



CITY PLANNING COMMISSION

April 25, 2012 / Calendar No. 5

C 120164 HAX

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 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) 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 an eight-story building, a thirteen-story building and a fifteen-story building with a total of approximately 428 dwelling units, 20,910 square feet of community facility space, 36,770 square feet of commercial space and 155 accessory parking spaces, Community District 1, Borough of The Bronx.

Approval of three separate items is required:

- a) the designation of property located at 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; and
- c) the disposition of such property to a developer selected by HPD.

The application was submitted by the Department of Housing Preservation and Development (HPD) on January 13, 2012. Approval of this action will facilitate the development of mixed-use buildings, including affordable housing. Approval of this action will facilitate the development of approximately 428 dwelling units, 20,910 square feet of community facility space, 36,770 square feet of commercial space and 155 accessory parking spaces.

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

The Project Area consists of underutilized 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 project 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.

RELATED ACTIONS

In addition to the UDAAP designation, project approval, and disposition of city-owned property, which is the subject of this report (C 120164 HAX), implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. C 120165 ZMX Zoning Map Amendment Block 2582, Lot 65 from R7-2 to R8X
2. N 120175 HCX Minor Change to the First Amended Mott Haven East Urban Renewal Plan

BACKGROUND

The Department of Housing Preservation and Development (HPD) is seeking the designation of the property located at 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area, approval of an Urban Development Action Area Project for such area and the disposition of city-owned properties to developers to be selected by HPD. In addition, HPD is also seeking approval of a zoning map amendment (C 120165 ZMX) and a minor change to the First Amendment to the Mott Haven East Urban Renewal Plan (N 120175 HCX) to facilitate the development of an eight-story building, a thirteen-story building and a fifteen-story building with a total of approximately 428 dwelling units, 20,910 square feet of community facility space, 36,770 square feet of commercial space and 155 accessory parking spaces.

The project site, which is the subject of the UDAAP designation, project approval and disposition, consists of three city-owned tax lots (Block 2582, Lots 47, 64 and 65) located in the Mott Haven East Urban Renewal Area. The Mott Haven East Urban Renewal Area is generally bounded by East 149th Street on the north, Southern and Bruckner boulevards on the east, East 135th Street on the south, and Brook and St. Ann's avenues on the west.

The original South Bronx Neighborhood Development Project (C 940467 HUX) was adopted by the City in May, 1996. Designated Site 503 in the original South Bronx Neighborhood Development Project, consisted of Block 2582, Lots 47, 64 and 65, including the bed of demapped Union Avenue (Lot 64). Lot 64 was demapped on June 23, 1970 (Cal. No. 15) by the Board of Estimate and made part of site 503, but remained open to traffic. The original plan was to have a single development built on the three tax lots constituting the development site.

In 2000, the Urban Renewal Plan was amended to delete Lot 64 from the plan in order to facilitate separate projects on either side of Union Avenue, which would have been built out as a street to provide Lot 47 its own street frontage. The Urban Renewal Plan was amended, designating Lots 47 and 65 as sites 503A and 503B, respectively (C 000230 HUX). The proposed project returns to the original intent of the Urban Renewal Plan which was a single development occupying the three tax lots.

The Project Site (Block 2582, Lots 47, 64, 65) is currently located in an R7-2/C2-4, although there is a concurrent application to rezone part of the project site from an R7-2 district to R8X. The site consists of vacant land (Block 2582, Lot 65) and an unoccupied gas station (Block 2582, Lot 47) and the demapped portion of Union Avenue (Block 2582, Lot 64) between East 147th Street and East 149th Street.

The proposed development would consist of three buildings surrounding a central plaza which will occupy what is currently the demapped portion of Union Avenue (Block 2582, Lot 64). Building 1 will consist of a fifteen-story building with 166 affordable units, 18,272 square feet of ground floor commercial space and 61 accessory parking spaces. Building 2 will consist of a thirteen-story building with 136 affordable units, 18,497 square feet of ground floor commercial space and 52 accessory parking spaces. Building 3 will be an eight-story building with 126 affordable units ranging from 40%-80% of AMI and 42 accessory parking spaces. In addition, the Easter Seals Child Development Center will be located at on the first floor. The plaza will have areas designated for the

general public and for residents. The southern portion of the plaza will be landscaped with seating and will be accessible to the public. There will be a planted 15' wide public walkway on the eastern edge of the plaza which will serve as access to Building 3 and provide a route for pedestrians between East 147th and East 149th Streets. The remainder of the plaza will only be accessible to residents of the proposed development. It will include landscaping, benches and planter ledge benches for seating and will be secured by an ornamental fence with an access key.

