & Concessions  
May 15, 2007

- I. Additional Information **CORRECTED**
- II. Overview
- III. Addendum – Legal Posture, Inter Alia of the Borough Presidents position

#### **HPC**

**Harlem Platform Committee**

Tele: 917-677-3613

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**Harlem Platform Committee Testimony  
ULURP C 070259 HAM  
Planning, Dispositions & Concessions / May 15, 2007  
Additional Information / Corrected**

Page 1 of 4

**MEETING**

**Issue:** ULURP C 070259 HAM  
**Event:** Planning, Dispositions & Concessions /  
**Date:** May 15, 2007

**ATTACHMENT**

**Document:** New York's 15<sup>th</sup> Congressional District /  
National Low Income Housing Coalition and  
**Addendum of the HPC**, etc., dated April 6, 2007  
and **Notice and Petition** form

**PRESENTER DEMOGRAPHICS**

**Organization:** Harlem Platform Committee  
**Telephone:** 917-677-3613  
**Fax:** 253-679-3613  
**Email:** HPC125@Gmail.com  
**Submitted:** May 15, 2007

**PROJECT NAME:** The Savannah

**LOCATION:** 2116, 2118 and 2122 Frederick Douglass Boulevard  
[The Savannah]

**BLOCK/LOT:** Block 1830 / Lots 2, 3 & 4 and [City Owned]

**ADDITIONAL INFORMATION**

*(This is a corrected document. Due to the rush in completing the initial document, some errors were inadvertently included in the copies provided to the Planning, Dispositions & Concessions Subcommittee of the Land Use Committee. This corrected document will be filed with the Land Use Committee on May 17, 2007 to be a part of the record and will be available for the Full City Council to consider.)*

- ULURP C 070259 HAM was approved by CB10.
- The Harlem Platform Committee does not support CB 10's recommendation approving this application as it stands now or does approve CB 10's recommendation with additional modifications, which are hereby outlined in this document.



- HPC members were at the General Board Meeting and what transpired at the meeting is outlined in the documents drafted and submitted to the Planning Board.
- The City Planning Commission [CPC] states some of HPC's opposition points in its approval decision letter. However, the opposition points noted by the Planning Commission were not totally reflective of what the HPC member testifying said or wrote, which was submitted.
- The CPC even requested from the HPC member copies of what the member read in the record. Therefore, the record clearly shows that the opposition points and issues were read into the record and submitted in writing.
- It appears that the CPC's decision was arbitrary because it did not correctly reflect HPC's opposition points and reasons.
- The General Municipal Law Article 16 Section 694 (2) allows the City Planning Commission to certify its unqualified approval with recommendations for modifications. We believe that the legislative intent of such statute allows the Commission to consider any other person's approval outside of the Commission in support of a ULURP application with recommendations for modifications, in addition to any previous ones.
- When the HPC member went to the commission hearing to testify the member was informed upon signing up to speak that the HPC member could only oppose the proposal with modifications.
- Based on the language of the statute HPC does not see why HPC could not have approved the proposal with recommendations for modifications as well, since the commission is allowed to approve it as such, and state HPC's approval with recommendations for modifications, which are outlined in its letter submitted to the Commission.
- However, notwithstanding the above HPC believes that Section 694 (3) clearly allows the Commission to approve such proposal with

recommendations for modifications of its own or suggested by someone other than the Commission.

- These properties fall under GML Article 16 and therefore supersede the City Charter. HPC believes that neither the Manhattan Borough President nor the City Planning Commission considered the controlling law governing these properties. Secondly, the proposals seek mixed use. Nowhere did the Manhattan Borough President, Department of Housing Preservation and Development [HPD], Developer or anyone demonstrate that this project has, will have or attempted to have business enterprises that are controlled by members of "minorities" involved in this project pursuant to Section 691. The commercial space usage was never fully discussed and was admitted by the developer that they ["we"] will control the commercial property and decide. The statute also implies that the residential structures should be geared toward the people living in an area of an Urban Development Action Area Project. See Section 691.
- Thirdly, the underground parking cannot take place at that site because of the locality of the project, which is designed to be approximately 50 feet from the Frederick Douglass Blvd., intersection, having two-way traffic on FDB. There is a middle/high school down the street from the proposed site separated by public housing (A. Phillip Randolph Houses). The City housing project is also on the other side of the street as well. This is a one way street by the way. The zoning map change requiring mandatory onsite parking **does not outweigh the safety of school children** and the statute should not be interpreted that way. For more on this topic see the attachments – **Addendum of the HPC** (The Underground Parking Problem), etc., and copy of the **Notice and Petition** that went out to Parents and Residents of that area. The latter will be submitted to each council member before May 30, 2007.
- These issues and facts were fully brought up at the Planning Commission Hearing by an HPC member as a witness to the CB 10 General Board Meeting.
- The Manhattan Borough President and the City Planning Commission

