



CITY PLANNING COMMISSION

December 16, 2009/ Calendar No. 9

N 100116 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 151 East Tremont Avenue (Block 2808, Lot 4) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such an area;

to facilitate development of the site, in the Borough of the Bronx, Community District 5.

WHEREAS, on October 7, 2009, the Department of Housing Preservation and Development (HPD) submitted an application (N 100116 HAX) pursuant to Article 16 of the General Municipal Law of New York State for:

- 1) the designation of property located at 151 East Tremont Avenue (Block 2808, Lot 4) as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area; and

WHEREAS, HPD states in its application that:

The Project Area consists of an 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 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.

WHEREAS, this application (N 100116 HAX) was reviewed pursuant to the New York State Environment 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 10HPD004X. The lead agency is Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on September 25, 2009.

WHEREAS, this application (N 100116 HAX) was referred by the Department of City Planning to Bronx Community Board 5, on October 30, 2009 and

WHEREAS, the Community Board 5 Chairperson expressed its support for the proposed action subject to the following conditions:

“...it has come to our attention that NCOGA has not yet secured total financing to purchase this property. We are therefore requesting that the Department of Housing Preservation and Development (HPD) give a reasonable time extension to the Association for that purpose.”

“...if NCOGA is not the final purchaser of the property, we hereby request that HPD consult with the Community Board before a final disposition is effectuated.”

“we hereby request that the final owner of the property commit to land uses appropriate to the needs of the community – possibly including a charter school, commercial offices, or affordable housing.” and

WHEREAS, on November 4, 2009 (Calendar No. 1), the City Planning Commission scheduled December 2, 2009, for a public hearing on this application (N 100116 HAX). The hearing was duly held on December 2, 2009 (Calendar No. 10) and

WHEREAS, a representative from the Department of Housing Preservation and Development appeared in favor of the application. He summarized the proposed action,

including its previous disposition approval (C810129PPX) on June 25, 1981. In response to Community Board concerns the representative stated that:

The Department of Housing Preservation and Development has already agreed to an extension, thereby allowing more time to secure financing for the sale of the property. The Department has also agreed to keep the Community Board informed as to the eventual purchaser of the property. He indicated that the Community Board's preferences concerning the uses of the property are consistent with the as-of right options defined by the site's R8 zoning; and

WHEREAS, there were no other speakers and the hearing was closed; and

WHEREAS, this application would facilitate the as-of-right development of 151 East Tremont Avenue (Block 2808, Lot 4); and

WHEREAS, the Commission had determined that this application warrants approval and therefore adopts the following 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 151 East Tremont Avenue (Block 2808, Lot 4) as an Urban Development Action Area;

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 151 East Tremont Avenue (Block 2808, Lot 4) 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 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;

- 1.. the designation of property located at 151 East Tremont Avenue (Block 2808, Lot 4) as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such an area;

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; and
- b. The financial aid in the form of tax incentives if any, 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.

The above resolution (N 100116 HAX), duly adopted by the City Planning Commission on December 16, 2009 (Calendar No. 9), is filed with the Office of the Speaker, City Council, pursuant to Article 16 of the General Municipal Law of New York State.

AMANDA M. BURDEN, FAICP Chair

KENNETH J. KNUCKLES, Esq., Vice Chairman

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,

ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,

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SHIRLEY A. MCRAE, KAREN A. PHILLIPS Commissioners