



April 7, 2020 / Calendar No. 10

C 210195 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 97 West 169th Street (Block 2519, Lots 27 and 32) as an Urban Development Action Area; and
 - b) 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 facilitate an affordable senior housing development containing approximately 104 units, Borough of The Bronx, Community District 4.

Approval of three separate matters is required:

1. The designation of property located at 97 West 169th Street (Block 2519, Lots 27 and 32) as an Urban Development Action Area (UDAA); and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property to a developer to be selected by HPD.

This application for an UDAA designation, project approval and disposition of City-owned property (C 210195 HAX) was filed by HPD on November 25, 2020. Approval of this application would facilitate the development of a new nine-story residential building containing approximately 104 Affordable Independent Residences for Seniors (AIRS) units at 97 West 169th Street in the Highbridge neighborhood of The Bronx, Community District 4.

HPD 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

HPD is seeking UDAA designation, project approval, and disposition of City-owned property to facilitate the development of a residential building with 104 AIRS units.

The development site (Block 2519, Lots 27 and 32) is a vacant 15,000-square-foot City-owned parcel located at 97 West 169th Street. The development site is comprised of two contiguous tax lots located on 169th Street between Shakespeare Avenue to the east and Nelson Avenue to the west. The lots were acquired by the City in the late 1980s, though they were never developed and have remained vacant and under City ownership since then. During the development of the Jerome Avenue Neighborhood Plan, approved in 2018, the City committed to release an Request For Proposals for the site to meet the community goal of creating affordable senior housing.

The surrounding area is comprised primarily of residential uses, with pockets of commercial use, public facilities and institutions, as well as a few vacant lots. Residential uses generally comprise one- and two-family buildings, multi-family walk-up buildings, multi-family elevator buildings, and some mixed-use residential and commercial buildings with ground-floor retail along the Edward L Grant Highway. Residential uses range from two to nine stories. Two- and three-story rowhouses are located directly east of the development site on Shakespeare Avenue, as well as along Nelson Avenue. Directly to the north and west is an eight-story affordable housing building constructed in 2007.

The area surrounding the development site is well-served by public transit. The Metropolitan Transit Authority (MTA) Bx35 bus line runs along Edward L Grant Highway, one block north of the development site. The Bx11 and Bx13 bus lines stop along Plimpton Avenue, two blocks west of the development site. The closest MTA subway station is the 170th Street station,

providing service to the 4 train, located approximately one-half mile southeast of the development site. The development site is also proximate to several major regional thoroughfares and interstate highways, including the Cross-Bronx Expressway (north of the development site) and the Major Deegan Expressway (west of the development site), both of which provide direct access to the George Washington Bridge.

The development site is located within an R7-1 zoning district. R7-1 zoning districts permit buildings that comply with either height factor or Quality Housing regulations. The permitted residential Floor Area Ratio (FAR) in R7-1 districts ranges from 0.87 to 3.44 under height factor regulations, or up to 4.0 under Quality Housing regulations on a wide street. Up to 5.01 FAR is allowed for Quality Housing buildings with AIRS units, and 4.8 FAR is permitted for community facilities. Under height factor regulations, height limits for buildings are governed by a sky exposure plane that begins at 60 feet above the street line. Under Quality Housing regulations, a building must rise to a minimum base height of 40 feet, with a maximum base height of 75 feet on a wide street, or 65 feet on a narrow street. The building must then set back 10 feet on a narrow street or 15 feet on a wide street before reaching an overall permitted building height of 75 feet on a narrow street or 80 feet (85 feet with a Qualifying Ground Floor) on a wide street.

HPD proposes to develop a new nine-story building containing 104 AIRS units, which includes 32 units set aside for formerly homeless households, a superintendent's unit, and community facility space to be occupied by a federally qualified health center. The proposed development would comprise approximately 73,500 square feet of total floor area (4.86 FAR). This would include approximately 71,000 square feet of residential space (4.70 FAR), and approximately 2,460 square feet of community facility space (0.16 FAR). The top two floors would be devoted to providing approximately 22 "enhanced care" studio units, which would include a communal dining room, kitchen, and lounge area with additional staff to offer support services for residents requiring a higher level of care. The proposed development would have a base height of approximately 74 feet (seven stories) before a 15-foot setback rising to an overall height of approximately 95 feet (nine stories). The building would include approximately 2,800 square feet

of recreational space compliant with the AIRS program, as well as a landscaped terrace, and a rear yard that would be accessible to residents.

ENVIRONMENTAL REVIEW

This application (C 210195 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 designated CEQR number is 20HPD088X. The lead agency is HPD.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on December 10, 2020.

