



CITY PLANNING COMMISSION

April 27, 2005/Calendar No. 8

C 050248 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 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314) 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 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 896R, 851, 853, 855, 857, 859, 861 Westchester Avenue (Block 2690, Lots 314, 54-59) to a developer selected by HPD;

to facilitate development of a seven and eight-story mixed-use building, with approximately 194 residential units, commercial and community facility space to be developed under the Mixed Income Rental Program, Borough of The Bronx, Community District 2.

Approval of three separate matters is required:

1. The designation of property located at 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314) as an Urban Development Action Area; and
2. An Urban Development Action Area Project for such property; and

3. The disposition of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 896R, 851, 853, 855, 857,859, 861 Westchester Avenue (Block 2690, Lots 314, 54-59) to a developer selected by the New York City Department of Housing Preservation and Development.

The application was filed by the Department of Housing Preservation and Development (HPD) on January 5, 2005.

Approval of this application would facilitate development of a seven and eight-story mixed-use building, with approximately 194 residential units, commercial and community facility space to be developed under the Mixed Income Rental Program.

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

The project area contains 16 underutilized vacant lots and one underutilized vacant building 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

The New York City Department of Housing Preservation and Development (HPD) is seeking the designation of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6 - 8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54 - 59 and 314) as an Urban Development Action Area and approval as an Urban Development Action Area Project (UDAAP) for such area. The designation and disposition would facilitate the construction of a seven and eight-story mixed-use building with approximately 188,253 square feet of floor area. This project will consist of 194 units of housing for low-income families, 15,200 square feet of commercial space, 16,240 square feet of community facility space and 10,200 square feet of recreational open space. It would be developed through HPD's Mixed Income Rental Program. Under this program HPD would provide a direct subsidy of up to \$50,000 per unit to leverage construction and permanent financing from sources such as private institution lenders, tax-exempt bond, and syndication of low-income housing tax credits. The sponsor must be a not-for-profit or include a not-for-profit as one of the principles.

The proposed UDAAP site is located in the Longwood section of Community District 2 on a triangular block bounded by Prospect Avenue, East 162nd Street and Westchester Avenue. The project site, 46,342 square feet in area, consists of 15 vacant, city-owned parcels and one lot owned by the developer that contains a vacant commercial building that is to be demolished. The project site is located in an R7-1 zoning district with a C1-4 commercial overlay.

The project, tentatively known as Prospect Avenue Towers, would offer housing to low income families, where 30% of the rental units will be set-aside for formerly homeless families. The project would be developed as a mixed-use building with two residential components, one 8-story portion facing Prospect Avenue and one 7-story portion facing Westchester Avenue, connected at the first floor. The Prospect Avenue component would provide approximately 124 residential units, approximately 10,200 square feet of retail space and approximately 8,240 square feet of community facility space (proposed as a day care facility to be located in the cellar floor). Due to the change in grade of the project site, the commercial and community facility space would be split between the cellar and the first floor. The Westchester Avenue component would provide 70 residential units, approximately 8,000 square feet of community space (proposed social service center located at the cellar floor with access from a vestibule located on the first floor) and approximately 5,000 square feet of retail space. Residents will be provided social services such as budget and substance abuse counseling, mental health services, computer classes, job training, adult education classes, child care services, art and cultural activities. The project would be developed under the Quality Housing Program.

In addition to the residential components and community facility, the building will contain a community room, laundry rooms and two play areas for children, one for use by the residents and one for the daycare facility. An additional 6,000 square feet of rooftop recreational open space, for the use of the residential components, located in the Westchester Avenue side above the commercial space would also be provided. In total 10,200 square feet of open space would be provided including

a small 958 square feet tenant garden. Thirty accessory parking spaces are to be located in the building interior space with a two-way entrance on Westchester Avenue.