**Harlem Platform Committee Testimony**  
**ULURP C 070259 HAM**  
**Planning, Dispositions & Concessions / May 15, 2007**  
**Additional Information / Corrected**

*Page 4 of 4*

failed to address the above duly noted issues.

- HPC does not want this project in our community without these modifications, as it does not begin to address the housing deficit for low, very low and extremely low-income residents, nor without addressing/resolving the commercial space issue, as expressed in our attached **March 28, 2007 document**.

Or...

We ask the full Land Use Committee, and or the full City Council Body, to incorporate our approval for this application with our recommendations for modifications, which we submitted to the City Planning Commission. Therefore as some sort of concession to the Harlem Community the Land Use Committee and or City Council should approve the application with the modifications expressed in this document, including the disapproval of the underground parking garage altogether. These sentiments are more addressed in the attached document dated **April 6, 2007 to the Honorable Amada Burden**.

As a side notation, the parking issue never went before Community Board 10's transportation Committee nor to the knowledge of the HPC did this particular issue go before the Transportation Department. If it did no notice was given for the matter to be heard.

The Harlem Platform Committee is a Harlem based committee designated for and by the people to preserve Harlem's legacy.)

| New York's 15th District  |                           |                              |                            | Representative: Charles Rangel      |   |  |  |
|---|---------------------------|------------------------------|----------------------------|-------------------------------------|---|--|--|
|   | Total Renters Households  | Severely Burdened Households | % with Severe Burden       | Share of Severely Burdened          | Deficit/surplus of Rental Units Available to ELI Households |  |  |
| ELI Households  | 76,076                    | 37,276                       | 53%                        | 60%                                 | -38,760   |  |  |
| VLI Households  | 32,731                    | 7,092                        | 22%                        | 15%                                 |   |  |  |
| Total Renters Households  | 222,271                   | 46,842                       | 21%                        | 100%                                |   |  |  |
| Source: Special tabulation of Census 2000 (CHAS data)           |                           |                              |                            |                                     |   |  |  |
| Rents and Incomes in Constituent Areas                          |                           |                              |                            |                                     |   |  |  |
|   | Renters Households (2000) | Two-BR Fair Market Rent      | FMR Growth (2000-07)       | Two-BR Housing Wage                 | Area Med. Income  | 30% of AMI   | Rent Amortizable at 30% of AMI                           |
| Fair Market Rent Area New York, NY 10018                        | 2,141,488                 | \$1,189                      | 41.9%                      | \$22.87                             | \$71,560  | \$21,474   | \$537  |
|   |                           |                              |                            |                                     |   |  | Hours at Minimum Wage                                    |
|   |                           |                              |                            |                                     |   |  | 135  |
|   |                           |                              |                            |                                     |   |  | Renters Wage   |
|   |                           |                              |                            |                                     |   |  | \$27.90  |
|   |                           |                              |                            |                                     |   |  | 33   |
| Source: Out of Reach, 2006                                      |                           |                              |                            |                                     |   |  |  |
| State-Level Statistics  |                           |                              |                            |                                     |   |  |  |
|   | Total Renters Households  | Severely Burdened Households | Share of Severely Burdened | Median Housing Cost to Income Ratio | Deficit/surplus of Amortizable Rental Units                 | Deficit/surplus of Affordable and Available Rental Units | Affordable and Available Rental Units Per 100 Households |
| ELI Households  | 634,549                   | 597,732                      | 65%                        | 50                                  | -336,065  | -527,891   | 37   |
| VLI Households  | 486,772                   | 180,518                      | 21%                        | 43                                  | -162,685  | -567,809   | 57   |
| LI Households   | 554,178                   | 65,173                       | 8%                         | 31                                  |   |  |  |
| Net Low Income  | 1,292,368                 | 20,522                       | 2%                         | 18                                  |   |  |  |
| Total   | 3,159,857                 | 863,945                      | 100%                       | 30                                  |   |  |  |
| Source: NLHC tabulations of 2005 American Community Survey PUMS |                           |                              |                            |                                     |   |  |  |

Congressional District Profiles were produced in January 2007 by the research staff at the National Low Income Housing Coalition. Please visit [www.nlhc.org](http://www.nlhc.org) or call (202) 662-1530 to request additional information.



