



CITY PLANNING COMMISSION

March 12, 2008 / Calendar No.13

C 080227 HAX

IN THE MATTER OF an application 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 842 and 850 Jennings Street [Block 2965, Lots 99 and part of 100] 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 an eight-story building, tentatively known as Jennings Street, with approximately 103 residential units and community facility uses, to be developed under the Department of Housing, Preservation, and Development's Cornerstone Program, within Community District 3, Borough of the Bronx.

Approval of three separate matters is required:

- 1) the designation of property located at 842 and 850 Jennings Street [Block 2965, Lots 99 and part of 100] 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 for the Urban Development Actions Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on December 19, 2007.

Approval of this project would facilitate development of an eight-story building with approximately 103 residential units and community facility uses within Community District 3, Borough of the Bronx.

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.”

BACKGROUND

The New York City Department of Housing, Preservation, and Development (HPD) is seeking approval for the designation and approval of an Urban Development Action Area and Project (UDAAP) and the disposition of city-owned property for a site located at 850 Jennings Street (Block 2965, Lots 99 & part of 100) in the Bronx. The project site is located in the Crotona Park East neighborhood, within Bronx Community District 3. The block is bordered by Jennings Street to the north, Intervale Avenue to the east, Freeman Street to the south, and Bristow St. to the west. The entire project site is zoned R7-1.

Lots 99 is currently vacant. Lot 100 is predominately vacant with the exception of the southernmost portion, which is occupied by a GreenThumb community garden, designated as such by the NYC Department of Parks & Recreation. The GreenThumb community garden will remain as is. It will not be included as part of the proposed development site, even though it shares the same zoning lot.

Proposed for the site is an eight-story apartment building containing 103 units of mixed-income cooperative housing, occupying an area of approximately 100,818 sq. ft. The building will include approximately 6,080 sq. ft. of community facility space. This will be the first multi-family, occupant-owned residential building in the Crotona Park East neighborhood.

The site will contain approximately 28,925 sq. ft. of open space featuring plantings and benches. Sixty-two accessory parking spaces will be provided for the residents in a combination of surface and underground parking areas.

Surrounding the project site is a mixture of mid-rise apartments and low-rise, one- to three-family homes. These include the 128-unit Louis Nine Boulevard Project, previously approved by the City Planning Commission (C 050459 HAX, Calendar No. 11) and currently under construction, across Intervale Avenue to the east, and Charlotte Gardens, a complex of 89 one-family homes, to the north. The area also features the 127.5 acre Crotona Park, four blocks northwest.

The area is well served by mass transit. The Freeman Street station for the NYC Subway 2/5 line is located one block south of Jennings Street at the Southern Boulevard intersection. The Bx 11, 19, and 21 bus routes all run within two blocks of the site. Retail services are available along Boston Road, Prospect Avenue, and Southern Boulevard, all within walking distance to the site.

ENVIRONMENTAL REVIEW

This application (C 080227 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 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. The designated CEQR number is 08HPD010X.

After a study of potential environmental impacts of the proposed action, a Negative Declaration was issued on December 21, 2007.

UNIFORM LAND USE REVIEW

This application (C 080227 HAX) was certified as complete by the Department of City Planning on January 7, 2008, and was duly referred to Bronx Community Board 3 and the Bronx 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 3 held a public hearing on this application on January 8, 2008 and, on that date, by a vote of 22 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

The application was considered by the Bronx Borough, who issued a recommendation approving the application on February 11, 2008 with the following conditions:

1. "That the project developer/sponsor enlarges the two-bedroom units to at least 900 square feet, and the three-bedroom units to at least 1,100 square feet.
2. "That HPD commits to ensuring that the developer complies with the CEQR ruling to submit a Phase II Environmental Site Assessment that includes a Subsurface Soil Investigation and Health and Safety Plan, and conducts necessary remediation before allowing any development of the site."

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 4), the City Planning Commission scheduled February 13, 2008 for a public hearing on this application (C 080227 HAX). The hearing was duly held on February 13, 2008 (Calendar No. 34).

There were three speakers in favor of the application: a representative of the Department of Housing, Preservation, and Development (HPD), a representative of the project's sponsor, and the architect for the project. The HPD and project sponsor representatives described the project and the actions required to facilitate the proposal. The architect addressed site planning concerns with respect to the adequacy of the proposed width of the interior driveway and of locations of the sidewalk between the driveway and building.

There were no other speakers on the application 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 located at 842 and 850 Jennings Street are appropriate.

This application would facilitate the development of an eight-story apartment building with 103 units of cooperative housing and 6,080 sq. ft. of community facility space. On site will be 28,925 sq. ft. of open space with plantings and benches, and 62 accessory parking spaces. The project will be developed under the HPD Cornerstone program.

With respect to concerns raised by the Borough President's office and City Planning

Commission during the public review, HPD, in a letter dated March 6, 2008, stated that:

“While all the units in the proposed project meet HPD’s minimum standards for room sizes, the Borough President’s office recommends that the two and three-bedroom units be enlarged to at least 900 and 1100 square feet, respectively. The irregular lot configuration limits the possibility of expanding the building foot print and the building height which was determined to be appropriate for the site, based on our discussion with DCP, eliminates the possibility of additional floors. Therefore, increasing the unit size would require a reduction in units. Any significant reduction in the unit count would result in an adverse impact on the financial feasibility of the project. We have discussed this with the Borough President’s office and the Borough President’s office recognizes the limitations the site imposes.”

“The [Borough President] recommendation requests that HPD commit to ensuring that the developer comply with the CEQR ruling to submit a Phase II Environmental Site Assessment that includes a Subsurface Soil Investigation and Health and Safety Plan, and conducts necessary remediation before allowing any development of the site. The developer has submitted a Phase II work plan and HASP for DEP’s review. Development on the project area cannot proceed until Phase II work and remediation work, if necessary, have been completed and approved by DEP.”

Approval of this application would provide much need housing opportunities in the community and for the City of New York. In addition, the disposition of city-owned property would allow for the property’s return to a productive use and elimination of its blighting influence on the

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

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions 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 842 and 850 Jennings Street [Block 2965, Lots 99 and part of 100] 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 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 842 and 850 Jennings Street [Block 2965, Lots 99 and part of 100] 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 policy is consistent with the policy and purposes stated in Section 691 of the Urban Development Action Area Act.

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 842 and 850 Jennings Street [Block 2965, Lots 99 and part of 100] in Community District 3, Borough of the Bronx, to a developer selected by HPD, is approved.

The above resolution (C 080227 HAX), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 13), 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 Chairman

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