



## CITY PLANNING COMMISSION

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April 1, 2015 Calendar No. 2

N 150196 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 986-996 Washington Avenue and 489-493 East 164<sup>th</sup> Street (Block 2369, Lot 1, 2, 3, 4, 5, 53, 54, 90 and 153), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area;

to facilitate development of a eight-story building for use as a non-profit institution with sleeping accommodations containing approximately 94 units of supportive and affordable housing Borough of The Bronx, Community District 3.

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Approval of two separate items is required:

- a) the designation of property located at 427/441 East 161<sup>st</sup> Street, 432/446 East 162<sup>nd</sup> Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161 and East 162 streets, as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area;

The application was submitted by the Department of Housing Preservation and Development (HPD) on December 16, 2014. Approval of this action will facilitate the development of an eight-story building containing approximately 94 units of supportive housing for formerly homeless persons with persistent mental health disorders and low-income individuals and families.

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 and project approval, and disposition of city-owned property, which is the subject for this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application.

C150197 ZSX            Special Permit to allow the Floor Area Ratio for community facility uses to be applied to a non-profit institution with sleeping accommodations.

## **BACKGROUND**

The applicant, the Department of Housing Preservation and Development (HPD) is seeking the approval of two actions to facilitate the construction of a non-profit institution with sleeping accommodations in the Morrisania neighborhood in Community District 3 of the Bronx. The actions required to facilitate the development include the designation property as an Urban Development Action Area and Project Approval and a Special Permit pursuant to ZR 74-902 to allow the community facility Floor Area Ration (F.A.R.) of up to 6.5 to be applied to a non-profit institution with sleeping accommodation. The application will facilitate the development of an approximately 77,577 square-foot eight-story building containing 94 units of supportive housing targeted to a mixed population of special needs and low-income individuals and families, a superintendent unit, and approximately 5,378 square-feet of open space including outdoor passive recreation space and a children's play area in the rear yard, and two rooftop terraces. The proposed building will include a mix of studio, one and two bedroom units. The project area includes nine lots on the northeast corner of Washington Avenue and 164<sup>th</sup> Street (Block 2369, Lots 1, 2,3,4,5,53,54,90 and 153).

The site is located in the Morrisania neighborhood in Bronx Community District 3 in zoning

district MX-7 (R7-2/M1-1). It consists of nine contiguous lots, with a total lot area of approximately 12,543 square feet of lot area. A portion of the site (Block 2369, Lots 1, 2, 53, 54, 90 and 153) are vacant and undeveloped City-owned lots. The remainder of the site (Block 2369, Lots 3, 4 and 5) consist of vacant, one-family homes owned by the sponsor. These homes are proposed to be demolished for the new proposed building.

The proposed development will consist of a 77-foot tall, eight-story Quality Housing building containing approximately 77,577 square feet of floor area. The building will contain approximately 94 units of supportive housing for formerly homeless persons with persistent mental health disorders who are able to live and function independently and low-income individuals and families, and one superintendent unit. The proposed building will include a mix of studio, one- and two-bedroom units. The project would feature multiple on-site services, delivered by a supportive housing organization, with ample space dedicated to services and recreational space on the ground floor and roof top terraces. In total, the building will provide approximately 22,292 square feet of community facility space, approximately 5,378 square-feet of open space including outdoor passive recreation space, a children's play area in the rear yard, and two rooftop terraces (on the roofs of the 7<sup>th</sup> and 8<sup>th</sup> floors). A bicycle storage room with 30 spaces will be provided in the cellar. No parking is planned. The proposed development would result in an FAR of 5.263. The proposed project will be financed through the New York State Homeless Housing Assistance Program, 9% Tax Credits from the New York State Department of Homes and Community Renewal, and HPD's Supportive Housing Loan Program.

The surrounding area is occupied by a mix of uses including residential, commercial, community facility and industrial buildings. Washington Avenue, Third Avenue and Boston Road are the major north-south corridors in the immediate vicinity. East 163rd Street, E 164<sup>th</sup> Street and 165<sup>th</sup> Street are the east-west streets in vicinity of the project area. Weiher Court bisects Block 2369, with the Project Area occupying the southwest portion of the block. The portion of Block 2369 north of Weiher Court is currently being developed with a nine story mixed use building.

Other uses in the vicinity of the project site include a one-story brick parking and automobile

maintenance facility which abuts the project's northern boundary. Northeast of the site is a six-story mixed-use building containing a medical office and a deli on the ground floor. To the east of the project is a one-story hardware and lumber facility. To the west, on Washington Avenue between East 164<sup>th</sup> and East 165<sup>th</sup> Streets, is an eight-story residential building with a community facility on the ground floor. Directly across from the project on East 164 Street is a seven-story multi-family residential building known as Taino Plaza. East of this building is a one-story automotive facility. The project is diagonally across from the Plaza 163 commercial development (in construction) and one block north of the Melrose Commons Urban Renewal Area, which has seen considerable development in the last 20 years.

