



## CITY PLANNING COMMISSION

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May 9, 2007 / Calendar No. 12

C 070277 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 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506, 508, 515, 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -22, 24, 14-16 and part of Lots, 3, 6, 8, 10-12 and 50), Sites 48, 49, 59 and 60 within the Melrose Commons Urban Renewal Area, 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 properties to a developer selected by HPD;

to facilitate development of approximately 679 residential units, retail and community facility uses, tentatively known as Boricua Village, to be developed under the New York City Department of Housing Preservation and Development's Cornerstone Program, Borough of the Bronx, Community Districts 1 and 3.

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Approval of three separate matters is required:

1. the designation of property located at 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506, 508, 515, 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -22, 24, 14-16 and part of Lots, 3,

6, 8, 10-12 and 50), Sites 48, 49, 59 and 60 within the Melrose Commons Urban Renewal Area, 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.

Approval of this application would facilitate the development of seven buildings, tentatively known as Boricua Village, with approximately 679 residential units, 36,511 sq. ft. of retail space, 120,000 square foot college building, 174 below-grade parking spaces, 65,264 sq. ft. of publicly-accessible open space, including the proposed “Boricua Plaza,” and 17,226 sq. ft. of private open space.

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, 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.

## **RELATED ACTIONS**

In addition to the UDAAP designation, project approval, and disposition of city-owned property, which is the subject of this report (C 070277 HAX), implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 070275 HUX	Amendment to the Melrose Commons Urban Renewal Area plan to facilitate Boricua Village and future URA developments by changing land use designation, lifting height limits, and
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restrictions on curb cuts for certain sites.

C 070276 ZMX      Zoning Map Amendment for a block bound by E. 163<sup>rd</sup> Street, Elton Avenue, E. 161<sup>st</sup> Street, and Third Avenue from R8/ C1-4 and C4-4 to R8/ C2-4.

## **BACKGROUND**

A full background discussion and project description appears in the related report for the amendment of the Melrose Commons Urban Renewal Area plan (C 070275 HUX).

## **ENVIRONMENTAL REVIEW**

This application (C 070277 HAX) in conjunction with the related actions (C 070275 HUX, and C 070276 ZMX), 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 06HPD008X. The lead agency is the Department of Housing Preservation and Development (HPD).

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for the grant of a special permit (C 070275 HUX).

## **UNIFORM LAND USE REVIEW**

This application (C 070277 HAX) in conjunction with the related actions (C 070275 HUX) and (C 070276 ZMX), was certified as complete by the Department of City Planning on January 22,

2007, and was duly referred to Community Boards 1 and 3, the Bronx Borough Board, 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**

A summary of the votes of Community Boards 1 and 3 appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

### **Borough Board Recommendation**

A summary of the recommendation of the Borough Board appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

### **Borough President Recommendation**

A summary of the Borough President's recommendation appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

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

On March 14, 2007 (Calendar No. 1), the City Planning Commission scheduled March 28, 2007, for a public hearing on this application (C 070277 HAX). The hearing was duly held on March 28, 2007 (Calendar No. 28), in conjunction with the public hearings on the applications for the related actions (C 070275 HUX) and (C 070276 ZMX).

There were seven speakers in favor of the application, as described in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX), and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the application for UDAAP designation and project approval and, the disposition of city-owned property are appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 27, 2007, with respect to this application (CEQR No. 06HPD008X), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, 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 minimize or avoid 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 practicable by incorporating as conditions to the approval 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 other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, that the City Planning Commission finds that the proposed disposition of city-owned property located at 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506, 508, 515, 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -22, 24, 14-16 and part of Lots, 3, 6, 8, 10-12 and 50), Sites 48, 49, 59 and 60 within the Melrose Commons Urban Renewal Area, conforms to the objectives and provisions of the proposed amendment to the Melrose Commons Urban Renewal Area (C 070275 HUX) which is being considered concurrently with this application;

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at located at 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506,

508, 515 , 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -22, 24, 14-16 and part of Lots, 3, 6, 8, 10-12 and 50), Sites 48, 49, 59 and 60 within the Melrose Commons Urban Renewal Area 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 at 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506, 508, 515 , 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -

22, 24, 14-16 and part of Lots, 3, 6, 8, 10-12 and 50), Sites 48, 49, 59 and 60 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 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 if any, to be provided by the municipality pursuant to Section 696 of Article 16 of the General Municipal Law is necessary to enable the project to be undertaken; and
- c. The policy is consistent with the policy and purposes stated in Section 691 of Article 16 of the General Municipal Law; and

**BE IT FURTHER RESOLVED**, 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 at 491 East 161<sup>st</sup> Street; 492, 496, 500-02, 504, 506, 508, 515, 511, 509, 507, 503, 501, 499, 497, 493 and 491 East 162<sup>nd</sup> Street; 3203, 3199, 3197, 3195, 3219, 3233, 3229-31, 3225-27 and 3223 3<sup>rd</sup> Avenue; 918 and 922 Brook Avenue; 480, 490, 494, 498, 500-02, 504, 506, 508, and 496 East 163<sup>rd</sup> Street; 900 Washington Avenue and portions of the demapped bed of East 162<sup>nd</sup> Street from Third Avenue to Washington Avenue, Brook Avenue from East 161<sup>st</sup> Street to Elton Avenue and East 161<sup>st</sup> Street from Third Avenue to Brook Avenue, (Block 2366, Lots 21-23, 25, 27, 32-34, 37-40 and 1; and Block 2367, Lots 1, 26, 28-38, 55, 60, 20 -22, 24, 14-16 and part of Lots, 3, 6, 8, 10-12 and 50), Sites 48, 49, 59 and 60, Community District 3, Borough of the Bronx, to a developer selected by HPD, is approved.

The above resolution (C 070277 HAX), duly adopted by the City Planning Commission on May



9, 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  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,**  
**ALFRED C. CERULLO, III, BETTY CHEN, RICHARD W. EADDY,**  
**NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS,**  
**DOLLY WILLIAMS**, Commissioners

**LISA A. GOMEZ**, Commissioner **RECUSED**