



CITY PLANNING COMMISSION

October 19, 2011/ Calendar No. 5

C110366 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 consisting of a portion of the former sidewalk of demapped Bronx Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, 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 provide egress for emergency access purposes to the existing Bronx River Arts Center, in Community Board 6, Borough of the Bronx.

Approval of three separate matters is required:

1. the designation of a portion of the sidewalk adjacent to 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 (C110366HAX) 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 June 3, 2011.

Approval of this application would facilitate the disposition of a portion of the sidewalk adjacent to property located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1).

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 a 7-foot by 150 foot portion of the former sidewalk located adjacent to property at 1087 East Tremont Avenue (Block 3141, p/o Lot 1), in Community District 6, Borough of the Bronx.

The disposition site is located within an R7-1 district and was previously the easterly sidewalk of Bronx Street, which was de-mapped in 1970 (CP 21193). The disposition site is adjacent to the Bronx River Arts Center, Inc. (BRAC). BRAC has been located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1) since 1976, under a lease with HPD. BRAC has been temporarily relocated to facilitate renovations of the building. Once renovations are completed, HPD intends to sell the building, pursuant to a previously approved application (C100083HAX), along with the sidewalk which is the subject of this application, to BRAC. The existing building has its emergency exit located on its west side, contiguous to the disposition parcel, and therefore requires the proposed action to reestablish the building's emergency access from the sidewalk to the street.

The surrounding area is characterized by a mix of uses. The Lambert Shopping Center is located west. 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 area is well served by mass transit. 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.

ENVIRONMENTAL REVIEW

The application (C110366 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 (C110366 HAX) was certified as complete by the Department of City Planning on June 20, 2011, 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 August 24, 2011, and on that date, by a vote of 19 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 September 15, 2011, and issued a recommendation approving the application on September 27, 2011.

City Planning Commission Public Hearing

On September 21, 2011 (Calendar No.2), the City Planning Commission scheduled October 5, 2011, for a public hearing on this application (C110366 HAX). The hearing was duly held on October 5, 2011 (Calendar No.7). There was one speaker. A representative from HPD spoke in favor of the proposal, identifying the parcel to be disposed and its context in relation to the existing BRAC building.

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 (C110366 HAX), is appropriate.

This application would facilitate the disposition of a 7-foot by 150-foot portion of the former sidewalk adjacent to 1087 East Tremont Avenue (Block 3141, p/o Lot 1). The Commission notes that the existing building has its emergency entry/exit located on the west side of the building, contiguous to the proposed disposition site. The Commission believes that the proposed action is necessary to reestablish the building's emergency access to the street.

The Commission believes that the approval of the UDAAP for the site would facilitate the continued safe use and occupancy of the building.

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 a portion of the sidewalk adjacent to 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 consisting of a portion of the former sidewalk of demapped Bronx Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, Lot 1) 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 a portion of the sidewalk adjacent to 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, (C110366 HAX) duly adopted by the City Planning Commission on October 19, 2011 (Calendar No. 5), 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.

AMANDA M. BURDEN, FAICP, Chair
RICHARD W. EADDY, Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, MARIA M. DEL TORO,
NATHAN LEVENTHAL, ANNA HAYES LEVIN, ORLANDO MARIN,
SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners

Betty Y. Chen, Commissioner, Recused

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
225 West Street, New York, NY 10007
Phone: 212-224-3356

Application: C-110388
CEOR: JAH/DF/24
Community District No. 06 Borough: The Bronx
Project Name: BR-110388

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:
 - e) the designation of a portion of the sidewalk adjacent to property located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1) as an Urban Development Action Area; and
 - f) 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 for use as emergency access for the adjacent community facility.

