



CITY PLANNING COMMISSION

April 11, 2007/Calendar No.11

C 070280 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 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street (Block 2378, Lots 17, 34, 36-38 and p/o 31), part of Site 5 of 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 property to a developer selected by HPD;

to facilitate development of a five-story building, tentatively known as Melrose Commons Site 5, with approximately 63 residential units, to be developed under the New York State Division of Housing and Community Renewal's Housing Trust Fund /Homes for Working Families Program and the New York City Housing Development Corporation's Low-Income Affordable Marketplace Program, Borough of The Bronx, Community District 1.

Approval of three separate matters is required:

1. The designation of 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street, part of Site 5 of the Melrose Commons Urban Renewal Area (Block 2378, Lots 17, 34, 36-38 and p/o 31), 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.

The application for the Urban Development Action Area designation and project approval and disposition of city-owned property was filed by the Department of Housing Preservation and Development (HPD) on January 9, 2007.

Approval of this application would facilitate the construction of a five-story residential building with a total of approximately 63 units of rental housing for low-income families. The proposed project is tentatively known as Melrose Commons Site 5.

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

The Project Area consists of underutilized vacant properties, which tend 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.

BACKGROUND

The proposed five-story housing development for low or moderate-income families, tentatively known as Melrose Commons Site 5, 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 the eastern portion of Site 5 in the Melrose Commons Urban Renewal Area on a block bounded by Melrose Avenue, East 156th Street, East 157th, and Elton Avenue. The proposed residential use is consistent with the Urban Renewal designation. The site, with 28,302 square feet in area, consists of six vacant, city-owned parcels. The project site is located in an R7-2 zoning district. A community garden, currently located on lot 34, has agreed to relocate to the eastern part of lot 31 which will be excluded from subject project site.

The UDAAP designation and disposition action would facilitate the construction of a five-story residential building with approximately 70,406 square feet of floor area and with a total of 63 units of rental housing for low or moderate-income families. In addition to the residential units, the project would include an approximately 450-square foot community room, a laundry room and an accessory parking lot with 17 spaces to be located in the rear of the building and accessed from East 157th Street. An approximately 8,503-square foot landscaped open space area would also be provided in the rear of the building. The project is to be developed under the New York State Division of Housing and Community Renewal's Housing Trust Fund/Homes for Working Families Program and the New York City Housing Development Corporation's Low-income Affordable Marketplace Program (LAMP).

Adjacent to the project site, along Melrose Avenue is the remaining portion of Site 5 with Palacio Del Sol, which was approved by the Commission on October 8, 2003 (C 030533 HAX),

a 124 unit building completed in 2005. The area along Elton Avenue, between East 156th and East 157th streets contains Site 4 with New York City Housing Partnership Homes, a privately-owned vacant lot, an occupied two-family house and an occupied five-story residential building. 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 and Plaza de los Angeles a 105 units New York City Housing Partnership sites, located along Elton Avenue between East 159th and East 157th streets. Retail and service establishments are found along Third Avenue and along East 161st Street. St. Peter and Paul Church, school and rectory are located at Third Avenue and East 159th Street. P.S. 29 is located on the block west of the project site on Courtlandt Avenue.

The site is accessible by the following bus lines: Bx 41 which runs along Melrose and Webster avenues and has a stop on the subject block, the Bx 2 that runs along the Melrose Avenue and the Grand Concourse and the Bx 15, Bx 21 and Bx 55 which transverse Third Avenue, two blocks east from the subject site.

ENVIRONMENTAL REVIEW

This application (C 070280 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 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 070280 HAX) was certified as complete by the Department of City Planning on January 22, 2007, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on February 22, 2007, and on that date, by a vote of 19 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 070280 HAX) was considered by the Borough President, who issued a recommendation approving this application on March 26, 2007.

City Planning Commission Public Hearing

On March 14, 2004 (Calendar No. 6), the City Planning Commission scheduled, March 28, 2007 for a public hearing on this application (C 070280 HAX).

There were three speakers who spoke in favor and none opposed to the application. The speakers included the project architect, the developer and a representative from HPD. The project architect and the developer described and testified on behalf of the project and answer questions from the Commission. A representative of the Department of Housing Preservation and Development was present to answer questions.

CONSIDERATION

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

The application would facilitate the development of six underutilized vacant city-owned parcels, totaling 28,302 square feet in lot 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 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 5) to develop new housing on the subject site. The Commission believes that the proposed project offers an opportunity to address the need for affordable housing for low or moderate income families and will contribute to the revitalization of the area.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the proposed disposition of city-owned property located at 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street), part of Site 5 of the Melrose Commons Urban Renewal Area (Block 2378, Lots 17, 34, 36-38 and p/o 31), 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 Environmental 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 action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the Environmental Impact Statement will be minimized or avoided to the maximum extent possible 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 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 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street, part of Site 5 of the Melrose Commons Urban Renewal Area (Block 2378, Lots 17, 34, 36-38 and p/o 31), in Community District 1, Borough of The Bronx, 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

THEREFORE be it RESOLVED, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the matters pursuant to the Urban Development Action Area Act.

- a) the designation of property located at 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street, part of Site 5 of the Melrose Commons Urban Renewal Area (Block 2378, Lots 17, 34, 36-38 and p/o 31) 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 find 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 part of Site 5 of the Melrose Commons Urban Renewal Area, at 424 East 157th Street, 747 Elton Avenue, 431, 425, 423 and 419 East 156th Street), part of Site 5 of the Melrose Commons Urban Renewal Area (Block 2378, Lots 17, 34, 36-38 and p/o 31), Community District 1, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 070280 HAX).

The above resolution (C 070280 HAX), duly adopted by the City Planning Commission on April 11, 2007 (Calendar No.11), 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.,
ALFRED C. CERRULLO, III, BETTY Y. CHEN, RICHARD W. EADDY,
LISA A. GOMEZ, NATHAN LEVENTHAL, JOHN MERULO, KAREN A. PHILLIPS,
DOLLY WILLIAMS, Commissioners