Despite the community's displeasure with this project, the Manhattan Community Board 10 Members approved this project in, as mentioned above a "humorous" atmosphere.

### **Environmental Issues**

The Borough President's comments indicate that the project does not meet LEED [Leadership in Energy and Environmental Design] certification. There was no detailed description as to why the LEED standard certification was not met. Also, there should have been a detailed discussion with the community about this issue. Given the expense of this building and the "land give away" by HPD, this unnecessary building should have been LEED compliant. Less should not have been acceptable to the Borough President.

### **SUMMARY**

In Summary, this ULURP, which was passed against the sentiments of the community present at the General Board Meeting, is another big loser for the Harlem community. It does not offer any benefits to the surrounding community. Free land is being given away by HPD again for a developer to build housing that the surrounding community cannot afford to live in and for which there is already a "glut" in the area. Also, the so-called "affordable" housing this project proposes to provide is temporary and lasts only fifteen (15) years.

This project does not help to solve or even alleviate "a little bit" the real housing deficit in housing in Harlem for Low Income, Very Low Income and Extremely Low Income housing. Harlem does not need this project and will be harmed for years to come not only in its true *un-affordability* but also in its *poor architectural* contribution to the neighborhood.

There is also the issue of the possibility of "Conflict of Interest" issues involving some Board Members who should have possibly secluded themselves from taking part in the discussion about this ULURP and voting because of their obvious relationship with a local Developer.

This project is another example of HPD's behavior of "giving away" precious Harlem land at no cost. This again allows a developer to have the opportunity to make millions of dollars building housing that the surrounding community (many of whom are taxpayers) cannot afford to live in and for which there is already a "glut" in the area. As already noted, this project does not provide the community any housing benefits and actually only offers pseudo affordability and is a poor architectural contribution to the neighborhood. Again another mess the Village of Harlem is suppose to accept from the "Powers That Be".

Thank you.

Also, the so-called "affordability" of these units will not be permanent and will expire after fifteen (15) years. Eight pseudo affordable units in thirty-eight residential units for three (3) important lots of Harlem based land that are being given to a developer at no cost. This is again another "sorry" deal HPD made in giving away property in Harlem.

HPD insists on using the term "Affordable Housing". HPD is well aware from the community-at-large present at the most recent Manhattan General Community Board 10 meeting during which this ULURP was presented that the term "Income Targeted Housing" was missing from the ULURP Application. The fact that this term was not present anywhere in the ULURP was another indication that the project was not one that would address the real housing deficit in Harlem while continuing the trend to load Harlem with more housing that the indigenous population could not afford via rent or house payments.

HPD's governmental role in pushing Harlemites out of Harlem by this and the majority of their Harlem based ULURP projects discloses even more starkly the desire of Downtown to undermine Harlem culturally and transform it into what City Planning/HPD/Downtown wants it to be.

### **Architectural Component is Unacceptable**

The presence of A. Philip Randolph Houses should not be used as an excuse to build this architecturally deficient project. Again HPD goes along with the Downtown "hit squad" in assaulting Harlem Architecture. This project proposes an overly tall building in the area and provides essentially "flat" architecture. It will stick out like a "sore thumb" in the community for the life of the building unless HPD gets its way and causes all of Harlem to lose its cultural identity.

HPD is infamous in Harlem for supporting projects that "slay" the architecture of Harlem. As indicated City Planning/HPD/Downtown appears to want to create "their Harlem", not maintain the Harlem of the indigenous communities/neighborhoods.

### **Possible "Conflict Of Interest"**

There appeared to be a possible "Conflict of Interest" issue relating to some Board Members. Issues relating to familiarity and real estate friendships appeared to be fueling the process. Board Members appeared to be voting for a project that had no benefit for the community because of friendships and real estate relationships, not on the worth of the project to the community. Board Members addressed the Developer by his first name and attempted to allay issues raised by the community by conditionally [somewhat humorously] approving the application.

