



## **CITY PLANNING COMMISSION**

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April 11, 2012/Calendar No. 6

C 120107 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 92 West Tremont Avenue (Block 2867, Lot 125) as an Urban Development Action Area; and
  - b) An Urban Development Action Area project for such area;
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 the development of a six-story building with approximately 61 dwelling units to be developed under HPD's Low Income Rental Program in Community District 5, Borough of the Bronx.

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Approval of three separate matters is required:

1. The designation of 92 West Tremont Avenue in the Borough of the Bronx (Block 2867, Lot 125) as an Urban Development Action Area;
2. An Urban Development Action Area for such property; and
3. The disposition of a portion of such property to a developer selected by the 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 submitted by the Department of Housing Preservation and Development (HPD) on November 17, 2011.

Approval of this application would facilitate the development of a six-story building with approximately 61 residential units to be developed under the New York State Housing Trust Fund.

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

The Project Area consists of an underutilized property, which tends to impair or arrest the sound development of the surrounding community, with or without tangible blight. Incentives are needed in order to induce the corrections 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 Project pursuant to Article 16 of the General Municipal Law.

## **BACKGROUND**

The Department of Housing Preservation and Development (HPD) seeks approval of an Urban Development Action Area designation, project approval, and disposition of a portion of one city-owned lot (Block 2867, Lot 125), which comprises the development site. The site is a vacant, undeveloped 14,898 square foot lot. It is located in the West Tremont/Mount Hope neighborhood of Community District 5. The property is zoned R7-1. It is on a block bounded by Grand and West Tremont avenues to the north, West 176<sup>th</sup> Street to the west, Davidson Avenue to the south, and West 177<sup>th</sup> Street to the west. The West Tremont Avenue frontage of the site is along a curvilinear portion of the street, which has a severe downwards slope toward West 177<sup>th</sup> Street. Contiguous zoning lots are developed with 3- and 6-story residential buildings.

The surrounding area is mixed use in character and development. Convenience retail shopping is located on Jerome Avenue, two blocks east of the project site and Dr. Martin Luther King Jr. Boulevard (formerly University Avenue), two blocks west of the site. Public School 306 is east of the project site; commercial uses and houses of worship are on the opposite side of West Tremont Avenue.

The proposed development will be built using the Quality Housing (QH) regulations. It will be a six-story, 61-unit residential building with a height of 65 feet and a total of 58, 609 square feet of

residential floor area. It will have approximately 2,198 square feet of recreation space including a 682 square foot green roof, and a 610 square foot backyard terraced space. There will be 30-space bicycle parking rack and over 100 linear feet of outdoor planting. The rear yard of the proposed development will face southeast, provided direct sun in the morning and early afternoon, shaded areas in the afternoon and early evening. There will be extensive programmed activities utilizing the open spaces. No parking will be provided on site. The project will be developed under the New York State Housing Trust Fund.

## **ENVIRONMENTAL REVIEW**

The application (C 1200107HAX) was reviewed pursuant to the New York State environmental Review Quality 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 Review (CEQR) rules of procedure of 1991 and the Executive Order no. 91 of 1977. The designated CEQR number is 11HPD010X the lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on October 3, 2011.

## **UNIFORM LAND USE REVIEW**

This application (C 120107 HAX) was certified as complete by the Department of City Planning on December 12, 2011, and was duly referred to Community Board 5 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 5 held a public hearing on this application on January 25, 2012, and on that date, by a vote of 21 to 0, adopted a resolution recommending approval of the application, subject to the following conditions:

1. Identification of an appropriate treatment for two vacant buildings in the near vicinity of the proposed project. Buildings number 43 and 47 on West 177<sup>th</sup> Street are vacant, poorly maintained, and create a blighting influence in the designated area.
2. The board also requested that the developer include an additional entrance/exit at the West 177<sup>th</sup> Street façade of the building.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation on March 6, 2012, approving the application, subject to the following conditions:

1. The Borough President endorsed the proposals of Community Board Three regarding the treatment of buildings in the vicinity of the project.
2. The Borough President requested the installation of exterior lighting along the West 177<sup>th</sup> street façade of the building.
3. Requested a comprehensive security system be installed throughout the building.