Public transportation in the area includes buses which run east-west along East 161<sup>st</sup> Street, East 163rd Street (Bx6) and north-south along Melrose Avenue (Bx2 and Bx41). In addition, the Metro North Melrose Station is located on East 162<sup>nd</sup> Street between Courtlandt and Park Avenues. The nearest subway stations (accessible by bus) are on East 161st Street & the Grand Concourse and East 149<sup>th</sup> Street & Third Avenue.

To facilitate the proposed development the following two ULURP actions are required:

#### Urban Development Action Area Project Designation and Project Approval

The first action is designation as an Urban Development Action Area Project and Project Approval. 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.

#### Special Permit pursuant to 74-902

The applicant also seeks the approval of a Special Permit pursuant to Section 74-902 to allow community facility FAR to apply to a philanthropic or non-profit institution as listed in Use Group 3. The project must meet the following three findings for this Special Permit. Firstly, that

the distribution of bulk on the zoning lot will not unduly obstruct the access of light and air to adjoining properties or public streets, and will result in satisfactory site planning and satisfactory urban design relationships of buildings to adjacent streets and the surrounding area. Secondly, that the proposed facility will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made. Lastly, that the streets providing access to such use will be adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

### **ENVIRONMENTAL REVIEW**

This application (C 150196 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 lead agency is the Department of Housing Preservation and Development. The designated CEQR number is 14HPD045X.

After a study of the potential impacts of the proposed action, a Negative Declaration was issued on July 29, 2014.

### **PUBLIC REVIEW**

This application (N 150196 HAX) was certified as complete by the Department of City Planning on February 05, 2015, and was duly referred to Community Board 3 and the Bronx Borough President, for information and review in accordance with the procedures for non-ULURP matters, in conjunction with the application for the related application (C 150197 ZSX). in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

### **Community Board Public Hearing**

Community Board 3 chose not to submit a recommendation.

### **Borough President Recommendation**

This application (C 150196 HAX) was considered by the Borough President, who issued a recommendation approving this application on February 13, 2013.

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

On February 19, 2015, Cal. No. 1, the City Planning Commission scheduled March 04, 2015, for a public hearing on this application (C 150196 HAX). The hearing was duly held on March 04, 2015 (Calendar No. 17). There were four speakers who spoke in favor of the application and none in opposition.

A representative from the Department of Housing Preservation and Development spoke in favor of the application, describing the project and the actions requested. A representative from the South Bronx Overall Economic Development Corporation (SOBRO) also spoke in favor of the project, stating that SOBRO will be responsible for managing the building and marketing the non-special needs units, while Urban Pathways will be the service provider for the supportive services in the building. The speaker also stated that, while some of the units for the special needs population will be filled through referrals from the Department of Homeless Services, the remainder of the units will be marketed by SOBRO through a process which SOBRO has used for its past developments. The speaker described the various sources of financing which will facilitate the project including the 9% tax credits through the State, supportive housing loan program from HPD, funds from the Bronx Borough president, deferred developer fee and grants from the Office of Environmental Remediation and the Environmental Protection Agency.

The project architect spoke in favor of the application, explaining that the Special Permit requested as part of the application is essential for the financial viability of the project because, in the absence of the Special Permit, only 62 units would be able to be constructed rather than the 95 units allowed with the Special Permit. The architect noted that the proposed F.A.R. of 5.63 is lower than the maximum F.A.R. of 6.5, which would be permitted by the Special Permit. The speaker noted that the 77-foot tall building will be in context with the surrounding buildings which are similar in height. She also noted that the building design will include several energy efficiency measures including a co-generation unit installed in the building.

A representative from Urban Pathways, the service provider for the supportive service in the building, also spoke in favor of the application, stating that Urban Pathways has been providing supportive services to homeless individuals and those in shelters for more than 40 years. The speaker described the range of supportive services that will be provided, the staff that will be available to the residents and their experience with operating in a building with a similar population mix.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the proposed UDAAP designation and Project Approval (N 150196 HAX) in conjunction with the related application for a Special Permit pursuant to 74-902 (C 190157 ZSX) to allow the community facility F.A.R., are appropriate.

The Commission believes that the proposed New Roads Plaza development will reinforce the transformation of Morrisania from a declining industrial area into a vibrant mixed use community. The proposed development will replace vacant land and thus improve the neighborhood character of the area. The Commission also notes that the development will incorporate sustainable building and operation practices including a micro co-generation unit and a rooftop greenhouse.

