



## CITY PLANNING COMMISSION

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April 11, 2006/Calendar No. 12

C 070272 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 713, 715-717 Fox Street (Block 2707, Lots 30 and 32) 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 seven-story mixed-use building, tentatively known as Fox Leggett Cooperative Apartments, with approximately 50 residential units and community facility use, to be developed under the New York City Housing Development Corporation's Affordable Cooperative Program and New York State Affordable Housing Corporation programs, Borough of The Bronx, Community District 2.

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Approval of three separate matters is required:

1. The designation of property located at 713, 715-717 Fox Street (Block 2707, Lots 30 and 32) as an Urban Development Action Area; and
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.

The application was filed by the Department of Housing Preservation and Development (HPD) on January 3, 2007.

Approval of this application would facilitate development of a seven and eight-story mixed-use building, with approximately 50 residential cooperative units and community facility space to be developed under the New York City Housing Development Corporation's Affordable Cooperative Program and New York State Affordable Housing Corporation program.

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, unsanitary, 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 713, 715-717 Fox Street (Block 2707, Lots 30 and 32) as an Urban Development Action Area and approval as an Urban Development Action Area Project for such area. These two properties are also proposed for disposition. The designation and disposition would facilitate the construction of a seven-story residential building with approximately 49,322 square feet of

floor area and a total of approximately 50 units of cooperative housing affordable to moderate and middle income families (80%-130% AMI). The project is to be developed under the New York City Housing Development Corporation's Affordable Cooperative Program and the New York State Affordable Housing Corporation programs.

In addition to the residential units, the project tentatively known as Fox-Leggett Cooperative Apartments, would contain approximately 1,460 square feet of community facility space on the first floor, an 822 square feet community room on the seventh floor, and approximately 4,602 square feet of landscape recreational outdoor space on the seventh floor. The individual apartments would have private terraces and patios. Twenty accessory off-street parking spaces would also be provided at ground floor level in the rear of the building with access and egress on Fox Street. This project would be built under the Quality Housing Program.

The proposed UDAAP site is located in the Longwood section of Community District 2 on a block bounded by East 165th Street, Fox Street, Leggett Avenue and Beck Street. The project site has 12,770 square feet in lot area and consists of two vacant, city-owned parcels located within an R7-1 zoning district. Adjacent to the project site to the north, along Fox Street are two occupied six-story residential buildings and to the west along Leggett Avenue is a one-story commercial use and a house of worship. The remainder of the block consists of two-family homes and the landmarked Fox Hall slated to be reconstructed for 95 residential units for seniors located on the northern end of the block on East 165<sup>th</sup> Street.

The surrounding neighborhood is characterized by four to six-story apartment houses, ground floor commercial uses and the adjacent Longwood Historic District with two-family homes. Retail services are primarily found along Longwood Avenue and along Southern Boulevard two blocks away from the project site. Community facilities found in the surrounding area include: Public School 62 located diagonally across from the project site on Fox Street, the 41<sup>st</sup> Police Precinct located on Longwood Avenue and Southern Boulevard two blocks north of project site and the Fox Street Playground located on East 156<sup>th</sup> and Fox streets one block west of project site.

The area is served by two bus lines: the Bx 17 bus which runs along Prospect Avenue two blocks west of the project site and the Bx 19 cross-town bus line which run along Westchester Avenue and along East 149<sup>th</sup> Street. The No. 6 subway lines run on Southern Boulevard and stops at the Longwood Avenue station two blocks north of the project site.

## **ENVIRONMENTAL REVIEW**

This application (C 070272 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 07HPD008X. 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 September 18, 2006.

## **UNIFORM LAND USE REVIEW**

This application (C 070272 HAX) was certified as complete by the Department of City Planning on January 22, 2007, 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 28, 2007 and on that date by a vote of 21 to 0 with 0 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 March 26, 2007 approving this application.

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

On March 14, 2007 (Calendar No. 4), the City Planning Commission scheduled March 28, 2007, for a public hearing on this application (C 070272 HAX). The hearing was duly held on March 28, 2007 (Calendar No. 32).

There were three speakers who spoke in favor and none opposed to the application. The speakers included the project architect, the developer and a representative from HPD. The project architect and the developer described and testified on behalf of the project and answer questions from the Commission. A representative of the Department of Housing Preservation and Development was present to answer questions.

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 East 165th Street, Fox Street, Leggett Avenue and Beck Street. The project site has 12,770 square feet in lot area and consists of two vacant, city-owned parcels located within an R7-1 zoning district.

The proposed project involves the construction of a seven-story residential mixed-use building with approximately 49,322 square feet of floor area and a total of approximately 50 units of cooperative housing affordable to moderate and middle income families (80%-130% AMI) and community facility use. The project is to be developed under the New York City Housing Development Corporation's Affordable Cooperative Program and the New York State Affordable Housing Corporation programs. The building will contain approximately 1,460 square feet of community facility space on the first floor, an 822 square feet community room on

the seventh floor, and approximately 4,602 square feet of landscape recreational outdoor space on the seventh floor. The individual apartment units will also have private terraces and patios. Twenty accessory off-street parking spaces would also be provided at ground floor level in the rear of the building with access and egress on Fox Street.

The Commission believes that approval of this application would enable this city-owned property to be developed with affordable cooperative 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

**WHEREAS**, The Department of Housing Preservation and Development has recommended the designation of 713, 715-717 Fox Street (Block 2707, Lots 30 and 32), in Community District 2, 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 matters pursuant to the Urban Development Action Area Act.

- a) the designation of property located at 713, 715-717 Fox Street (Block 2707, Lots 30 and 32) 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 713, 715-717 Fox Street (Block 2707, Lots 30 and 32), Community District 2, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 070272 HAX).



The above resolution (C 070272 HAX), duly adopted by the City Planning Commission on April 11, 2007 (Calendar No. 12), 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.,**  
**ALFRED C. CERRULLO, III, BETTY Y. CHEN, RICHARD W. EADDY,**  
**LISA A. GOMEZ, NATHAN LEVENTHAL, JOHN MERULO, KAREN A. PHILLIPS,**  
**DOLLY WILLIAMS, Commissioners**