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

On March 14, 2012 (Cal. No. 1), the Commission scheduled March 28, 2012, for a public hearing on this application (C 120107 HAX). The hearing was duly held on March 28, 2012 (Cal. No. 19). There were three speakers in favor of the application and none in opposition.

A representative of HPD spoke in favor of the application, stating that the site proposed for development had been vacant for many years because the severe grade change made development very difficult. HPD stated that the building could accommodate a secondary entrance on 177<sup>th</sup> Street. Regarding the poorly maintained buildings near the site, HPD stated that it referred the building to the Department of Buildings (DOB) for inspection, and is waiting for DOB's report before initiating any further action.

The project sponsor also spoke in favor of the application, stating that they accept the Borough President's proposal to install exterior lighting along the West 177<sup>th</sup> Street frontage and stated

that they will work with the Community Board to implement a secondary entrance on 177<sup>th</sup> Street.

The project architect, speaking in favor of the proposal, presented proposed building to the Commission, demonstrating how the severe slope in the site affected the building's design and identifying where a locked entrance and ramp would be provided to allow tenant's access via West 177<sup>th</sup> Street. .

There were no other speakers and the hearing was closed

## **CONSIDERATION**

The Commission believes that the proposed Urban Development Action Area designation and project (UDAAP), and disposition of city-owned property is appropriate.

The requested action would facilitate the development of a six story, 61-unit residential building with an overall height of 65 feet.

The project is proximate to facilities necessary to support a residential development, including convenience retail facilities, social services, and educational institutions. Such facilities are located on Jerome and University avenues, and are within three blocks of the project site.

The Commission notes that the project will provide a number of amenities that will enrich the living experience for residents. These include the two levels of outdoor terrace space at the southern end of the zoning lot. These spaces will allow for access to direct sunlight in the mornings and afternoons, and provide space for gatherings where the residential community can come together. Additional indoor recreation spaces will allow for meetings during inclement times of the year.

The Commission is pleased with the applicant's efforts to address the conditions of the Community Board and Bronx Borough President. The Commission believes that approval of the UDAAP would facilitate the rehabilitation of a vacant, city-owned property, with a much-needed housing resource for low-income seniors. The Commission further believes that the proposed development would contribute to the revitalization of the Mount Hope neighborhood of Community District 5.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and be it further

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at 92 West Tremont Avenue (Block 2867, Lot 125) in Community District 5, 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 **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) designation of property located at 92 West Tremont Avenue, (Block 2867, Lot 125) as an Urban Development Action Area; and
- b) an Urban Development Action Area Project for such area

**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 consideration described in this report, the application of the Department of Housing Preservation and

Development for the disposition of a portion of the city-owned property located at 92 West Tremont Avenue (Block 2867, Lot 125) in Community District 5, Borough of the Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C120107HAX).

The above resolution (C 120107 HAX), duly adopted by the City Planning Commission on April 11, 2012 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARIN,**  
**SHIRLEY A. MCRAE, Commissioners**

**MICHELLE R. DE LA UZ, abstained**

## Community/Borough Board Recommendation

CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
FAX # (212) 720-3356

Application # C120107 HAX  
CEQR # 11HPD010X  
Community District No. 05 Borough: The Bronx  
Project Name: West Tremont Senior Residence

**INSTRUCTIONS:**  
1. Complete this form and return one copy date to the Calendar Information Office City Planning Commission, Room 2E, at the above address.  
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed above, one copy to the Borough President, and one copy to the Borough Board, when applicable.

**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 property located at 92 West Tremont Avenue (Block 2867, Lots 125 and 128) 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 Block 2867, Lot 125 to a developer to be selected by HPD;

to facilitate the construction of a six-story senior residence with approximately 61 dwelling units to be developed under the New York State's Housing Trust Fund.

