



## CITY PLANNING COMMISSION

April 14, 2010/ Calendar No.12

C 100083 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 1087 East Tremont Avenue (Block 3141, part of 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 to be selected by HPD;

to facilitate rehabilitation of an existing four-story community facility building, Community District 6, Borough of The Bronx.

Approval of three separate matters is required:

1. the designation of property located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1) as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property to a developer selected by HPD.

The application (C 100083 HAX) for the Urban Development Action Area designation and project approval, and the disposition of city-owned property was filed by the Department of Housing Preservation and Development (HPD) on August 27, 2009.

Approval of this application would facilitate the disposition of one 4-story building, containing 18,176 square feet of floor area and 4,037 square feet of open space, currently used as a community facility.

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

The project area consists of underutilized property 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 sound growth and development. The project area is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

The Department of Housing Preservation and Development (HPD) seeks approval of the disposition of city-owned property, and the designation and project approval of an Urban Development Action Area Project (UDAAP), in order to facilitate the disposition of one 4-story building, containing 18,176 square feet of floor area and 4,037 square feet of open space, located at 1087 East Tremont Avenue (Block 3141 p/o Lot 1), in Community District 6, Borough of the Bronx.

The project site is located within an R7-1 district and is situated on the north side East Tremont Avenue, between a previously-approved (CP 21193) discontinued street, Bronx Street, on the west and the Bronx River on the east. The site was formerly part of Urban Renewal Site #11 under the Bronx Park South Urban Renewal Plan (expired June 15, 2005).

The existing building is currently occupied by a tenant of HPD, the Bronx River Arts Center, Inc. (BRAC), as a community facility containing gallery space, workshop space, artist studios, administrative space, a screening room and a conference room. BRAC has been a tenant in the building since 1976, under a month-to-month lease with HPD. This proposed action aims to preserve the existing cultural use and occupancy of the building. The portion of Block 3141, Lot 1 not being disposed as part of this action will be transferred to the Department of Parks and Recreation, along with de-mapped Bronx Street, as part of the Bronx River Greenway project.

The surrounding area is characterized by a mix of uses. The Lambert Shopping Center is located west of the building. Four blocks north of the building is the southern entrance to the Bronx Zoo. To the east of the Bronx River is a mixture of one-story retail and multi-family residential buildings. Directly across East Tremont Avenue to the south is P.S. 214.

The West Farms subway station for the 2/5 lines is located one block to the west. Six bus lines are also within two blocks of the project site: the Q 44, BX 9 and BX36 operate on Boston Road; and the BX 21, BX 40 and BX 42 run on East Tremont Avenue.

The proposed facility would have exterior super-graphic signage which does not comply with the sign regulations of the R7-1 zoning district. In this instance, the City is exercising its option not to be subject to its zoning requirements when performing a governmental function.

### **ENVIRONMENTAL REVIEW**

The application (C 100083 HAX) was reviewed pursuant to New York State Environmental Quality Review Act (SEQR), and the SEQR 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.

This application was determined to be Type II action which requires no further environmental review.

### **UNIFORM LAND USE REVIEW**

The application (C 100083 HAX) was certified as complete by the Department of City Planning on December 14, 2009, and was duly referred to the Community Board 6 and the 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 6 held a public hearing on this application on January 13, 2010, and on that date, by a vote of 25 in favor, none opposed with no abstentions, adopted a resolution recommending approval.

### **Borough President Public Hearing**

The Borough President held a public hearing on this application on March 9, 2010, and issued a recommendation approving the application on March 19, 2010.

## **City Planning Commission Public Hearing**

On March 10, 2010 (Calendar No.1), the City Planning Commission scheduled March 24, 2010, for a public hearing on this application (C 100083 HAX). The hearing was duly held on March 24, 2010 (Calendar No.7). There were four speakers in favor of the application and none in opposition.

The speakers in favor of the project included a representative from the Department of Housing Preservation and Development (HPD), the Bronx River Art Center (BRAC) tenant, a representative from the Department of Cultural Affairs (DCA) and the landscape architect for the adjacent West Farms portion of the Greenway project. The HPD representative described the project. The DCA representative described the proposed building improvements. The current BRAC tenant and the landscape architect also spoke in favor of the application.

There were no other speakers on the application and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the application for UDAAP designation, project approval and disposition of city owned property (C 100083 HAX), is appropriate.

This application would facilitate the disposition of an existing 18,176 square-foot, 4-story building, with 4,037 square feet of open space. The building has been occupied by the Bronx River Art Center, Inc., as a community facility, since 1976.

The Commission notes that the approval of the UDAAP for the site would facilitate the continued use and occupancy of the building as a community facility, which provides a valuable cultural resource the neighborhood.

The Commission therefore finds that the proposed Urban Development Action Area designation and project approval and related disposition of city owned property are 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 property located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1), 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 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 property located at 1087 East Tremont Avenue, as an Urban Development Action Area; and
- b. an Urban Development Action Area Project for such area; 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 1087 East Tremont Avenue (Block 3141, p/o Lot 1), Community District 6, Borough of the Bronx, to a developer selected by HPD, is approved.

