



CITY PLANNING COMMISSION

May 23, 2007/Calendar No. 27

C 070257 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 3120 Park Avenue (Block 2418, Lot 6), Site 23 within the Melrose Commons Urban Renewal Area; 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area; and 451 East 159th Street (Block 2381, Lot 43), Site 31 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 3120 Park Avenue (Block 2418, Lot 6), 720-722 East 161st Street (Block 2647, Lots 43 and 44) and 451 East 159th Street (Block 2381, Lot 43) to a developer selected by HPD;

to facilitate development of four sites, tentatively known as POKO South Bronx Condominium II, with approximately 32 residential units, to be developed under the Department of Housing Preservation and Development's New Foundations Homeownership Program, Borough of The Bronx, Community Districts 1 and 3

Approval of three separate matters is required:

1. The designation of 3120 Park Avenue (Block 2418, Lot 6), Site 23 within the Melrose Commons Urban Renewal Area; 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area; and 451 East 159th Street (Block 2381, Lot 43), Site 31 within the Melrose Commons Urban Renewal Area, as an Urban Development Action Area; and
2. An Urban Development Action Area Project for such property; and

3. The disposition of 3120 Park Avenue (Block 2418, Lot 6), 720-722 East 161st Street (Block 2647, Lots 43 and 44) and 451 East 159th Street (Block 2381, Lot 43) 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 December 21, 2006.

Approval of this application would facilitate development of four sites, tentatively known as POKO South Bronx Condominium II, with approximately 32 residential units, to be developed under the Department of Housing Preservation and Development's New Foundations Homeownership Program.

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 New York City Department of Housing Preservation and Development (HPD) is seeking the designation of 3120 Park Avenue (Block 2418, Lot 6), 720-722 East 161st Street (Block 2647, Lots 43 and 44), 748 Jackson Avenue (Block 2646, Lot 41) and 451 East 159th Street (Block 2381, Lot 43) as an Urban Development Action Area and approval as an Urban Development Action Area Project for such areas. Four of these lots are also proposed for disposition. The

designation and disposition would facilitate the new construction of four sites in the Melrose and Mott Haven neighborhood of the Bronx Community Districts 1 and 3.

The proposed project, tentatively known as POKO South Bronx Condominiums II, would involve new construction on four development sites that would provide 32 units of housing primarily targeted towards moderate and middle income families. As proposed, all four development sites would be built pursuant the Quality Housing program. The project is to be developed under the HPD's New Foundations Homeownership Program, under which sponsors purchase City-owned land and construct one- to four-family homes and/or cooperative/condominiums to provide homeownership opportunities for the community. Two of the development sites are part of the Melrose Commons URA (Site 23 and 31) approved on April 25, 1994 (C 940226 HUX) Cal. No. 2 and one development site is part of Mott Haven North URA approved February 15, 1995 (C 940470 HUX) Cal. No. 4. The project areas will be conveyed to a sponsor/developer determined by HPD.

Site 1 - 3120 Park Avenue, (Block 2418, Lot 6) Community District 1.

This Melrose Commons URA Site 23 is located on a block bounded by East 156th and East 157th streets, Courtlandt and Park avenues. The site, 4,353 square feet in area, is a former community garden and in an R7-2 zoning district. The proposed development consists of a four-story apartment building with 8 units of affordable condominium for moderate- and middle-income families. Private open spaces will be provided for some of the tenants in the rear of the building. No parking is proposed for this site. The proposed residential use is consistent with the residential Urban Renewal designation. Abutting the project site along Park Avenue are a five-story residential building to the north, a two-story residential building to the south and a three-story residential building to the east. The remainder of the block includes two to five-story residential buildings and Melrose Commons URA (MC) Site 22 a recently completed development with 167 units named Courtlandt Avenue Apartment.

Site 2 - 720-722 East 161st Street (Block 2647, Lots 43 and 44) Community District 1.

This project site is located on a block bounded by East 160th and East 161st streets, Forest and Jackson avenues. The site, 4167 square feet in area, consists of two vacant city-owned parcels.

The lots are currently zoned R6 with a C1-4 commercial overlay. The proposed project involves the new construction of a five-story residential building with 9 units of affordable condominium for moderate- and middle-income families. Private terraces will be provided for some of the residents on the fifth floor. Open space will also be provided for all residents on the roof. Three parking spaces are proposed for this site with access provided on Jackson Avenue. Abutting the site is a supermarket to the east and two-story row houses to the south. The remainder of the block includes the recently constructed two-story Nehemiah Homes. The area is characterized by mixed residential uses with ground floor commercial. Woodstock Terrace and the NYCHA WM. McKinley Houses are located across East 161st Street from the site. Two blocks away are Junior High School 120 and P.S. 140.