**Related Applications:**

**Applicant(s):**

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

**Applicant's Representative:**

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

Community Board No. 5 Borough: Bronx

Borough Board of BRONX

Date of public hearing: 2/17/12

Location: 1771 Andrew Avenue Bronx, NY 10453

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.

Vote adopting recommendation taken: YES

Location: 1771 Andrew Avenue Bronx, NY 10453

**RECOMMENDATION**

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

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

See attached letter.

**Voting**

In Favor:                  Against:                  Abstaining:

Total members appointed to the board:

21                  0                  0  
Dr. Bida Amofosho  
Community/Borough Board Officer

29  
Chairperson  
Title

2/17/12  
Date

v.012006w





THE CITY OF NEW YORK BOROUGH OF THE BRONX  
COMMUNITY BOARD 5  
Honorable Ruben Diaz, Jr., Bronx Borough President

Chairperson  
Dr. Bola Omatosho

District Manager  
Xavier Rodriguez

February 17, 2012

Amanda Burden  
Chairperson  
New York City Planning  
22 Rouse Street  
New York, NY 10007-1216

Re: 92 West Tremont Avenue ULURP No. 120107HAX  
Block 2867, Lot 125 (including former lot 128)

Dear Chairperson Burden:

Community Board #5, writes to inform you that on Wednesday, January 25<sup>th</sup>, 2012 the Board voted favorably to support the Land Use Application for the above project with the following modifications: This Senior Housing Project is worthy and much needed in our community. However, there are two (2) adjacent vacant buildings 43 and 47 West 177<sup>th</sup> Street that collapsed approximately three years ago and these property owners were in negotiations with New York City Housing Preservation Development prior to the collapse of these properties. Since the collapse these properties have been partially demolished and remain an eyesore less than 50 feet from the proposed Senior project and represents a dangerous Quality of Life condition to local residents as well as to the future Senior tenants that will reside at 92 West Tremont if this is not remedied.

Bronx Community Board 5 is urging New York City Housing and Preservation Development (HPD) contact the property owners of 43 and 47 West 177<sup>th</sup> Street and encourage the owners to seek HPD's assistance in order to develop these properties.

In addition, the Board is also recommending that Promesa Basics include an entrance on West 177<sup>th</sup> Street to their design plans. Community Board 5 is known for our steep hilly terrain and seniors will have a hardship navigating the West 177<sup>th</sup> Street steep hill to the main entrance on West Tremont Avenue.


Bronx Community Board #5 urges that the above concerns and recommendations be considered.

Sincerely,

Dr. Bola Omatosho, Chairperson  
Bronx Community Board # 5

BCC Campus • McCracken Hall, Rms. 12 & 13 • W. 181st Street & Dr. Martin Luther King, Jr. Blvd. • Bronx, New York 10453  
Telephone (718) 364-2030 • Facsimile (718) 220-1767 • Facsimile (718) 220-8426 • brxb5@optonline.net • bx05@cb.nyc.gov

*Serving these Neighborhoods:*  
Fordham, Morris Heights, Mount Hope, University Heights

<p>BOROUGH PRESIDENT RECOMMENDATION</p>	<p>CITY PLANNING COMMISSION 22 Reade Street, New York, NY 10007 Fax # (212)720-3356</p>
<p>INSTRUCTIONS</p> <p>1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.</p> <p>2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.</p>	
<p>APPLICATION # C 120107 HAX</p> <p>DOCKET DESCRIPTION</p> <p>PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION</p>	
<p>COMMUNITY BOARD NO. 5</p>	<p>BOROUGH: BRONX</p>
<p>RECOMMENDATION</p> <p><input type="checkbox"/> APPROVE</p> <p><input checked="" type="checkbox"/> APPROVE WITH MODIFICATIONS/CONDITIONS (List below)</p> <p><input type="checkbox"/> DISAPPROVE</p> <p>EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)</p> <p>PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION</p>	
<p> BOROUGH PRESIDENT</p>	<p><u>3/6/2012.</u> DATE</p>

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NO: C 120107 HAX  
WEST TREMONT SENIOR RESIDENCE  
March 5, 2012**

**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 property located at 92 West Tremont Avenue (Block 2867, Lots 125 and 128) 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 Block 2867, Lot 125 to a developer to be selected by HPD;

To facilitate the construction of a six-story senior residence with approximately 61 dwelling units to be developed under the New York State's Housing Trust Fund.