Related Applications:

Applicant(s)

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

Applicant's Representative

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

Community Board No. 6 Borough: Bronx

Borough Board of _____
Rev. David Casella Plaza
961 East 180th Street, Bronx, NY 10460

Date of public hearing: August 24, 2011

Location: 961 East 180th Street, Bronx, NY 10460

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.
Rev. David Casella Plaza

Vote adopting recommendation taken: Yes

Location: 961 East 180th Street, Bronx, NY 10460

RECOMMENDATION

Approve

Approve With Modifications/Conditions


Disapprove

Disapprove With Modifications/Conditions

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

Voting

In Favor: 19 Against: 0 Abstaining: 0 Total members appointed to the board: 29


Community/Borough Board Officer

District Manager

August 29, 2011

Title

Date

v.012008

**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 110366 HAX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

CITY PLANNING COMMISSION
2011 SEP 27 PM 1:36
DEPT. OF CITY PLANNING

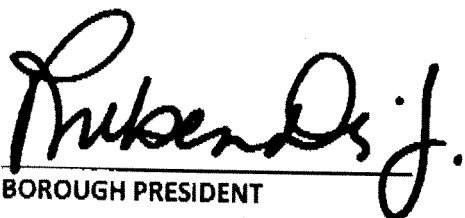
COMMUNITY BOARD NOS. 6 BOROUGH: THE BRONX

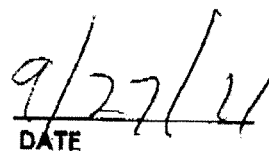
RECOMMENDATION

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 110366 HAX
BRONX RIVER ARTS CENTER
September 30, 2011

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 a portion of a sidewalk adjacent to property located at 1087 East Tremont Avenue (Block 3141, p/o Lot 1) as an Urban Development Action Area; and
 - b) an Urban Development Action Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property to a developer to be selected by HPD; for use as emergency access for the adjacent community facility.

BACKGROUND

Since 1976 the Bronx River Art Center has maintained a month-to-month lease with the Department of Housing Preservation and Development (HPD) for the use of 1087 East Tremont Avenue. The site is situated on the north side of East Tremont Avenue, between Boston Road and Devoe Avenue. It is located in Bronx Community District #6 and zoned R7-1.

Pursuant to ULURP Application No: C 100083 HAX, approved in April 2010, a comprehensive redesign and reconstruction of 1087 East Tremont Avenue commenced. Features of the newly restored building will include 18,176 square feet of interior space for use as a gallery, screening room, artist studios and administrative space. A conference room and workshop space are also being installed. An exterior yard consisting of 4,037 square feet will provide additional space accessible to BRAC. Upon completion of this reconstruction anticipated to occur within the year, HPD will dispose of 1087 East Tremont Avenue to BRAC.

Approving this application will convey a portion a former sidewalk from Bronx Street, (demapped on July 23, 1970) to the Bronx River Art Center (BRAC). The property to be conveyed measures 7 feet by 150 feet. It will offer egress for emergency purposes to the west side of 1087 East Tremont Avenue. Likewise, upon the completion of the renovations currently underway at 1087 East Tremont Avenue, HPD will dispose of this building to BRAC, thereby ending the month-to-month lease agreement initiated in 1976 between HPD and BRAC.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQR and received a Type II Designation. The City Planning Commission certified this application as complete on June 20, 2011.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #6 held a meeting on this application on August 24, 2011. A unanimous vote recommending approval of this application was 19 in favor, zero against, zero abstaining.

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

A public hearing was convened by the Bronx Borough President on September 15, 2011. Representatives of the applicant were present and spoke in favor of this application. No other members of the public spoke to this application and the hearing was closed.

BOROUGH PRESIDENT'S RECOMMENDATION

Approval of this application will complete a "housekeeping" matter, facilitating the transfer of a portion of a sidewalk area (measuring 1,050 square feet) from the Department of Housing Preservation and Development (HPD) to the Bronx River Art Center (BRAC). The former sidewalk served pedestrians on Bronx Street which was demapped in April, 1970.

The Bronx River Art Center provides the borough with a vital community service. This action will facilitate the further development of a significant city-wide destination and local cultural resource. I am therefore especially pleased that the renovations of 1087 East Tremont Avenue are in progress.

I recommend approval of this application.