The above resolution, (C 100083 HAX) duly adopted by the City Planning Commission on April 14, 2010, (Calendar No. 12) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of the Section 197-d of the New York City Charter.

**KENNETH J. KNUCKLES, Esq., Vice Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, MARIA M. DEL TORO, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN, SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners**

JM / JH

**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.

100083

APPLICATION # C 100083 HAX

**DOCKET DESCRIPTION**

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

CITY PLANNING COMMISSION  
2010 MAR 19 PM 12:36  
DEPT OF CITY PLANNING

COMMUNITY BOARD NO. 6

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

*Ruben D. Jr.*  
BOROUGH PRESIDENT

3/19/10  
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NO: C 100083 HAX  
BRONX RIVER ART CENTER  
March 19, 2010**

**DOCKET DESCRIPTION**

**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 1087 East Tremont Avenue (Block 3141, part of 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 to be selected by HPD;

to facilitate the rehabilitation of an existing four-story community facility building.

**BACKGROUND**

Approval of this application will facilitate the sale by the Department of Housing Preservation and Development (HPD) of property at 1087 East Tremont Avenue (Block 3141, part of Lot 1) to The Bronx River Art Center, Incorporated (BRAC). The site consists of 8,581 square feet and includes a four story building used by BRAC, the current tenant of this building since 1976. The site is bounded by East 179<sup>th</sup> Street on the north, the Bronx River on the east, East Tremont Avenue on the south and Boston Road on the west, in Bronx Community District 6 and zoned R7-1.

Pending improvements to the BRAC building will yield approximately 18,176 square feet of space. This includes a gallery, a conference room, screening room, workshop space, artist studios and administrative offices. An exterior garden consisting of 4,037 square feet will be accessible from the rear of the building. Reconstruction of this building is expected to take two years. The remaining portion of Lot 1 will be transferred to the Department of Parks and Recreation and developed as a segment of the Bronx River Greenway project.

Development in the surrounding community includes low-rise residential buildings, Public School 214 and a shopping center complex. Mass transit services including subway via the 2 and 5 trains and bus transportation are available within a two block radius of the BRAC site.



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03/17/2010 12:44 17185904690

CITY PLANNING  
BRONX BORO PRESIDENT

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

This application has been reviewed pursuant to CEQR and SEQRA and received a Type II Declaration, meaning the proposed development will have no impact on the environment. This City Planning Commission certified this application as complete on December 14, 2009.

## **COMMUNITY BOARD PUBLIC HEARING**

Bronx Community Board 6 held a public hearing on this application on January 13, 2010. A unanimous vote recommending approval of this application was 25 in favor, zero opposed and zero abstaining.

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

A public hearing was convened by the Bronx Borough President on March 9, 2010. Representatives of the applicant were present and spoke in favor of this application. No other speakers at the hearing offered comment on this application and the hearing was closed.

## **BOROUGH PRESIDENT'S RECOMMENDATION**

In 1976 as many neighborhoods across the Bronx were being set ablaze, the Bronx River Art Center (BRAC) came into being. Its mission was to serve both as a showplace for local artists but also as an essential venue for expressing the passion and vision that comprises life in the Bronx.

Whereas the surrounding communities have been revitalized, to date the building accommodating BRAC has not sustained major improvements. Approving this application will not only facilitate the transfer of this facility directly to BRAC, but will also mark the commencement of a comprehensive reconstruction of the facility itself approximating a seven million dollar investment.

I fully endorse this endeavor and recommend approval of this application.

# Community/Borough Board Recommendation

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

Application # C100083HAX  
CEQR #  
Community District No. 06 Borough: The Bronx  
Project Name: Bronx River Art Center

## INSTRUCTIONS

1. Complete this form and return one copy date to the Calendar Information Office City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed above, 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 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 1087 East Tremont Avenue (Block 3141, part of 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 to be selected by HPD;

to facilitate the rehabilitation of an existing four-story community facility building.

Related Applications:

Applicant(s):

NYC Dept. of Housing Preservation & Development  
100 Gold Street  
New York, NY 10038

Applicant's Representative:

Mike Davis  
NYC Dept. of Housing Preservation and Development  
100 Gold Street  
New York, NY 10038

Community Board No. 6 Borough: Bronx

Borough Board of \_\_\_\_\_

Date of public hearing: January 13, 2010

Masjid Adam  
Location: 2263 Crotona Avenue, Bronx, NY

Was a quorum present? YES  NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: Jan. 13, 2010

Masjid Adam  
Location: 2263 Crotona Avenue, Bronx, NY

## RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

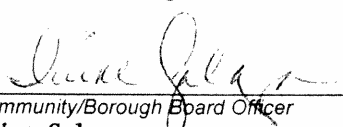
Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

## Voting

In Favor: 25 Against: Zero Abstaining: Zero

Total members appointed to the board: 29

  
Community/Borough Board Officer

Ivine Galarza

February 1, 2010

Date

District Manager

Title

v 012006w