UNIFORM LAND USE REVIEW

This application (C 210195 HAX) was certified as complete by the Department of City Planning on December 14, 2020 and duly referred to Bronx Community Board 4 and the Bronx Borough President in accordance with Title 62 of the Rules of the City of New York, Section 202(b).

Community Board Public Hearing

Bronx Community Board 4 held a public hearing on this application (C 210195 HAX) on January 26, 2021 and, on that date, by a vote of 38 in favor, 0 opposed, and none abstaining, adopted a resolution recommending approval of the application.

Borough President Recommendation

The application (C 210195 HAX) was considered by the Bronx Borough President, who held a public hearing on February 16, 2021 and issued a recommendation to approve the application on March 9, 2021.

City Planning Commission Public Hearing

On March 3, 2021 (Calendar No. 3), the CPC scheduled March 17, 2021 for a public hearing on this application (C 210195 HAX). The hearing was duly held on March 17, 2021 (Calendar No. 28). There were four speakers in favor of the application and none in opposition. Speakers testifying in favor of the application included four members of the applicant team. The applicant's representative presented an overview of the application and described the proposed development. She also stated that the proposed development was a commitment from the Jerome Avenue Neighborhood Plan (2018). The applicant team informed the Commission that all units would receive project-based section-8 vouchers, which would ensure that tenants only pay 30% of income towards rent. There were no other speakers, and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that this application for UDAA designation, project approval, and the disposition of City-owned property (C 210195 HAX) is appropriate.

The proposed actions will facilitate the redevelopment of a long-vacant City-owned parcel with a new residential building providing a total of 104 permanently affordable senior residential units. The building will provide much-needed affordable and supportive housing in the Highbridge neighborhood for low-income seniors and people in formerly homeless households with affordability levels that respond to the needs of the neighborhood.

The Commission believes that this development will support the growth of the Highbridge neighborhood and the western Bronx. The development will also support the City's ongoing efforts to provide additional quality housing, particularly in transit-accessible neighborhoods, as highlighted in *Housing New York*.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located along 169th Street between Shakespeare and Nelson Avenues

(Block 2519, Lots 27, 32) in Community District 4, Borough of The Bronx, as an Urban Development Action Area;

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 located at 97 West 169th Street (Block 2519, Lots 27 and 32) in the Borough of The Bronx as an Urban Development Action Area.
- 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 the report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at 97 West 169th Street between Shakespeare and Nelson Avenues (Block 2519, Lots 27 and 32) in Community District 4, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 210195 HAX), duly adopted by the City Planning Commission on April 7, 2021 (Calendar No. 10), 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.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,
JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 97 W 169th Street (Corporal Fischer)	
Applicant: HPD - NYC Dept of Housing Preservation & Development	Applicant's Primary Contact: Kay Real
Application # 210195HAX	Borough:
CEQR Number: 20HPD088X	Validated Community Districts: X04

Docket Description:

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Conditional Favorable			
# In Favor: 38	# Against: 0	# Abstaining: 0	Total members appointed to the board: 45
Date of Vote: 1/26/2021 12:00 AM		Vote Location: Via Zoom online	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 1/26/2021 6:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	Zoom

CONSIDERATION:

Recommendation submitted by	BX CB4	Date: 2/8/2021 12:34 PM
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**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 210195 HAX- 97 West 169th Street (Corporal Fischer)

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 4

BOROUGH: BRONX

RECOMMENDATION

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

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

PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION



BOROUGH PRESIDENT

3/9/18

DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 210195 HAX-97 West 169th Street (Corporal Fischer)

DOCKET DESCRIPTION

IN THEMATTER 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 97 West 169th Street (Block 2519, Lots 27 and 32) as an Urban Development Action Area; area
 - b) As 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 facilitate development of a nine-story building containing approximately 104 affordable housing units and community facility space, Borough of The Bronx, Community District #4.

BACKGROUND

The site this application is considering was mapped as part of Corporal Fischer Park. In 2017 the New York State Legislature authorized the City to discontinue the designation of Block 2519, Lot 27 as parkland and provide that this portion of Corporal Fischer Park be an eventual site for affordable housing. In March, 2018, the City of New York rezoned a 92-block corridor of property located on, and adjacent to Jerome Avenue. Pursuant to this rezoning, the Jerome Avenue Points of Agreement identified this site for development of affordable housing for senior citizens.

Approval of this application will facilitate construction of a nine-story residential building to be constructed on Block 2519, Lots 27 and 32. The full height of the proposed building will approximate 95 feet. The Development Site consists of 15,121 square feet of vacant property. It is bounded by West 169th Street on the south, West 170th Street on the north, Nelson Avenue on the west and Shakespeare Avenue on the east. The site offers 150 feet of frontage and is located mid-block, on the north side of West 169th Street. The proposed development will front onto West 169th Street. The development site is located on an R7-1 zone.