The Commission believes that the development will not obstruct the access of light and air to the adjoining properties and public streets. The proposed development will include outdoor passive and active open spaces in the rear yard and will result in a satisfactory site plan. The Commission believes that the building, at eight stories in height, will be in context with other surrounding developments, which includes an eight-story building across Washington Avenue from the site, a seven-story building across 164<sup>th</sup> Street and a proposed nine-story building across Weiher Court from the site.

The Commission also believes that the proposed development will not require any addition to the supportive services in the community. The proposed development at New Roads Plaza will be a valuable addition to the community by providing supportive housing to a vulnerable population of formerly homeless individuals and families with a history of serious and persistent mental illness. The Commission is pleased that the facility will have on-site case managers to serve the residents of the building and that the support services will be available to all residents of the building including the non-special needs population.

The Commission believes that the streets providing access to the proposal are adequate to handle traffic generated by the facility as shown in the Environmental Assessment Statement prepared for the application. The Commission notes that the facility is adequately served by five bus lines within a five minute walking distance of the proposed building. The MTA buses connect the facility to the Yankee Stadium station providing access to B, D and 4 subway lines.

### **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of 986-996 Washington Avenue and 489-493 East 164<sup>th</sup> Street (Block 2369, Lot 1, 2, 3, 4, 5, 53, 54, 90 and 153) 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 area;

**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 at 986-996 Washington Avenue and 489-493 East 164<sup>th</sup> Street (Block 2369, Lot 1, 2, 3, 4, 5, 53, 54, 90 and 153), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area;

to facilitate development of a eight-story building for use as a non-profit institution with sleeping accommodations containing approximately 94 units of supportive and affordable housing, Borough of The Bronx, Community District 3; and

The above resolution (N 150196 HAX), duly adopted by the City Planning Commission on April 1, 2015 (Calendar No. 2), 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.

**CARL WEISBROD**, *Chairman*

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

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**

**MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,**

**CHERYL COHEN EFFRON, BOMEI JUNG,**

**ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ** *Commissioners*

<b>NYC PLANNING</b> DEPARTMENT OF CITY PLANNING - CITY OF NEW YORK		<b>Community/Borough Board Recommendation</b> Pursuant to the Uniform Land Use Review Procedure	
Application #: <b>C 150197 ZSX</b>	Project Name: <b>New Roads Plaza</b>		
CEQR Number: <b>14HPD045X</b>	Borough(s): <b>Bronx</b> Community District Number(s): <b>3</b>		
Please use the above application number on all correspondence concerning this application			

**SUBMISSION INSTRUCTIONS**

- 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](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation # (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - 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"
- 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 NYC Department of Housing Preservation & Development and South Bronx Overall Economic Development Organization pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ratio of Section 24-111 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connection with a proposed 8-story building on property located at 986-996 Washington Avenue a.k.a 489-493 East 164<sup>th</sup> Street (Block 2369, Lots 1, 2, 3, 4, 5, 53, 54, 90 & 153), in an M1-1/ R7-2 District, with a Special Mixed Use District (MX-7), Borough of the Bronx, Community District 3.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

<b>Applicant(s):</b> NYC Department of Housing Preservation & Development 100 Gold Street, 9th Floor, New York, NY 10038  South Bronx Overall Economic Development Organization 555 Bergen Avenue, Bronx, NY 10455		<b>Applicant's Representative:</b> Theresa Arroyo NYC Dept. of Housing Preservation & Development 100 Gold Street, 9th Floor New York, NY 10038	
<b>Recommendation submitted by:</b> Bronx Community Board 3			
<b>Date of public hearing:</b> 1/13/15		<b>Location:</b> <i>Childrens Civic Day Care Ctr.</i> 1332 FULTON AVE, Bx NY (E. 169 <sup>th</sup> )	
<b>Was a quorum present?</b> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		<small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>	
<b>Date of Vote:</b> 1/13/15		<b>Location:</b> <i>Childrens Civic D.C. Center</i> 1332 FULTON AVE, Bx NY (E. 169 <sup>th</sup> )	
<b>RECOMMENDATION</b>			
<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions	<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>			
<b>Voting</b> # In Favor: 24 # Against: 3 # Abstaining: 0 Total members appointed to the board: 42			
<b>Name of CB/BB officer completing this form</b> John W. Dudley		<b>Title</b> DISTRICT Manager	<b>Date</b> 1/14/15

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION**  
**ULURP APPLICATION NOS: C 150197 ZSX & N 150196 HAX**  
**February 13, 2015**

**DOCKET DESCRIPTION**

**IN THE MATTER OF** an application submitted by the Department of Housing, Preservation and Development (HPD) and South Bronx Overall Economic Development Organization pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ration of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connection with a proposed eight-story building on property located at 986-996 Washington Avenue a.k.a. 489-493 East 164<sup>th</sup> Street (Block 2369, Lots 1-5, 53, 54, 90 & 153), in an M1-1/R7-2 District, with a Special Mixed Use District (MX-7), Borough of The Bronx, Community District #3.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N,22 Reade Street, New York, N.Y. 10007.

