



## Legislation Text

File #: Res 1940-2009, Version: \*

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1940

Resolution approving an amended Urban Development Action Area Project located at 2080 Frederick Douglass Boulevard (Block 1828, Lot 63), 2078 Frederick Douglass Boulevard (Block 1828, Lot 64), 215 West 115<sup>th</sup> Street (Block 1831, Lot 21), 228 West 116<sup>th</sup> Street (Block 1831, Lot 47), 312 West 112<sup>th</sup> Street (Block 1846, Lot 55), 274 West 117<sup>th</sup> Street (Block 1922, Lot 58), 205 West 119<sup>th</sup> Street (Block 1925, Lot 25), 203 West 119<sup>th</sup> Street (Block 1925, Lot 27), and 311 West 141<sup>st</sup> Street (Block 2043, Lot 7), Borough of Manhattan, and approving the urban development action area designation and project, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 974; 20095235 HAM).

By Council Members Katz and Garodnick

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on December 17, 2008 its request dated November 24, 2008 that the Council take the following actions regarding the following Urban Development Action Area Project (the "Project") located at 2080 Frederick Douglass Boulevard (Block 1828, Lot 63), 2078 Frederick Douglass Boulevard (Block 1828, Lot 64), 215 West 115<sup>th</sup> Street (Block 1831, Lot 21), 228 West 116<sup>th</sup> Street (Block 1831, Lot 47), 312 West 112<sup>th</sup> Street (Block 1846, Lot 55), 274 West 117<sup>th</sup> Street (Block 1922, Lot 58), 205 West 119<sup>th</sup> Street (Block 1925, Lot 25), 203 West 119<sup>th</sup> Street (Block 1925, Lot 27), and 311 West 141<sup>st</sup> Street (Block 2043, Lot 7), Community District 10, Borough of Manhattan (the "Disposition Area"):

1. Find that the present status of the Disposition 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. Approve the designation of the Disposition Area as an Urban Development Area pursuant to Section 693 of the General Municipal Law;
3. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
4. Approve the exemption of the Project from real property taxes pursuant to Section 696 of the General Municipal Law for 228 West 116<sup>th</sup> Street (Block 1831, Lot 47), 312 West 112<sup>th</sup> Street (Block 1846, Lot 55), 274 West 117<sup>th</sup> Street (Block 1922, Lot 58), Borough of Manhattan (the "Exemption Area").

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use

permitted under the New York City Zoning Resolution;

WHEREAS, the Project amends C 080108 HAM (L.U. No. 639; Resolution No. 1358 of 2008);

WHEREAS, upon due notice, the Council held a public hearing on the Project on April 20, 2009;

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 Disposition 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 approves the area designation requirement pursuant to 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.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

The exemption of the buildings to be constructed on 228 West 116<sup>th</sup> Street (Block 1831, Lot 47), 312 West 112<sup>th</sup> Street (Block 1846, Lot 55), 274 West 117<sup>th</sup> Street (Block 1922, Lot 58) from real property taxes pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Exemption 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 July 1<sup>st</sup> following the conveyance of the Exemption Area to the Sponsor, during the last ten years of which such exemption shall decrease in equal annual decrements.
- b. The partial tax exemption granted hereunder shall terminate with respect to all or any portion of the Exemption Area if the Department of Housing Preservation and Development 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 Sponsor or the owner of such real property with, or for the benefit of, the City of New York. The Department of Housing Preservation and Development shall deliver written notice of any such determination of noncompliance 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 partial tax exemption granted hereunder shall prospectively terminate with respect to the real property specified therein.

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 April 22, 2009, on file in this office.

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City Clerk, Clerk of The Council