The area surrounding the project is zoned R7-1, M1-2 and M1-3 and is a mix of residential and commercial uses. West of the project site are five - and six-story multi-family residential buildings. North of the site is elementary school PS 25.

Mid-rise residential buildings as well as low-rise commercial buildings line Southern Boulevard, immediately southeast of the site. East 149th Street and Southern Boulevard are two major retail corridors in the South Bronx. The area is well served by mass transit with the IRT 6 is located at the intersection of East 149th Street and Southern Boulevard. The IRT 2 and 5 trains located at Jackson Avenue are five blocks to the northwest. In addition two bus routes, the BX#17 and BX#19 provide local service to the retail corridor known as the HUB just west of the project site.

Zoning Map Amendment (C 120165 ZMX)

HPD requests the approval of a zoning map amendment to establish an R8X district for a portion of the project site (Block 2582, Lot 65) the site of Buildings 1 and 2 for an area bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street and Union Avenue and its southerly centerline prolongation. The remainder of the project area will retain its R7-2 zoning designation. The R7-2 zoning district is a medium density height factor district that produces buildings from eight to fourteen stories. The maximum permitted Floor Area Ratio (FAR) is 3.44 for residential uses and 6.5 for community facility. If developed pursuant to Quality Housing the maximum permitted residential FAR is 4.0 on a wide street. There is an underlying C2-4 commercial overlay which will remain unchanged.

The proposed R8X zoning district permits a maximum street wall height of 85 feet with a setback of 15 feet on a narrow street and 10 feet on a wide street above 85 feet, an overall building height of 150 feet and a maximum permitted FAR of 6.02 for residential uses and 6.0 for community facility.

Minor change to the First Amended Mott Haven East Urban Renewal Plan (C 120175 HUX)

The proposed Minor Change to the First Amended Mott Haven East Urban Renewal Plan deletes the provision that the demapped section of Union Avenue (Block 2582, Lot 64) be remapped as a street. The project would require that Lot 64 remain demapped to facilitate this project, specifically the central plaza which will provide amenities to the residents of all three buildings and the community. Although the First Amended URP called for remapping Lot 64 as a portion of Union Avenue to provide street frontage, the City Map Amendment to do so was never executed.

ENVIRONMENTAL REVIEW

The application (C 120164 HAX) in conjunction with the applications for the related actions (C 120165 ZMX and N 120175 HCX) 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 09HPD028X. 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 January 17, 2012.

UNIFORM LAND USE REVIEW PROCEDURE

This application (C 120164 HAX), in conjunction with the related applications

(C 120165 ZMX and N 120175 HCX), was certified as complete by the Department of City Planning on January 23, 2012 and was duly referred to Bronx Community Board 1 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 1 held a public hearing on this application (C 120164 HAX) and the related actions on February 23, 2012, and on that date, by a vote of 19 in favor, 3 opposed with 2 abstentions, adopted a resolution recommending approval.

Borough President Recommendation

The Borough President held a public hearing on this application on March 13, 2012, and issued a recommendation on March 30, 2012, approving the application.

City Planning Commission Public Hearing

On March 28, 2012 (Calendar No. 1), the City Planning Commission scheduled April 11, 2012, for a public hearing on this application (C 120164 HAX). The hearing was duly held on April 11, 2012 (Calendar No. 8), in conjunction with the related applications (C 120165 ZMX and N 120175 HCX).

There were 3 speakers in favor of the application and none opposed.

A representative of the New York City Department of Housing Preservation and Development described the history of the site and the levels of affordability for Building 3. The representative stated that the closing for Building 3 will take place first, as it is scheduled to be constructed first. He also explained that the affordability levels for Buildings 1 and 2 are uncertain and market conditions and funding sources will dictate the levels of affordability for those properties. He also explained the build out of the plaza as it relates to the project site.

The developer of the project spoke in favor of the project, explaining the programming and the levels of affordability for Building 3. The developer also stated that they would consider home ownership for Buildings 1 and 2 if the option were available at the time of closing.

