



## **CITY PLANNING COMMISSION**

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March 12, 2008/Calendar No. 10

C 080127 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 2301-2311 Lacombe Avenue (Block 3540, p/o Lot 1), 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 the disposition of a one family residential unit under the Department of Housing Preservation and Development Division of Alternative Management Programs, Borough of the Bronx, Community District 9.

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Approval of three separate matters is required:

1. The designation of property located at 2301-2311 Lacombe Avenue (Block 3540, Lot 1), Site 2A within the James J. Lyons Urban Renewal Area; and
2. An Urban Development Action Area Project for such property; and
3. The disposition of such property to the tenants of the home; and

The application for the Urban Development Action Area designation and project approval and disposition of city-owned property was filed by the Department of Housing Preservation and Development (HPD) on November 16, 2007.

Approval of this application would facilitate the disposition of a two-story residential home through HPD's Division of Alternative Management Programs (DAMP).

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

The Project Area consists of underutilized vacant lots which tend 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 approval of the UDAAP designation and disposition of City-owned property which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

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| C 080126 HUX | Approval of the First Amendment of the James J. Lyons Urban Renewal Plan. |
| C 080128 ZMX | Zoning Map Amendment from M1-1 to R5.                                     |

## **BACKGROUND**

A full background discussion and description appears in the report on the related application for the First Amendment of the James J. Lyons Urban Renewal Plan (C 080126 HUX).

## **ENVIRONMENTAL REVIEW**

This application (C 080127 HAX) in conjunction with the related applications (C 080128 ZMX) and (C 080126 HUX) 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 03HPD003X. 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 27, 2003.

#### **UNIFORM LAND USE REVIEW**

This application (C 080127 HAX), in conjunction with the related applications (C080126HUX) and (C080128ZMX), was certified as complete by the Department of City Planning on October 29, 2007, and was duly referred to Community Board 9 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 9 held a public hearing on this application on December 10, 2007, and on December 20, 2007, by a vote of 22 in favor to 0 opposed with 0 abstentions, adopted a resolution recommending approval with conditions.

A summary of the recommendation of Community Board 9 appears in the report on the related applications for the amendment to the Urban Renewal Plan (C 080126 HUX).

### **Borough President's Public Hearing**

This application was considered by the Bronx Borough President who issued a recommendation approving the application on January 31, 2008.

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

On January 30, 2008 (Calendar No. 11), the City Planning Commission scheduled February 13, 2008, for a public hearing on this application (C 080127 HAX), in conjunction with the public hearing on the related applications (C 080126 HUX) and (C 080128 ZMX). The hearing was duly held on February 13, 2008(Calendar 41), in conjunction with the public hearing on the related applications (C 080126 HUX) and (C 080128 ZMX).

There was one speaker who spoke in favor as described in the report on the related application for the urban renewal plan amendment (C080126HUX), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for UDAAP Designation and Project Approval and Disposition of City-owned property is appropriate.

A full consideration and analysis of the issue, and further reasons for approving this application, appear in the report on the related application for the First Amendment to the James J. Lyons Urban Renewal Plan (C 080126 HUX).

**RESOLUTION**

The City Planning Commission finds that the proposed disposition of city-owned property located at 2301-2311 Lacombe Avenue (Block 3540, p/o Lot 1) conforms to the objectives and provisions of the James J. Lyons Urban Renewal Plan (C 080126 HUX) which is being considered consequently with this application.

**RESOLVED**, that the City Planning Commission finds that the actions 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 2301-2311 Lacombe Avenue (Block 3540, p/o Lot 1) located in Community District 9, 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 property located at 2301-2311 Lacombe Avenue (Block 3540, Lot 1) 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 find 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 policy is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act.

**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 2301-2311 Lacombe Avenue (Block 3540, p/o Lot 1), Community District 9, Borough of the Bronx, to a sponsor determined by HPD, is approved.

The above resolution (C 080127 HAX), duly adopted by the City Planning Commission on March 12 (Calendar No. 10), 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 Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**

**RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. MCRAE,  
JOHN MEROLO, KAREN A. PHILLIPS, Commissioners**