



## **CITY PLANNING COMMISSION**

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April 27, 2005/Calendar No. 7

C 050228 HAX

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**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 15 East Clarke Place (Block 2840, Lot 38) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a thirteen story building, tentatively known as 15 East Clarke Place, with approximately 102 residential units for low income families, Borough of The Bronx, Community District 4.

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Approval of three separate matters is required:

1. The designation of 15 E. Clarke Place in the Borough of the Bronx, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of such property to a developer to be selected by HPD.

The application was submitted by the Department of Housing Preservation and Development on December 21, 2004.

Approval of this application would facilitate construction of a thirteen story residential building containing 102 dwelling units for low to moderate income families and formerly homeless families.

The Department of Housing Preservation and Development states in its application that:

The UDAAP Area consists of one underutilized vacant property that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The Disposition Area is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

HPD is seeking approval of an Urban Development Action Area designation, project approval, and disposition of city-owned property to facilitate the development of a thirteen story residential building with 102 dwelling units of rental housing for low to moderate income families and thirty percent of the units will be set aside for formerly homeless families. The project also includes a 723 square foot sitting area, a 2,935 square foot community room and accessory parking for 14 cars.

The property would be disposed of to a developer to be selected by HPD. The site is immediately adjacent to Lots 22 and 32, which have been combined with the subject site to create one zoning lot. These lots (Lots 22 and 32) contain an eight-story residential building for low income families with accessory parking, which was previously approved by the City Planning Commission on September 25, 2001, Calendar # 37 (N 010720 HAX) and the City Council on October 31, 2001 (Resolution # 2115). Social services for the subject project including job training will be provided by the Neighborhood Association for Inter-Cultural

Affairs (N.A.I.C.A.) which provides such services in the adjacent residential building.

The remainder of the block contains privately-owned seven-story residential buildings. There is also a one-story building with several retail uses fronting on Jerome Avenue and immediately adjacent to the site. The area, to the east of Jerome Avenue, is characterized by mid-rise apartment buildings, and institutions including Public School 88, Christ the King roman Catholic School, and several houses of worship. The area to the west of Jerome Avenue is zoned M1-2 and is predominantly characterized by auto repair establishments and shipping companies. Retail and service establishments are located along Jerome Avenue and on East 167<sup>th</sup> and East 170<sup>th</sup> streets.

The area is well served by public transportation. Five bus lines provide service to the area: the BX 11 and BX 18 run along East 170<sup>th</sup> Street, the BX 1 and BX 2 run along the Grand Concourse and the BX 35 runs along East 167<sup>th</sup> Street. The nearest subway stations are the East 167<sup>th</sup> and East 170<sup>th</sup> street stations on the #4 subway line.

## **ENVIRONMENTAL REVIEW**

This application (C 050228 HAX ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 05HPD007X. The lead agency is the Department of Housing

Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 10, 2004.

### **UNIFORM LAND USE REVIEW**

This application (C 050228 HAX) was certified as complete by the Department of City Planning on January 18, 2005, and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 4 held a public hearing on this application on February 22, 2005, and on that date, by a vote of 23 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on March 24, 2005, subject to the following condition:

Pursuant to my public hearing, I am confident that the developer will incorporate street trees into the plan, focus exterior lighting so as not to intrude on neighboring properties and introduce a building that improves the profile of the surrounding community. I am especially pleased that the architects used the site's hilly topography, building setbacks and facade treatment to reduce the impact of the building's thirteen-story height on sunlight exposure to the adjacent six-story structures.

I recommend that special attention be given to the building's main entrance. As this entryway is recessed from the structure's street wall, foundation plantings and architectural lighting should be used to accentuate the entrance and enhance the unique architectural characteristics of the structure. Such attention improves the safety of both residents and visitors and enhances the esthetics of the building.

Subject to these modifications, I recommend approval of this application.

### **City Planning Commission Public Hearing**

On March 30, 2005 (Calendar No. 2), the City Planning Commission scheduled April 13, 2005 for a public hearing on this application (C 050228 HAX). The hearing was duly held on April 13, 2005 (Calendar No. 22). There were three speakers in favor of the application and no speakers in opposition.

The developer and the architect for the project spoke in favor of the application. The architect indicated that he will extend the entrance of the building closer to the street wall in response to the Borough President's concerns and will also provide a canopy for the entrance.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the proposed Urban Development Action Area designation,

project approval, and disposition of city-owned property, are appropriate.

This application would facilitate the development of 102 units of housing for low to moderate income families and formerly homeless families in a thirteen story building on a 15,200 square foot vacant and fenced property. Thirty percent of the dwelling units will be reserved for formerly homeless families. Job training and placement programs will be provided to the homeless population from the adjacent building located at 35 E. Clarke Place.

The Commission notes that the architect will extend the entrance closer to the front of the building in response to the Borough President's recommendation that the entrance was "recessed from the structure's street wall."

The approval of this application would facilitate the return of this lot to private ownership and would provide much needed affordable housing for low to moderate income families as well as formerly homeless families. Disposition would make possible the return of this property to productive use and the elimination of its blighting influence on the neighborhood. Approval of this application would enable this city-owned property to be developed with a use that would serve the needs of the residents of Community District 4 and of the City of New York.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will

have no significant impact on the environment,

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at 15 East Clarke Place (Block 2840, Lot 38) in Community District 4, Borough of the Bronx, as an Urban Development Action Area; and

**WHEREAS**, the Department of Housing Preservation and Development has also recommended the approval of an Urban Development Action Area Project for such property;

**THEREFORE, BE IT RESOLVED** that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matters pursuant to the Urban Development Action Area Act:

- a) The designation of 15 East Clarke Place (Block 2840, Lot 38) as an Urban Development Action Area; and
- b) An Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the New York City Council finds that:

- a. The present status of the area tends to impair or arrest the sound development of the municipality;
- b. The financial aid in the form of tax incentives to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to enable the project to be undertaken; and

- c. The project is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act; and

**BE IT FURTHER RESOLVED**, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application of the Department of Housing Preservation and Development for the disposition of city-owned property located at 15 East Clarke Place (Block 2840, lot 38), Community District 4, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 050228 HAX), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the new York City Charter.

**AMANDA M. BURDEN**, AICP, Chair  
**KENNETH J. KNUCKLES**, Esq., Vice Chair  
**IRWIN G. CANTOR, P.E., ANGELA M. CAVALUZZI, R.A., ALFRED C. CERULLO III, RICHARD W. EADDY, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners