



CITY PLANNING COMMISSION

October 8, 2003/Calendar No. 25

C 030533 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 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street, part of Site 5 within the Melrose Commons Urban Renewal Area (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), 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 selected by HPD;

to facilitate development of a nine story residential building , tentatively known as Palacio del Sol, with approximately 124 units of housing for low-income families and ground floor commercial space, to be developed under the New York State Housing Trust Fund Program, Borough of The Bronx, Community District 1.

The application was filed by the Department of Housing Preservation and Development (HPD) on June 18, 2003.

Approval of three separate matters is required:

1. The designation of 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42) 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 selected by the New York City Department

of Housing Preservation and Development.

Approval of this application would facilitate the construction of a nine-story residential building with a total of 124 units: 123 units of rental housing for low-income families and one unit for the superintendent. The proposed project is tentatively known as Palacio del Sol.

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

The Disposition Area consists of underutilized vacant lots and vacant building which 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

Tentatively known as Palacio del Sol, this proposed nine-story housing for low-income families is located in the Melrose Commons Urban Renewal Area. The Melrose Commons Urban Renewal Plan was adopted by the City Council on June 16, 1994 (C940226HUX). The plan has been facilitating the revitalization of a 34 block area with new residential construction and rehabilitation of vacant buildings. In addition, the plan includes supportive commercial and community facility uses distributed along the major avenues and incorporates a system of small parks and public open spaces.

The proposed project site is located on the western portion of Site 5 in the Melrose Commons Urban Renewal Area, on a block bounded by Melrose Avenue, East 156th Street, East 157th Street and Elton Avenue. The 51,327 square foot site, consists of nine underutilized vacant, city-owned parcels- one of which contain one-story dilapidated vacant buildings. The project site is split between

two zoning districts- an R8 zoning district with a C1-4 commercial overlay is mapped to a depth of 100 feet from Melrose Avenue, the remainder of the site is within an R7-2 zoning district. The disposition of this site will facilitate the construction of a new nine-story elevator building with 123 units of rental housing for low income families and one unit for a superintendent. The project would include a community room for meetings, a laundry room, a trash compactor room and approximately 11,000 square feet of commercial space on the ground floor facing Melrose Avenue. In addition, an accessory parking lot with 47 spaces would be located in the rear of the building and accessed from East 156th Street. A landscaped open space area would also be provided in the rear of the building. This project is funded under the New York State Housing Trust Fund Program.

Adjacent to the project site, along East 157th Street, is the remaining vacant portion of Site 5 and an occupied five-story apartment building. The area along Elton Avenue, between East 156th and East 157th streets contains Site 4 with newly constructed New York City Housing Partnership Homes, a privately-owned vacant lot and an occupied two-family house. The surrounding area is primarily residential in character with recently constructed subsidized housing including Puerta de Vitalidad with 60 units and 7,000 square feet of ground floor retail on Third Avenue and East 158th Street, Plaza de Los Angeles containing 105 units of New York City Housing Partnership Homes located along Elton Avenue and Melrose Court on Brook Avenue and East 157th Street. Retail and service establishments are located along Third Avenue and along East 161st Street. St. Peter and Paul Church, school and rectory are located at Third Avenue and East 159th Street. P.S. 29 is located on the block west of the project site on Courtlandt Avenue.

The site is accessible by several bus lines: Bx41 runs along Melrose and Webster avenues and has a stops on the subject block; the Bx2 runs along Melrose Avenue and the Grand Concourse and the Bx 15 , Bx21 and Bx55 which transverse Third Avenue, two blocks east of the subject site.

ENVIRONMENTAL REVIEW

This application (C 030533 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order 91 of 1977. The designated CEQR number is 88-087X. The co-lead agencies were the Departments of City Planning (DCP) and Environmental Protection (DEP).

It was determined that this application would not result in environmental impacts that would be substantially different from or greater than those described in the 1994 FEIS for the Melrose Commons URA project. In a letter dated March 19, 1998, it was determined that the proposed changes do not alter the conclusions of the earlier review and that therefore the Notice of Completion issued on April 15, 1994 remains in effect.

UNIFORM LAND USE REVIEW

This application (C 030533 HAX) was certified as complete by the Department of City Planning on June 30, 2003, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on June 26, 2003, and on that date, by a vote of 24 to 0 with 0 abstentions, adopted a resolution recommending approval of the application. However, the community board held the public hearing and adopted the resolution before its 60-day review period and was therefore non-complying.

Borough President Recommendation

This application (C 030533 HAX) was considered by the Borough President, who issued a recommendation approving this application on September 3, 2003.

City Planning Commission Public Hearing

On August 27, 2003 (Calendar No. 1), the City Planning Commission scheduled September 10, 2003, for a public hearing on this application (C 030533 HAX). The hearing was duly held on September 10, 2003 (Calendar No. 9). There were three speakers who spoke in favor and none opposed to the application. The speakers included a representative from HPD, the architect for the project and a representative of the developer. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the UDAAP area designation and project approval and disposition of city-owned property is appropriate.

The Commission believes that the application for disposition of city-owned property located at 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42) to facilitate the construction of one nine-story elevator building with 123 units of rental housing for low income families plus one unit for a superintendent and a ground-floor commercial space is appropriate.

The project would facilitate the development of nine underutilized vacant city-owned parcels- one of which contain one-story dilapidated vacant buildings, totaling 51,327 square feet in area, that have had a blighting influence on this area for a number of years and also facilitate implementation of the urban renewal plan. The Commission also notes that the disposition of this property will complement the redevelopment efforts by the City and State in this area.

The project site is located partially in an R8 zoning district with a C1-4 commercial overlay and partially in an R7-2 zoning district. The Commission notes that this project is consistent with the goals set forth in the Melrose Commons Urban Renewal Plan (part of Site 5) to develop new housing on the subject site. The Commission believes that the proposed project offers an opportunity to

address the need for affordable housing for low income families and will contribute to the revitalization of the area.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the proposed disposition of city-owned property located at 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street, part of Site 5, (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), conforms to the objectives and provisions of the Melrose Commons Urban Renewal Plan (C 940226 HUX) dated June 16, 1994.

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 15, 1994, with respect to this application (CEQR No.88-087X), the City Planning Commission finds that the requirements of the New York State Environment Quality Review Act and regulations have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent possible by incorporating as conditions to be approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and others factors and standards; that form the basis of the decision, pursuant to Section 617.9(c)(3) of the SEQRA regulations; and

WHEREAS, the Department of Housing Preservation and Development has recommended the

designation of 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), in Community District 1, 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 further

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 the 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42) 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 within the Melrose Commons Urban Renewal Area at 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413

and 409 East 156th Street (Block 2378, Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), Community District 1, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 030533 HAX).

The above resolution (C 030533 HAX), duly adopted by the City Planning Commission on October 8, 2003 (Calendar No. 25), 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

ANGELA M. BATTAGLIA, **IRWIN G. CANTOR**, P.E., **ANGELA M. CAVALUZZI**, R.A.,

JANE D. GOL, **CHRISTOPHER KUI**, **JOHN MEROLO**, **KAREN A. PHILLIPS**,

DOLLY WILLIAMS, Commissioners

RICHARD W. EADDY, Commissioner, Recused.