**BACKGROUND**

Approving these applications will facilitate two objectives:

1. Pursuant to the approval of a Special Permit, increase the maximum Floor Area Ratio (FAR) from 3.44, up to 6.5 pursuant to Zoning Resolution Section 74-902 *et seq.* as defined in Section 24-11 as it applies to the proposed development to be located at 986-996 Washington Avenue, (Block 2369, Lots 1-5, 53,54, 90 & 153), *the site*; The building will not exceed 5.6 FAR
2. Construction of an eight-story building with a cellar, which will offer a total of 95 units of housing for low income families, including 54 units for individuals who are the formerly homeless with persistent mental health disorders.

The site is located in Bronx Community District #3 and is zoned MX-7 (M1-1/R7-2).

As proposed by the South Bronx Overall Economic Development Organization and the Department of Housing Preservation and Development (the applicants) the development of Block 2369, Lots 1-5, 53, 54, 90 & 153, will accommodate a not-for-profit institution with sleeping accommodations (Use Group 3). The building will offer 94 units (+1 superintendent) of housing, with approximately 60 percent (57 units) of these units devoted to accommodating homeless individuals with mental disabilities that are deemed able to care for themselves. The residents offered the studio units will be assigned to them by Urban Pathways, which specializes in single men and women supportive housing programs. The remaining 38 units will accommodate families at or below 60 percent of Area Median Income (AMI). As this

Existing development of the surrounding community is typified by recently constructed mid-rise residential buildings and two family wood-frame homes. Located within this same community are low-rise industrial buildings and commercial development offering auto-related services. Commercial activity and bus transportation are available on East 163<sup>rd</sup> Street. There is no subway service available within a four block radius of the site.

#### **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

These applications have been reviewed pursuant CEQR and SEQR and received a Negative Declaration. These applications were certified as complete by the Department of City Planning on January 5, 2015.

#### **BRONX COMMUNITY BOARD PUBLIC HEARING**

Bronx Community Board #3 held a public hearing on these applications on January 13, 2015. A vote recommending approval of these applications was 24 in favor, three against, and zero abstaining. This vote is considered non-complying given that the date of the Community Board's hearing occurred prior to the time allocated for such a hearing.

#### **BOROUGH PRESIDENT'S PUBLIC HEARING**

The Bronx Borough President convened a public hearing on these applications on February 5, 2015. Representatives of the applicants were present and spoke in favor of these applications. No other members of the public were in attendance and the hearing was closed.

#### **BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

Providing permanent shelter for our city's homeless and constructing affordable housing for our city's families are two prime objectives the proposed development known as New Roads Plaza will achieve. Indeed, I was so impressed with this project I allocated \$1 million to facilitate its construction.

Highlighting the numerous aspects of this project that warrant attention include:

- Urban Pathways' excellent track record for the care of our homeless citizens;
- The inclusion of a comprehensive green roof installation throughout the facility;
- The co-generation of electric services which will dramatically reduce energy consumption by heating the building's water supply and guarantee electric power for common area lighting, elevator service and electricity for the studio units in the event of a power failure;

- A comprehensive staff including three case managers and one peer specialist to care the formally homeless population and a full staff of maintenance personnel to oversee the operation of the building and offer security.

I acknowledge that to achieve the build-out of this project approval of the Special Permit allowing an increase in the FAR from 3.44 to a maximum of 6.5, is necessary. This substantial increase in FAR requires this project be subject to the comprehensive review ULURP does facilitate. As such, I note that New Roads Plaza will not exceed 5.26 FAR and that this 8-story building compliments the contextual profile of the surrounding community. I also acknowledge the endorsement given to this matter by Bronx Community Board #3.

I am very pleased to recommend approval of this application.

**BOROUGH PRESIDENT  
RECOMMENDATION**

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

**INSTRUCTIONS**

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

**APPLICATION # C 150197 ZSX, N 150196 HAX**

**DOCKET DESCRIPTION**

**PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

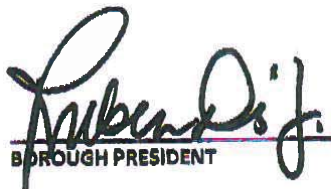
**COMMUNITY BOARD NO. 3      BOROUGH: BRONX**

**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**

  
**DATE**