Adjacent to the project site to the south, along Prospect Avenue, is an occupied two-story commercial building and to the north are three, 2-story commercial buildings, two, 3-story row houses with ground floor commercial uses and two, mid-rise apartment buildings with ground floor commercial uses. Along Westchester Avenue to the north is a vacant privately-owned assemblage with three lots. A recently constructed public housing 6-story apartment house with 70 units is located on East 162nd Street. The surrounding neighborhood is characterized by 5 to 6-story apartment houses with ground floor commercial uses and community facility uses. Retail services are found along Prospect and Westchester avenues. Across Prospect Avenue to the west of the project site are the Nehemiah 3-family homes with over 140 units. To the east across Westchester Avenue are Hewitt Place Houses a NYCHA housing development with 120 units. Community facilities found in the surrounding area include: Public School 130 located two blocks south of project site on East 156th Street, Jane Adams H.S. located on Union Street one block west of the project site and Public School 60 located on Rev. James A. Polite Avenue.

The area is served by three bus lines: the Bx 17 bus which runs along Prospect Avenue; the Bx 6 bus, crosstown bus which runs along 163rd Street and the Bx 4 which runs along Westchester Avenue. The No. 2 and 5 subway lines run on Westchester Avenue and stop at the Prospect Avenue station across from the project site.

ENVIRONMENTAL REVIEW

This application (C 050248 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 04HPD018X. 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 13, 2004.

UNIFORM LAND USE REVIEW

This application (C 050248 HAX) was certified as complete by the Department of City Planning on January 18, 2005, and was duly referred to Community Board 2 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 2 held a public hearing on this application on February 23, 2005 and on that date by a vote of 21 to 0 with 2 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on April 4, 2005 approving this application with the following conditions:

The primary entrance to a residence should promote a sense of visual identification, safety and pride for both visitors and tenants. I therefore recommend the attractive marquee designed for the Prospect Avenue entrance be duplicated at the Westchester Avenue location. Thus, the separate address may be perceived as one integral complex. With this modification, I recommend approval of this application.

City Planning Commission Public Hearing

On March 30, 2005 (Calendar No. 3), the City Planning Commission scheduled April 13, 2005, for a public hearing on this application (C 050248 HAX). The hearing was duly held on April 13, 2004 (Calendar No. 23). There were two speakers in favor of the application and none in opposition.

The architect and the developer of the project spoke in favor of the application. The developer stated that he would duplicate the marquee design for the Prospect Avenue entrance at the Westchester Avenue entrance as recommended by the Borough President.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the proposed Urban Development Action Area (UDAAP) designation and project, and the disposition of city-owned property, is appropriate.

The proposed UDAAP project would be located on a triangular block bounded by Prospect Avenue, East 162nd Street and Westchester Avenue. The project site, 46,342 square feet in area, consists of 15 vacant, city-owned parcels and one lot owned by the developer that contains a vacant commercial building that is to be demolished. The project site is located in an R7-1 zoning district with a C1-4 commercial overlay.

The proposed project involves the development of a seven and eight-story mixed-use building which would be built under the HPD Mixed Income Rental Program and would provide 194 units of low-income housing. In addition, an approximately 8,240 square foot daycare center, an 8,000 square feet social service center and 15,200 square feet of ground floor retail space along both Prospect and Westchester avenues will be provided. The building will contain a community room, laundry rooms and two play areas for children, one for use by the residents and one for the daycare facility. An additional 6,000 square feet of rooftop recreational open space, for the use of the residential components, would also be provided. In total 10,200 square feet of open space would be provided including a small 958 square feet tenant garden. Thirty accessory parking spaces are to be located in the building interior space with a two-way entrance on Westchester Avenue.

The Commission believes that approval of this application would enable this city-owned property to be developed with affordable housing that would serve the needs of the residents of Community District 2 and of the City of New York. Further, the project would develop vacant city-owned property, returning it to active, productive use. The Commission therefore believes that the

proposed application, for the UDAAP designation and project approval, and the disposition of city-owned property, is appropriate.

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 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue(Block 2690, Lots 50, 54-59 and 314), in Community District 2, Borough of The Bronx, as an Urban Development Action Area; and

WHEREAS, The Department of Housing Preservation and Development has 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 matters pursuant to the Urban Development Action Area Act.

- a) the designation of property located at 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859,

857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314) 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 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 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314), Community District 2,

Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 050248 HAX).

The above resolution (C 050248 HAX), duly adopted by the City Planning Commission on April 27, 2005 (Calendar No. 8), 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