**BACKGROUND**

Approving this application will facilitate the construction of a six-story residential building to be located on the east side of West Tremont Avenue between West 177<sup>th</sup> Street to the south and Grand Avenue to the north. This vacant property is located on Bronx Community District 5 and is zoned R7-1. The site formally consisted of two tax lots, 125 and 128. They were merged into a single lot, 125, effective on July 26, 2011. It consists of 14,898 square feet of property, the topography of which is characterized by a significant slope that descends from west to east. Previous development on this site included a dry cleaning establishment and therefore brown field remediation will be necessary.

As proposed, the scope of this project includes construction of a six-story residential building featuring 61, one bedroom residential units. Each unit will include approximately 625 square feet of living space, featuring a master bedroom, living room, kitchen and dining area. On site amenities for all residents includes a lounge area consisting of 300 square feet, a recreation room offering 606 square feet of space, plus an exterior terrace comprising 610 square feet. An additional 6,413 square feet will be set aside for exterior open space, plus access to a green roof area that includes 628 square feet. No on site parking will be provided although space for 30 bicycles will be available. The developer will seek certification under the Enterprise Green Community Program.

A minimum age of 55 is a prerequisite for residency consideration. Although no on-site medical facilities will be available, the developer will provide van transportation to nearby facilities for comprehensive care.

Development of the surrounding community is typified by six story residential buildings. Retail services are found on University Avenue approximately five blocks west of the site and on West Tremont Avenue. Subway access to the # 4 train is found on Jerome Avenue at 176<sup>th</sup> Street, approximately four blocks east of the site. Bus transportation is available on West Tremont Avenue and is accessible approximately ¼ block from the site.

#### **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

This application has been reviewed pursuant to CEQR and SEQRA and received a Negative Declaration, meaning that the proposed development poses no threat to the environment. The City Planning Commission certified this application as complete on December 12, 2011.

#### **BRONX COMMUNITY BOARD PUBLIC HEARING**

Bronx Community Board #5 held a public hearing on this application on February 17, 2012. A unanimous vote recommending approval of this application with modifications was 21 in favor, zero opposed and zero abstaining. A copy of Community Board #5's modification is attached to this submission.

#### **BOROUGH PRESIDENT'S PUBLIC HEARING**

A public hearing was convened by the Bronx Borough President on February 21, 2012. The applicant was present and spoke in favor of this application. No members of the public offered comment and the hearing was closed.

#### **BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

This proposed residential complex offering 61 units of low income housing for those over 55 years of age will be managed and operated by Promesa, a non-profit organization with many years of dedicated service to the people of Bronx County. I am therefore confident that this building will be well managed and that those residing here will enjoy premium accommodations and easy access to necessary off-site medical facilities.

I do however believe that due to the topography of the site, the darkened streetscape of West 177<sup>th</sup> Street and the deteriorated condition of two buildings on adjacent properties, my recommendation to approve this project includes the following modifications:

- 1) Exterior lighting be installed to accentuate high traffic areas of the building, most notably those areas fronting on West 177<sup>th</sup> Street;
- 2) A comprehensive security system augment security personnel on the premises;
- 3) The matters identified by Bronx Community Board #5 in their correspondence to the Chair of the City Planning Commission dated February 17, 2012, be fully addressed and resolved by the Department of Housing Preservation and Development. This must be done to the complete satisfaction of the Community Board and the Department of Buildings. Any vacant structures that have no potential for rehabilitation or reconstruction must be demolished, and the site cleaned and secured. Indeed, vacant buildings that may attract squatters and/or any other illegal activity have no place in our communities and are especially troublesome near residences that cater to senior citizens.

With the modifications so noted, I recommend approval of this application.