Inspired by many of the Art Deco buildings found in The Bronx, the façade of this proposed building will include a variety of colors highlighting window treatments. Sustainable features will include passive solar shading, energy efficient windows and lighting in addition to green walls planted with native vegetation.

The proposed development will be composed of 73,507 square feet. Residential space will occupy 71,042 square feet providing for approximately 104 units of affordable housing for seniors over the age of 62. A superintendent's unit is also included, yielding a total of 105 residential units. Twenty-two enhanced care studios will occupy the building's two top stories. A communal dining room, kitchen and lounge area will also be provided on each of the two enhanced care stories.

Additional highlights include:

- 45 Studio Units measuring approximately Net 390 square feet of which 22 units will be designated "enhanced care" studios specifically designated to offer aging-in-place accommodations.
- 59 1-Bedroom Units measuring approximately Net 520 square feet
- 32 units are to be set aside for the homeless
- Recreational Space measuring Net 2,842 square feet
- Community Facility Space measuring Net 2,465 square feet

On the main level residents will have access to

- Landscaped rear garden
- Indoor porch providing residents with a brightly illuminated space to wait for guests, meet other residents, or simply relax while having a full view of the street outside.
- Multi-purpose room
- Nurses office
- Laundry room facilities

Social services staff will have access to four offices and conference room. So too, building management will be provided with two offices.

Services to be provided to residents include:

- A full-service medical clinic which will be accessible to both those who reside in this facility and those who live in the surrounding community. This health care center will be managed by Damien Family Care, a federally qualified health care center (FQHC). The facility will approximate 2,400 square feet and will be accessible from West 169th Street.
- On site social service care will be offered, including

- On-site bilingual case management
 - Counseling
 - Crisis intervention
 - Nutritional care
 - Medication supervision
 - Transportation assistance
- 24/7 front desk coverage to welcome guests and enhance security

All residential units will receive Project Based Section 8 vouchers. Residents pay 30% of their income towards rent. This development will accommodate 0 to 50% of Area Median Income (AMI). The New York City Department of Social Services will coordinate the allocation of the 32 units set aside for the homeless. The units remaining will be assigned through the HDC Housing Connect lottery.

Development in the surrounding community is typified by low and mid-rise residential buildings. Retail activity and bus transportation via the Bx13 are found on Ogden Avenue, approximately three blocks east of the site. The Bx35 on Edward L. Grant Highway, is a block east of the site. The Bx11 operates on Plimpton Avenue, two blocks west of the site. The nearest subway service offered is the IRT 4 train. It operates on Jerome Avenue/River Avenue with stations at 167th and 170th Streets, both approximately 6 blocks east, and IND B/D trains at 167th and 170th Streets, approximately 2/3 mile east. The Yankees-East 153rd Street Metro-North station is located approximately one mile south. Vehicular access to both the Major Deegan and Cross Bronx Expressways are located less than ½ mile from the site. Access to the Harlem River Drive is less than one mile northwest.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. This application was certified as complete by the New York City Planning Commission on November 25, 2020.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #4 held a virtual public hearing on this application on January 26, 2021. A unanimous vote recommending approval was 35 in favor, zero against and zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on February 16, 2021. Those representing the applicant spoke in favor of this application. No other members of the public participated and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Critical to our community is affordable residential accommodations for our senior citizens. Further, critical to these valued members of our community is access to a comprehensive array of health care services, including a full-service medical clinic, nutritional counseling, on-site social services and ample recreational space. I am therefore pleased to support this application which will facilitate construction of a full-service residential facility at 97 West 169th Street. It is to be managed by the West Side Federation for Sustainable Senior Housing (WSFSSH)

In 2018, this site was demapped as a public park for residential use. The property laid fallow for decades, with no resources available to develop this portion of Corporal Fischer Park. Now that a plan is underway for the remaining portion of Corporal Fischer Park, it is time to remove this blighted eyesore from the streets of our borough.

Given our experience with the COVID-19 virus, and how it has so severely impacted the Highbridge community, it is most appropriate that not only will our seniors have access to an on-site full-service health care clinic, but so too will all those who live nearby. Other amenities such as the "indoor porch" not only gives residents a place to watch the street, but affords that extra "eyes on the street" that many believe improves community safety.

This proposal will create permanent employment opportunities along with construction jobs at a time when both are so urgently needed. Beyond this however, it will also offer 32 formerly homeless individuals a comfortable and safe place to live. Finally, as younger residents of Highbridge raise families and establish ties to this community, 97 West 169th Street will provide an option that they may opt to choose.

I recommend approval of this application.