

WHEREAS Crosscap Holdings/Castellan Realty Corp. (“the applicant”) is requesting six Land Use actions subject to the City’s Uniform Land Use Review Process (ULURP) for 701 West 135th Street (Manhattan Block 2101, Lot ), including a special permit pursuant to ZR 74-681 to allow development within and over a railroad right-of-way, an amendment to the text of ZR 104-60 to allow a special permit to modify the applicable bulk regulations excepting Floor Area Ratio, an amendment to the text of Appendix A of Chapter 4 of Article X adding the lot as an “Other Area” within the Special Manhattanville Mixed Use District, and a rezoning of the lot from an M1-1 Manufacturing District to an R7-2 Residence District within a C2-4 commercial overlay (with Mandatory Inclusionary Housing); and

WHEREAS the applicant has previous engaged in conversations with Manhattan Community Board 9 (MCB9) about a potential 14 story development on the site and a 7 story development that would include the applicant acquiring a portion of 12th Avenue from the City; and WHEREAS Amtrak has explicitly in 2 separate letters dated June 11, 2021 and May 1, 2024, warned the applicant that it has not given its approval for the proposed development, which entails building above the Amtrak Empire Corridor rails (formerly the New York Central West Side Line); and

WHEREAS the lots in question are in a FEMA-designated floodplain and routinely have a foot or more of water pooling at that intersection during heavy rains, with the area completely flooded over the sidewalks and into the storefronts during Hurricane Sandy in 2012; and

WHEREAS the applicant’s own environmental review finds that the noise from the adjacent rail lines and West Side Highway/Route 9A and the emissions from the same would require that the lot be designated as hazardous, requiring significant mitigation efforts in order to make the development habitable by residents; and

WHEREAS the Manhattanville Special District was specifically not extended to cover this lot due to the desire to preserve lots zoned for manufacturing use in the Manhattanville neighborhood; and

WHEREAS the Department of City Planning has recently pushed to make it easier for small manufacturing and other manufacturing-adjacent businesses (bakery, jewelry shops, urban agriculture, etc.) to locate in commercial spaces in their “City of Yes for Economic Opportunity” text amendments, and the M1-1 zoning on this lot and existing building is specifically created for those purposes; and

WHEREAS the developer in its application to the Department of City Planning references “a history of failed tenancies” in the existing structure, which we believe occurred due to decisions by the property owner to not renew existing business leases and then the inability of the property owner to lease the space while it had no electricity and gas after the street collapsed at 12th Avenue adjacent to the property; and

WHEREAS the aforementioned street collapse is currently under repair by the Department of Design and Construction under project code HWM12AVE; and

WHEREAS the existing building at 701 W 135th Street would be demolished under the proposal, destroying the “Existing historic transportation infrastructure” that the applicant seeks to preserve; and

WHEREAS MCB9 has significant concerns about the habitability of the proposed developments by potential residents, given its location in a floodplain, “E” hazardous designation in the environmental review study, adjacency and cantilever over the Amtrak tracks, and proximity to the West Side Highway and the natural gas pipeline compressor; and

WHEREAS MCB9 has concerns about the potential impact of the proposed development on the MTA’s Phase 2 of Penn Access, which calls for MetroNorth trains to run over the tracks and stop at a new elevated train station at 12th Avenue and West 125th Street; and

WHEREAS the City Planning Commissioners in their hearing on April 1 to certify the application expressed significant concerns about the above; and

WHILE Manhattan Community Board 9 is eager to see new MIH developments at 40-60% of AMI as envisioned in the applicant’s proposal, this location is not suitable for residential development;

THEREFORE BE IT RESOLVED that Manhattan Community Board 9 recommends against the six ULURP actions requested by the applicant; and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 9 urges the applicant to market the building for commercial and manufacturing uses once the HWM12AVE capital project to repair the broken sewer interceptor and repair the sinkhole is completed.