The third speaker was the project architect who explained that the residential portion of Building 3 is setback 40 feet from the property line; the community facility is setback 10' from the property line and is a permitted obstruction in the rear yard. He also indicted the location for trash and that while there is no vehicular access to the front of Building 3, there is an elevator in the cellar level of the parking garage that services the residential portion of the building.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of city owned property (C 120164 HAX) in conjunction with the related Zoning Map Amendment (C 120165 ZMX) and Minor Change to the First Amended Mott Haven East Urban Renewal Plan (N 120175 HCX) is appropriate.

The Commission believes that the proposed actions will facilitate the redevelopment of vacant and unutilized properties in the Mott Haven neighborhood. The project site has been vacant for more than 30 years and will serve as an anchor and a catalyst in the continued revitalization of the South Bronx. The project will result in the creation of 428 affordable dwelling units to serve the residents of Bronx, Community District 1. In addition, the project provides community facility space for the Easter Seals Child Development Center to provide services for children with special needs and new retail to serve community residents. The Commission also believes that the proposed project fulfills the original intent and vision of the Mott Haven East Urban Renewal Plan.

The Commission believes that the proposed R8X zoning district (Block 2582, Lot 65) is appropriate at the intersection of Southern Boulevard, Prospect Avenue, and East 149th Street all wide streets. While the maximum building height (150') is taller than surrounding buildings, the base height (60'-85') is consistent with the streetwall of other buildings in the area. R8X has a greater maximum residential FAR (6.02) than the R7-2 (4.0) which maximizes the number of affordable housing units developed. In addition, the building height is appropriate given the location at the intersection of three wide streets and its proximity to transit.

The Commission is pleased to note that Building 3, to be developed as Phase I will be a mixed income rental with units at 40% AMI, 60% AMI and 80% AMI and that all units for the proposed project will be affordable as described by HPD in a letter to the Commission dated April 12, 2012. The Commission believes that the affordability levels for Building 3 will facilitate income diversity.

The Commission believes that while the affordability levels and funding sources are not yet identified for Buildings 1 and 2, maintaining the same levels of affordability as Building 3 are important to the success of the project and creating stability in the neighborhood. The Commission also believes that a home ownership component should be considered as part of the programming if funding is available at the time of closing for Buildings 1 and 2.

The Commission notes that the plaza which will occupy what is currently the demapped portion of Union Avenue (Lot 64) will provide open space for both residents and the general public.

The Commission believes that the project will address the need for affordable housing for a variety of income levels.

RESOLUTION

RESOLVED, that the City Planning Commission, finds that the action described herein will have no significant impact on the environment; and be it further

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area 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 further **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions certifies its unqualified approval of the matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area, and
- b) an Urban Development Action Area Project for such area; 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 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) in Community District 1, Borough of the Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 120164 HAX), duly adopted by the City Planning Commission on April 25, 2012 (Calendar No. 5), 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, *FAICP*, Chair

KENNETH J. KNUCKLES, *ESQ.*, Vice Chairman

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, *III*, BETTY Y. CHEN, MICHELLE R. DE LA UZ,
MARIA M. DEL TORO, RICHARD W. EADDY, ANNA HAYES LEVIN,
ORLANDO MARIN, SHIRLEY A. MCRAE, Commissioners**

NYC PLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation
Pursuant to the Uniform Land Use Review Procedure

Application #: **C 120164 HAX** Project Name: **Crossroads Plaza**
 CEQR Number: **09HPD028X** Borough(s): **Bronx**
 Community District Number(s): **01**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 • **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (8-digit application number), e.g., "CB Recommendation #C100002SQ"
 • **MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 • **FAX:** (212) 720-3356 and note "Attention of the Calendar Office"

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

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 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) 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 an eight-story building, a thirteen-story building and a 15- story building with a total of approximately 428 dwelling units, 20,910 square feet of community facility space and 36,770 square feet of commercial space, to be developed under the Department of Housing Preservation and Development's moderate- and low-income affordable housing programs.