The Board Chairperson should have admonished the actions of the Board Members displaying these actions and have indicated to them that a project should be weighted on the merits alone and not on possible friendships with a developer that has a business in the community. These Board Members should have been instructed to reclude themselves from the discussion and voting.

at large.

HPD may want to have "good looking" numbers for its close out period in June of this year; however, the community should not lose its opportunity to challenge at every available juncture a ULURP it finds unworthy for the Village of Harlem because of HPD's potential need for "good June numbers".

## BACKGROUND

This ULURP was not discussed at the Community board 10 Land Use Committee because there was no quorum of Board Members.

This inadequate project was assailed by the community-at-large during the most recent full Manhattan General Community Board 10 meeting.

Despite the community's displeasure with this project, Manhattan Community Board 10 approved of this project. Also, there may be a possible "conflict or interest" issue looming here.

The poor architectural contribution to the neighborhood was also discussed at length by the community-at-large. These issues will be more completely addressed in the "Presentation Text" section of this testimony below.

## PREFACE

There are serious problems with this ULURP and this project is of no long-term benefit to the community. It will only benefit the pockets of developers and/or investors to the long-term detriment of the community.

## PRESENTATION TEXT

### No Need For This Type Of Housing

There is no need for this type of housing presently in Harlem. As noted above, the housing proposed by this project absolutely does not in any way address the real housing deficit present in Harlem today for Low Income, Very Low Income and Extremely Low Income housing. Given the present glut of condominiums in Harlem there is no need for the housing this project would impose on that community. It is very unrealistic and arrogant for HPD to assume that the New York City Housing Authority [NYCHA] should be the primary provider of housing for the Low Income, Very Low Income and Extremely Low Income residents of Harlem, while HPD gives away huge plots of land to private developers for minimal beneficial return to Harlem in resolving, even a "little bit" the real housing deficit in the Harlem community.

To add insult to injury, only eight (8) out of thirty-eight (38) residential units in this project will be "affordable". This translates into housing that is not "income targeted" to the surrounding community and therefore, not affordable to the surrounding community.

Harlem Platform Committee Testimony  
ULURP C 070259 HAM  
City Planning Hearing / March 28, 2007

5

|                               |   |
|-------------------------------|---|
| <b>MEETING</b>                |   |
| Issue:                        | ULURP C 070259 HAM  |
| Event:                        | City Planning Hearing   |
| Date:                         | March 28, 2007  |
| <b>ATTACHMENT</b>             |   |
| Document:                     | New York's 15 <sup>th</sup> Congressional District /<br>National Low Income Housing Coalition |
| <b>PRESENTER DEMOGRAPHICS</b> |   |
| Organization:                 | Harlem Platform Committee   |
| Telephone:                    | 917-677-3613  |
| Fax:                          | 235-679-3613  |
| Email:                        | HPC125@Gmail.com  |
| Submitted:                    | March 28, 2007  |
| Status:                       | Copyright © Harlem Platform Committee 2007  |

Good Morning!

The Harlem Platform Committee [HPC] is here to address **ULURP C 070259 HAM**. This ULURP affects the area of West 114<sup>th</sup> Street and Frederick Douglass Boulevard.

**PROJECT NAME:** The Savannah

**LOCATION:** 2116, 2118 and 2122 Frederick Douglass Boulevard  
[The Savannah]

**BLOCK/LOT:** Block 1830 / Lots 2, 3 & 4 and [City Owned]

**REQUEST**

*If possible,*  
HPC requests that this ULURP be remanded back to the Borough President's Office to allow the community to directly engage with the Borough President regarding this ULURP. *We see no law that would prohibit such action.*

This ULURP is being expedited because of a request by the Department of Housing Preservation and Development [HPD] to do so. This limits the ability of the community to oppose this unneeded type of housing in Harlem. Since a grass-roots community group has fewer resources than the Borough President's Office, City Planning and HPD, by granting HPD's request the Borough President's Office abruptly interrupted any direct community input and discussion it could have had with an elected official. This then pushed the ULURP process into a bureaucratic phase where there is much less accountability to the public.

