



## **CITY PLANNING COMMISSION**

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August 25, 2004/Calendar No. 7

C 040456 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 436 East 161<sup>st</sup> Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160<sup>th</sup> Street and a portion of the demapped street bed of East 160<sup>th</sup> Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), 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 building tentatively known as Parkview Commons, with approximately 109 units of low-income housing and one unit for a superintendent, to be developed under the New York State Housing Trust Fund Program, Borough of The Bronx, Community District 3.

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The application was filed by the Department of Housing Preservation and Development (HPD) on May 12, 2004.

Approval of three separate matters is required:

1. The designation of 436 East 161<sup>st</sup> Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160<sup>th</sup> Street and a portion of the demapped street bed of East 160<sup>th</sup> Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), 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.

Approval of this application would facilitate the construction of a nine-story residential building with a total of 110 units: 109 units of rental housing for low-income families and one unit for the superintendent. The proposed project is tentatively known as Parkview Commons.

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

The Disposition Area consists of underutilized vacant lots and vacant buildings 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**

The proposed nine-story housing development for low-income families, tentatively known as Parkview Commons, 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 part of Site 43 in the Melrose Commons Urban Renewal Area, on a block bounded by Elton Avenue, East 160th Street, Melrose Avenue and East 161<sup>st</sup> Street. The 29,030 square foot site consists of nine underutilized vacant, city-owned parcels, one of which contains a vacant one-story building. The project site also includes a portion of the bed of the

demapped East 160th Street, between Elton Avenue and 71 feet from Melrose Avenue, (pedestrian-way) that fronts on subject Site 43. The project site is split between two zoning districts, an R8 zoning district with a C1-4 commercial overlay mapped to a depth of 100 feet from East 161<sup>st</sup> Street and the remainder of the site zoned R7-2. The UDAAP designation and disposition action will facilitate the construction of a new nine-story elevator building with 109 units of rental housing for low income families and one unit for a superintendent. The project would include community rooms for meetings, management / security office, a laundry room, and approximately 7,000 square feet of commercial space on the ground floor facing East 161<sup>st</sup> Street. In addition, an accessory off-street parking lot with 30 spaces is to be located in the rear of the building and accessed from East 160th Street. A landscaped court yard of approximately 3,100 square feet would also be provided. This project is funded under the New York State Division of Housing Community Renewal - Housing Trust Fund Program.

Adjacent to the project site along East 161st Street are: a two-story residential building with ground floor commercial use, a five-story apartment building, two vacant commercial buildings and a five-story apartment building with ground floor commercial uses. Abutting the project site along East 160th Street are the vacant city-owned lots (the remaining portion of Site 43), two 2-family homes and a United State Post Office. Surrounding the project site to the south, across East 160th Street is the Salvation Army Headquarters and a proposed public park (Site 32) . To the east across Elton Avenue is New York State Intermediate School Pyramid House and the 42nd Police Precinct at Washington Avenue and East 159th Street. 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 with 105 units of housing located along Elton Avenue, and Melrose Court with 200 units located on Brook Avenue and East 156th Street. St. Peter and Paul Church, school and rectory are located at Third Avenue and East 159th Street. Retail and service establishments are found along Third Avenue and along East 161st Street.

The site is accessible by the following bus lines: Bx41 which runs along Melrose and Webster

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avenues, the Bx2 that 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 040456 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 040456 HAX) was certified as complete by the Department of City Planning on May 24, 2004, and was duly referred to Community Board 3 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 3 held a public hearing on this application on June 8, 2004, and on that date, by a vote of 19 to 0 with 3 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 040456 HAX) was considered by the Borough President, who issued a

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recommendation approving this application on July 22, 2004, after the 30-day review period.

**City Planning Commission Public Hearing**

July 14, 2004 (Calendar No. 1 ), the City Planning Commission scheduled, July 28, 2004 for a public hearing on this application (C 040456 HAX). The hearing was duly held on July 28, 2004 (Calendar No. 17). There was one speaker, representing the developer who spoke in favor of the application. There were no other speakers and the hearing was closed.

**CONSIDERATION**

The Commission believes that the application for UDAAP designation, project approval and disposition of city-owned property located at 436 East 161st Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30) to facilitate the construction of a nine-story elevator building with 109 units of rental housing for low income families plus one unit for a superintendent and a ground-floor commercial space is appropriate.

The application would facilitate the development of nine underutilized vacant city-owned parcels, totaling 29,030 square feet in area that has had a blighting influence on this area for a number of years and also facilitate the implementation of the Melrose Commons Urban Renewal Plan.

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 43) to develop new housing and ground floor retail 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**

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**RESOLVED**, that the City Planning Commission finds that the proposed disposition of city-owned property located at 436 East 161st Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), 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 the approval of 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 436 East 161st Street, 867, 869,871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), in Community District 3, Borough of The Bronx, as an Urban

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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 436 East 161st Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area; and
- c) 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 436 East 161st Street, 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160th Street and a portion of the demapped street bed of East 160th Street between Elton and Melrose avenues

(Block 2382, Lots 16, 20, 22-25, 27-28 and 30) , Community District 3, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 040456 HAX).

The above resolution (C 040456 HAX), duly adopted by the City Planning Commission on August 25, 2004 (Calendar No. 7), 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., CHRISTOPHER KUI, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners

Commissioner **RICHARD W. EADDY**, recused