Applicant(s): NYC Dept. of HPD 100 Gold Street New York, N.Y. 10038	Applicant's Representative: Theresa Arroyo NYC Dept. of HPD 100 Gold Street New York, N.Y. 10038 t. (212) 863-7945
--	---

Recommendation submitted by:
 Bronx Community Board 1

Date of public hearing: **February 23, 2012** Location: **3024 THIRD AVENUE, BRONX, N.Y. 10455**

Was a quorum present? YES NO
A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Date of Vote: **FEBRUARY 23, 2012** Location: **3024 THIRD AVENUE BRONX, NY 10455**

RECOMMENDATION

Approve Approve With Modifications/Conditions
 Disapprove Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting
 # In Favor: **19** # Against: **3** # Abstaining: **2** Total members appointed to the board: **34**

Name of CB/BB officer completing this form Cedric L. Lester	Title District Manager	Date February 23 2012
---	----------------------------------	---------------------------------



DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation
 Pursuant to the Uniform Land Use Review Procedure
Application #: **C 120165 ZMX**Project Name: **Crossroads Plaza**

CEQR Number: 09HPD028X

Borough(s): **Bronx**Community District Number(s): **01**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
 - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"
 - **MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - **FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, by changing from an R7-2 District to an R8X District property bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street, and Union Avenue and its southerly centerline prolongation, Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated January 23, 2012.

Applicant(s): NYC Dept. of HPD 100 Gold Street New York, N.Y. 10038		Applicant's Representative: Theresa Arroyo NYC Dept. of HPD 100 Gold Street New York, N.Y. 10038 t. (212) 863-7945
Recommendation submitted by: Bronx Community Board 1		
Date of public hearing: FEBRUARY 23, 2012 Location: 3024 THIRD AVENUE, BRONX, N.Y. 10455		
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.
Date of Vote: FEBRUARY 23, 2012 Location: 3024 THIRD AVENUE, BRONX, N.Y. 10455		
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting # In Favor: 19 # Against: 3 # Abstaining: 2 Total members appointed to the board: 34		
Name of CB/BB officer completing this form Chantal L. L'etier	Title District manager	Date February 23 2012

BOROUGH PRESIDENT RECOMMENDATION	CITY PLANNING COMMISSION 22 Reade Street, New York, NY 10007 Fax # (212)720-3356
---	---

INSTRUCTIONS

<p>1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.</p>	<p>2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.</p>
---	---

APPLICATION # C 120164 HAX , C 120165 ZMX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 1	BOROUGH: BRONX
------------------------------	-----------------------

RECOMMENDATION


APPROVE

APPROVE WITH MODIFICATIONS/CONDITIONS (List below)

DISAPPROVE

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION

 BOROUGH PRESIDENT	<hr style="width: 100%; border: 0.5px solid black;"/> DATE
---	---

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 120044PPX
CROSSROADS PLAZA
3/29/12

DOCKET DESCRIPTION

CD 1-ULURP APPLICATION NO: C 120164 HAX-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 500/539 Union Avenue (Block 2582, Lots 47, 64 and 65) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project or such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

To facilitate development of an eight-story building, a 13-story building and a 15-story building with a total of approximately 428 dwelling units, 20,910 square feet of community space and 36,770 square feet of commercial space, to be developed under the Department of Housing Preservation and Development's moderate and low income affordable housing programs.

CD 1-ULURP APPLICATION NO: C 120165 ZMX-IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6c, by changing from an R7-2 District to an R8X District property bounded by East 149th Street, Prospect Avenue, Southern Boulevard, East 147th Street, and Union Avenue and its southerly centerline prolongation, Borough of the Bronx, Community District #1, as shown on a diagram (for illustrative purposes only) dated January 23, 2012.

BACKGROUND

The purpose of this ULURP is to dispose City property located at Block 2582, Lots 47, 64 and 65 facilitating the development of three buildings containing 428 residential units, 20,910 square feet of community space, 36,770 square feet of commercial space, 155 accessory parking spaces and 214 bicycle spaces. The site is bound by East 149th Street to the north; Prospect Avenue to the east; Southern Boulevard to the southeast; East 147th Street to the south and mid-block between Union and Tinton Avenues and East 147th and 149th Streets to the west. The site also contains a demapped portion of Union Avenue totaling 405 feet in length.

In addition to the disposition of City property, the application will amend the Mott Haven East Urban Renewal Area by allowing a R7-2 zone change to a R8X. This change will result in increased FAR from 3.44 to 6.21, and allow buildings with a maximum of height of 150 feet and streetwall height of 85 feet. A portion of the site on the western side of the demapped portion of Union Avenue will remain R7-2, which maintains the 3.44 FAR with a maximum building height of 75 feet, and a maximum streetwall height of 60 feet. Maximum lot coverage for the site will be 70 percent.