To "hurry" this process also suggests that community groups in Harlem are not sophisticated enough to address the ULURP process and that the community's input will not matter anyway, so why waste time hearing the community. This would allow the Borough President's Office and/or anyone else to only take the Community Board's statements into consideration no matter how inaccurate or misleading they may be although in this instance the Borough President didn't even consider the Community Board's recommendation. This is insulting and blatantly unfair to the Harlem community

*however*



**HPC**  
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**ADDENDUM OF THE HPC  
ADDRESSING THE LEGAL  
POSTURE, INTER ALIA,  
OF THE BOROUGH  
PRESIDENT USED TO  
SUPPORT HIS  
RECOMMENDATION**

April 6, 2007

Hon. Amanda Burden  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

Re: Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented with modifications

Dear Madam Chair:

This addendum addresses the legal posture, inter alia, the Borough President uses to support his recommendation of the above ULURP application. It also opposes Community Board 10's approval to a certain degree. However, the criticisms here look for modification as oppose to outright rejection of this project.

As we stated in our opposition and addendum letters to ULURP Application No., C 070258, Harlem is primarily a community of medium to large families and extended families. There are many of these families that want permanent housing. In the instant application the developer per suggestion of the Community Board 10 changed the floor plans to increase the size of the units and provide additional three-bedroom units. We see this as providing opportunities for Harlem families seeking affordable housing to stay in the community. The Borough President has endorsed his approval. However, the 8 units that the developer makes available under the language "affordable" allege to be for families of four. This would certainly mean that those units would have to be at least three-bedroom units. Neither the developer nor the Borough President says that and this needs to be clarified. (@ 2nd Paragraph of Borough President's "Project Description" and 2<sup>nd</sup> Paragraph of Borough President's "Comments")

Furthermore, if this is an opportunity for Harlem families seeking affordable housing to stay in the community, then the Community Board and the Borough President need to be realistic with the average income of the majority population of Harlem which is nowhere near 80% AMI (or approximately \$56,720 annually for a family of four). There must be a condition placed on this project that can guarantee an average Harlem family of four

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

seeking affordable housing the opportunity to stay in the community yet able to afford to buy these units. You can't say one thing but mean another. What is the real motive here, to have a real estate investment for outsiders or meeting the need of Harlem's indigenous, which seems to be implied in both CB 10 and the Borough President's letters?

### **DEVELOPER'S PROPOSAL IS NOT COMPLIANT TO LEED STANDARDS**

Our position in this area is the same as in our opposition letter and addendum to ULURP Application No., C 070258 HAM. Refer to those letters.

### **THE AFFORDABILITY QUESTION**

Here, the Borough President doesn't misstate Community Board 10's view on affordability. However, CB 10 struggled with this area. If one attended the General Board meeting on March 7, 2007 one would see that the real desired affordability range the Community Board and the community, including members of the HPC, was hoping for covers low income, very low income and extremely low income residents of Harlem. However, that said, we understand that we have to be realistic too and we understand the forces that surround us in this vicious housing market. So we believe that a fair compromise would be to make provisions toward affordable home ownership geared toward low income first. \$57,000 is not geared toward low income. Otherwise, again, this deal only benefits people wanting to move to Harlem hoping for a gentrification change that will make Harlem's Black population the minority. That is the other reality.

However, that goes against fundamental due process. An example of this would be - There is one side, a people who exist and live in Harlem. There is the developer who more than likely doesn't live in Harlem and there is the prospect that has not come into the picture. Yet everyone is more concerned with the developer and the unknown prospect over the current resident who is very real. This makes no sense and the City Planning Department must come to this conclusion and make some provision that supports the HPC's sentiments.

By offering this type of availability expressed in this letter, the playing field is more leveled and more of Harlem residents have an opportunity to buy permanent homes, which should take precedence over outsiders desiring to come into Harlem. This is what is in the best interest of Harlem residents. They need an opportunity to buy permanent housing too. The other way around is making more available homes for outsiders to come to Harlem before the needs of those who are here are met first.

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

## **DISPOSITION OF CITY PROPERTY**

Our position in this area is the same as in our opposition letter and addendum to ULURP Application No., C 070258 HAM. Refer to those letters.

## **THE UNDERGROUND PARKING PROBLEM**

Lastly, the underground parking problem never got an opportunity to be fully discussed because there was no quorum at Community Board 10's Land Use Committee prior to the full General Board vote. However, that doesn't mean it is not relevant and can't be argued here and be considered. Furthermore, because of the Borough President's expedited request that City Planning honored we incorporate our arguments in our opposition to ULURP Application No. C 070258 HAM here.

