



Legislation Text

File #: Res 1948-2001, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1948

Resolution approving an Urban Development Action Area Project located at 20 West 119 Street (Block 1717/Lot 46), 63 West 119 Street (Block 1718/Lot 15), 66 West 120 Street (Block 1718/Lot 62), 10 West 123 Street (Block 1721/Lot 24), 229 West 112 Street (Block 1828/Lot 122), 208 West 122 Street (Block 1927/Lot 139), 916 St. Nicholas Avenue (Block 2107/Lot 10), and 571 West 161 Street (Block 2120/Lot 65); 1880 Adam Clayton Powell Boulevard (Block 1830/Lot 29), 220-226 West 116 Street (Block 1831/Lot 43), 449 West 125 Street (Block 1966/Lot 46), 334 East 96 Street (Block 1558/Lot 33); 28 West 132 Street (Block 1729/Lot 47), 3 West 137 Street (Block 1735/Lot 33), 267 West 139 Street (Block 2025/Lot 1), 273 West 150 Street (Block 2036/Lot 22), and 2830 Frederick Douglass Boulevard (Block 2036/Lot 64); 35 West 131 Street (Block 1729/Lot 19), 240 East 119 Street (Block 1783/Lot 29), and 321 St. Nicholas Avenue (Block 1952/Lot 51); 320 St. Nicholas Avenue (Block 1952/Lot 43) and 445 West 125 Street (Block 1966/Lot 47); 22 Mount Morris Park West (Block 1721/Lot 14), 24 Mount Morris Park West (Block 1721/Lot 17), 287 West 150 Street (Block 2036/Lot 10), 938 St. Nicholas Avenue (Block 2107/Lot 20); and 508-512 West 162 Street (Block 2120/Lot 28); 170 Lenox Avenue (Block 1717/Lot 69), 127 West 111 Street (Block 1821/Lot 14), 61 St. Nicholas Avenue (Block 1823/Lot 10), 12 West 101 Street (Block 1836/Lot 41), 16 West 101 Street (Block 1836/Lot 43), and 59 West 109 Street (Block 1845/Lot 7); 377 Edgecombe Avenue (Block 2054/Lot 22); 307 West 116 Street (Block 1943/Lot 27), 219 West 121 Street (Block 1927/Lot 21), and 232 West 122 Street (Block 1927/Lot 49); 8 Manhattan Avenue (Block 1836/Lot 19) and 4 Manhattan Avenue (Block 1836/Lot 20); 350 Cathedral Parkway (Block 1845/Lot 14); 145 West 111 Street (Block 1821/Lot 8), 213 West 111 Street (Block 1827/Lot 22), and 282 Manhattan Avenue (Block 1846/Lot 59); Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 1100; 20015404 HAM).

By Council Members Eisland and Linares

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on March 13, 2001 its request dated March 13, 2001 that the Council take the following actions regarding the following Urban Development Action Area Project

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(the "Project") located at 20 West 119 Street (Block 1717/Lot 46), 63 West 119 Street (Block 1718/Lot 15), 66 West 120 Street (Block 1718/Lot 62), 10 West 123 Street (Block 1721/Lot 24), 156 East 124 Street (Block 1772/Lot 50), 154 East 124 Street (Block 1772/Lot 150), 229 West 112 Street (Block 1828/Lot 122), 208 West 122 Street (Block 1927/Lot 139), 916 St. Nicholas Avenue (Block 2107/Lot 10), and 571 West 161 Street (Block 2120/Lot 65); 1880 Adam Clayton Powell Boulevard (Block 1830/Lot 29), 220-226 West 116 Street (Block 1831/Lot 43), 449 West 125 Street (Block 1966/Lot 46), 545 West 133 Street (Block 1987/Lot 12); 334 East 96 Street (Block 1558/Lot 33); 28 West 132 Street (Block 1729/Lot 47), 3 West 137 Street (Block 1735/Lot 33), 141 West 128 Street (Block 1913/Lot 9), 139 West 128 Street (Block 1913/Lot 10), 111 West 137 Street (Block 2006/Lot 24), 107 West 137 Street (Block 2006/Lot 25), 267 West 139 Street (Block 2025/Lot 1), 273 West 150 Street (Block 2036/Lot 22), and 2830 Frederick Douglass Boulevard (Block 2036/Lot 64); 35 West 131 Street (Block 1729/Lot 19), 240 East 119 Street (Block 1783/Lot 29), and 321 St. Nicholas Avenue (Block 1952/Lot 51); 320 St. Nicholas Avenue (Block 1952/Lot 43) and 445 West 125 Street (Block 1966/Lot 47); 22 Mount Morris Park West (Block 1721/Lot 14), 24 Mount Morris Park West (Block 1721/Lot 17), 287 West 150 Street (Block 2036/Lot 10), 640 Riverside Drive (Block 2088/Lot 74), 644 Riverside Drive (Block 2088/Lot 114), 938 St. Nicholas Avenue (Block 2107/Lot 20); and 508-512 West 162 Street (Block 2120/Lot 28); 170 Lenox Avenue (Block 1717/Lot 69), 42 West 120 Street (Block 1718/Lot 53), 127 West 111 Street (Block 1821/Lot 14), 61 St. Nicholas Avenue (Block 1823/Lot 10), 12 West 101 Street (Block 1836/Lot 41), 16 West 101 Street (Block 1836/Lot 43), and 59 West 109 Street (Block 1845/Lot 7); 377 Edgecombe Avenue (Block 2054/Lot 22); 307 West 116 Street (Block 1943/Lot 27), 219 West 121 Street (Block 1927/Lot 21), and 232 West 122 Street (Block 1927/Lot 49); 8 Manhattan Avenue (Block 1836/Lot 19) and 4 Manhattan Avenue (Block 1836/Lot 20); 350 Cathedral Parkway (Block 1845/Lot 14); 145 West 111 Street (Block 1821/Lot 8), 213 West 111 Street (Block 1827/Lot 22), and 282 Manhattan Avenue (Block 1846/Lot 59); Borough of Manhattan (the "Disposition Area");

1. Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the

municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Approve the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law; and

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4. Approve an exemption of the Project from real property taxes pursuant to Sections 577 of Article XI of the Private Housing Finance Law; and Section 696 of the General Municipal Law (the "Tax Exemption");

WHEREAS, by letters dated May 29, 2001 and May 30, 2001, the Department of Housing Preservation and Development severed from the application the properties located at: 156 East 124 Street (Block 1772/Lot 50), 154 East 124 Street (Block 1772/Lot 150), 545 West 133 Street (Block 1987/Lot 12); 141 West 128 Street* (Block 1913/Lot 9), 139 West 128 Street*(Block 1913/Lot 10), 111 West 137 Street (Block 2006/Lot 24), 107 West 137 Street (Block 2006/Lot 25), 640 Riverside Drive (Block 2088/Lot 74), 644 Riverside Drive (Block 2088/Lot 114), 42 West 120 Street (Block 1718/Lot 53);

WHEREAS, the Project is to be developed on land that is now a municipally-owned area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 31, 2001;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Project;

RESOLVED:

The Council finds that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an urban development action area project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement of the Transfer Area as an urban development action area under Section 693 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

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The Project shall be disposed of and developed upon the terms and conditions set forth in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The Council approves the Tax Exemptions as follows:

1. Pursuant to Section 577 of the Private Housing Finance Law as follows:
 - a. All of the value of the property in the Transfer Area, including both the land and any improvements, shall be exempt from real property taxes, other than assessments for local improvements, for a period commencing upon the date conveyance of the Transfer Area to the transferee ("Article XI Commencement Date") and terminating upon the earlier to occur of (i) the fortieth anniversary of the Article XI Commencement Date, (ii) the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company, or (iii) the date upon which the owner of the Transfer Area voluntarily surrenders and revokes such exemption by written notice to the Department of Finance ("Article XI Expiration Date").

b. In consideration of the tax exemption pursuant to Section 577 of the Private Housing Finance Law provided hereunder ("Article XI of Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of additional or concurrent real property tax abatement and/or tax exemption which may be authorized under any existing or future local, state, or federal law, rule, or regulation ("Alternative Tax Benefit"), for so long as the Article XI Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the Article XI Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.

c. The provisions of the Article XI Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the Article XI Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the Article XI Exemption with respect to other properties in the Transfer Area.

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2. Pursuant to Section 696 of the General Municipal Law as follows:

a. All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of twenty years commencing on the Article XI Expiration Date ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.

b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect; provided, however, that the owner of the Transfer Area may (i) voluntarily surrender and revoke the UDAAP Exemption at any time by written notice to the Department of Finance, and (ii) following the effective date of the surrender and revocation stated in such written notice, utilize any Alternative Tax Benefit for the Transfer Area.

c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of non compliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than ninety (90) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.

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d. Notwithstanding any other provision to the contrary, the combined duration of the Article XI Exemption and the UDAAP Exemption shall not exceed forty (40) years.

e. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Transfer Area.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on June 5,

2001, on file in this office.

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City Clerk, Clerk of Council