The site is characterized by primarily vacant land, except for a one-story accessory building for a former gas station and an unregistered community garden. Building 1 will be located at the corner of East 149th Street and Prospect Avenue with a height of 15 stories; Building 2 will be located along Southern Boulevard with an additional entrance facing the demapped portion of Union Avenue with a height of 13 stories; Building 3 will face the demapped portion of Union Avenue and will be eight stories in height. The demapped portion of Union Avenue will also be used as an accessible public walkway and planted landscaped area. Underground parking will be accessible to Buildings 1 and 2 along Southern Boulevard, and to Building 3 along the remaining mapped portion of Union Avenue southbound from East 149th Street.

Building 3 at Block 2582, Lot 47 will be constructed first and contain 126 mixed-income units ranging from 40 to 80 percent of area median income. The first floor will house an Easter Seals Child Development Center, operating Monday through Friday from 7:30 a.m. to 4:30 p.m., serving approximately 115 students and employing 50 people. Building 3 will house 42 accessory parking spaces. Half of the structure will have a green roof and adhere to Enterprise Green Communities standards.

Buildings 1 and 2 will be constructed at later dates on Block 2582, Lot 65. Building 1 will contain 166 units and 18,272 square feet of ground floor retail with 61 accessory parking spaces. Building 2 will contain 136 residential units, 18,497 square feet of ground floor retail with 52 accessory parking spaces.

The immediate surrounding area is characterized by one-story commercial buildings to the north and east; one and two-story commercial and manufacturing structures and a five-story apartment building to the southeast; a five-story apartment building and one-story commercial and manufacturing structures to the south; and five and six-story apartment buildings to the west. The general surrounding area is characterized by a mix of one-story commercial structures, two and three-family homes, and four to six-story apartment buildings to the north and east; one and two-story commercial and manufacturing buildings, and two to three-family homes to the southeast; one-story commercial and manufacturing buildings, and a three-story public facility to the south; and two to three-family homes and five to six-story apartment buildings to the west.

The area is well-served by transportation with the IRT 6 East 149th Street station at the corner of the site at East 149th Street and Prospect Avenue. The IRT 2 and 5 trains at the Jackson Avenue station are five blocks to the northwest. The site is immediately served by the BX17 and 19 buses, which stop at the corner of East 149th Street and Prospect Avenue, and also served by the BX4 and 4A, which runs along Westchester Avenue five blocks away. The site is also three

blocks away from the Bruckner Expressway and less than a mile from the Major Deegan Expressway and the Triborough/Robert F. Kennedy Bridge.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to SEQRA and CEQR. An Environmental Assessment Statement was prepared for this application and designated as an unlisted action on January 4, 2012.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #1 held a public hearing and approved this application on February 23, 2012, with a vote of 19 in favor, three against, and two abstentions.

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President held a public hearing on this application on March 13, 2012. The applicants were present and spoke in favor of this application. One member of the public was present that spoke against the application, noting community concerns about the removal of an unregistered community garden from the site and the community notification process.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The development of this site will represent a major transformation to the surrounding Mott Haven, Port Morris, Longwood and Hunts Point communities. I am pleased that after multiple attempts and proposals that this major intersection see a new vibrancy. As the country revisits transit-oriented developments and their social, environmental and economic benefits, underutilized stations such as the IRT 6 149th Street Station need to be leveraged as new focal points for existing communities. I am comfortable with the scale of the project, as the site represents not only the juncture of three major Bronx streets (East 149th Street, Southern Boulevard and Prospect Avenue), it will utilize a demapped portion of Union Avenue for new, passive recreation, which is desperately needed in Bronx Community District #1.

Crucial to this project is its mixed-income nature. This project can only be successful if a variety of incomes are accommodated to help create aspirational communities, where residents can move up and not out. Having incomes up to 80 percent of area median income assures that hard-working Bronx residents that grow their family do not get pushed out. Although income levels have only been identified for the first building, all three buildings should contain a mix of incomes ranging from low to middle-income units. I base my strongest support on this point.

There has been some concern over the presence of a community garden at the site. While I am whole-heartedly supportive of community gardens, no location on this site has ever been registered as a community garden. According to testimony, this community garden sprung up in

2009, well after initial plans for a three-building, mixed-income development were proposed. Given the longstanding plans to develop this site as mixed-use, mixed-income housing, and no formal registry for a community garden, the developers should be allowed to complete the vision for this site.

I recommend approval of this application.