There is a school in the middle of the block of 114<sup>th</sup> Street. This is the side of the street where the underground parking garage will go for this project. Although, the purpose of the underground parking garage is a zoning requirement because of the zoning map change that reflects the increase of the residential FAR, upward, in that residential area, this purpose must be stated absolutely if an underground parking garage must be there, because of the school, as we will further expound upon below. The underground parking requirement of many new Harlem buildings is not being used for the statutory purpose it was intended for but rather for commercial underground parking. This is something that is not hearsay but what we know. So in this instance we need to be clear for safety reasons due to the close proximity of the school.

Notwithstanding the above, we also believe that the City at any department level can make recommendations or alter a statutory requirement in the interest of Public Safety under its broad police powers. How that is done is really not a problem. If the City is more concerned with public safety then the change can legally happen. The building will be on the North East corner of Frederick Douglass Boulevard. The school is down the street a little, between Frederick Douglass Boulevard and Adam Clayton Powell Boulevard. Frederick Douglass Boulevard has two-way traffic. The 114<sup>th</sup> Street side is a one-way street going east. The entrance to the parking garage comes shortly after a car turns from Frederick Douglass either North or South onto 114<sup>th</sup> Street. This is dangerous for the children coming and leaving from school and a potential traffic nightmare. There

Amanda Burden

April 6, 2007

Re: **Opposition to the Borough President of Manhattan's Recommendation on ULURP Application No. C 070259 HAM – The Savannah 2116, 2118 and 2122 Frederick Douglass Boulevard by the Department of Housing Preservation and Development as presented With Modifications**

is also the flow of NYCHA vehicles always operating on that street because of the A. Phillip Randolph Public Houses on that street, school buses, etc.

Community Board 10 failed to address this situation as well as the Borough President. But despite their failure to do so this situation must be addressed and dealt with in a satisfactory manner. The Harlem Platform Committee believes that this is one of those exceptions where such an underground parking requirement does not have to be mandatory.

### **CONCLUSION**

It seems that the incentives for building this project are for the developer and more for an outside home buyer seeking to buy property in Harlem as an investment looking for a lucrative return, which excludes most of the current Harlem residents, rather than for a necessity of permanent affordable housing for the current Harlem community. If this is not the case then HPD should incorporate the sentiments expressed in this addendum to demonstrate an incentive for all parties concerned but largely for the Harlem community.

We incorporate the rest of our sentiments found in the Conclusion section of our opposition letter to ULURP Application No. C 070258 HAM in this present conclusion section.

Ultimately, we endorse this project but only with these sound suggestions provided in this addendum and ask that the City Planning Department approve this project with those stated modifications.

Very truly yours,  
The HPC

## Notice and Petition

**DEAR PARENTS AND NEIGHBORS OF A. PHILLIP RANDOLPH HOUSES AND THE  
FREDERICK DOUGLASS ACADEMY II SCHOOL:**

**A developer is proposing to build a condominium property on the North East corner of W. 114<sup>th</sup> Street and Frederick Douglass Blvd. In the developer's proposal and because of the zoning map change of this development site, approximately 50 feet from the corner (on 114<sup>th</sup> Street) an underground parking garage will be built. Should the project get final city council approval, without recommendations, the garage will be a part of the structure.**

**The Harlem Platform Committee (a community based committee by and of the Harlem community) strongly opposes the parking garage because of the potential danger it would impose on children living in the community, particularly those living in the A. Phillip Randolph Houses and attending the Frederick Douglass Academy II School.**

**Conceivably, cars coming from both directions on Frederick Douglass Blvd., could turn onto the 114<sup>th</sup> Street block and pose a threat to a child **HURRIEDLY** going to and from the school or the neighborhood because they (**THE CARS**) are trying to hurry into the garage. Moreover, because of NYCHA Housing vehicles and school buses needing to come onto the block, a realistic threat of traffic congestion or hazard is imminent.**

**After carefully evaluating our representation of this matter, we are asking the parents or guardians of children of the immediate neighborhood who would be affected by the underground parking and Frederick Douglass Academy II to join the Harlem Platform Committee on this issue, if you think you should join the Harlem Platform Committee, by signing the petition against the underground parking garage.**

(Print Name)

(Sign Name)

(Mailing Address)

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