Site 3 - 748 Jackson Avenue (Block 2646, Lot 41) Community District 1.

This Mott Haven North URA Site 14A is located on a block bounded by East 156th and East 158th streets, Forest and Jackson avenues. The project site, 4,583 square feet in area, is currently vacant and located within an R6 zoning district. The proposed development would be a 4-story residential building with 7 units of affordable condominium for moderate- and middle-income families. Some residents will have private access to a portion of the fourth floor terrace. All residents will have access to the remainder of the fourth floor terrace. Four parking spaces are proposed for this site with access provided on Jackson Avenue. The proposed residential use is consistent with the residential Urban Renewal designation. The site abuts a six-story residential building to the north and a three-story residential building to the east. The remainder of the block consists of three- to six-story residential buildings. Across East 156th Street are the NYCHA St. Mary's Park Houses with a playground and across Jackson Avenue, Habitat for Humanity will be completing the rehabilitation of a five-story apartment building. One block east of project site is Intermediate School 184. Retail and service establishments are located along Westchester Avenue.

This site is proposed for UDAAP designation and project approval only. Disposition of this property was previously approved by the Board of Estimate on February 9, 1989 (C 890028 PPX).

Site 4 - 451 East 159th Street (Block 2381, Lot 43) Community District 3.

This Melrose Commons URA Site 31 is located on a block bounded by East 159th and 160th streets, Elton and Melrose avenues. The project site, 5,100 square feet in area, is currently vacant and zoned R7-2. The proposal involves construction of a four-story residential building with eight units of affordable condominium for moderate- and middle-income families. Some residents will have private access to a portion of the ground floor rear courtyard. All residents will have access to the remainder of the rear courtyard. No parking spaces are proposed for this site. The proposed residential use is consistent with the residential Urban Renewal designation. Adjacent to the project site along Elton Avenue there is a five-story residential building to the north and two-story rowhouses to the east along East 159th Street. The remainder of the block is occupied by two five-story residential building, a community garden and the Melrose Commons URA Site 28, where a mixed use development is currently under construction. The 42nd Police Precinct Station House is located one block east of project site on Washington Avenue. Retail and services establishments are located along Third Avenue and along East 161st Street.

Sites 1 and 4 are accessible by the following bus lines: Bx41 which runs along Melrose and Webster avenues, the Bx2 that runs along Melrose Avenue and the Grand Concourse and the Bx 15, Bx21 and Bx55 which transverse Third Avenue. Sites 2 and 3 are accessible by the Bx 4 bus line which runs along Westchester Avenue and the Bx 6, a cross-town bus line, which runs along East 161st Street.

ENVIRONMENTAL REVIEW

This application (C 070257 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 for 3120 Park Avenue (Block 2418, Lot 6), Site 23 and 451 East 159th Street (Block 2381, Lot 43), Site 31 within the Melrose Commons Urban Renewal Area is 88-087X. The co-lead agencies were the Departments of City Planning (DCP) and Environmental Protection (DEP). The designated CEQR number for 720-722 East 161st Street

(Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area is 040HPD006X the lead agency was HPD.

For 3120 Park Avenue (Block 2418, Lot 6), Site 23 and 451 East 159th Street (Block 2381, Lot 43), Site 31 within the Melrose Commons Urban Renewal Area 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.

For 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area after a study of the potential environmental impact of the proposed action, a negative declaration was issued on April 11, 2006

UNIFORM LAND USE REVIEW

This application (C 070257 HAX) was certified as complete by the Department of City Planning on January 22, 2007, and was duly referred to Community Board 1 and 3, the Borough President and the Borough Board in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearings

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

Community Board 3 held a public hearing on this application on February 8, 2005, and on that date, by a vote of 16 to 4 with 2 abstentions, adopted a resolution recommending approval of the application with the following conditions:

That POKO Partners, LLC. Continue to address outstanding repair list items for homeowners at:

831 Courtlandt Avenue- Alex Castillo

833 Courtlandt Avenue – Hannah LeShaw

937 Courtlandt Avenue – Yolanda Irizarry

941 Courtlandt Avenue – Robert Williams

330 East 160 St. – Sergio and Carmen Velez

3150 Park Avenue – Jaime Sequira

3138 Park Avenue – Edward Perez and Wen-Ni Chen

Borough President Recommendation

This application (C 070257 HAX) was considered by the Borough President, who issued a recommendation approving this application on April 16, 2007.

Borough Board Recommendation

The Bronx Borough Board held a hearing on this application on April 26, 2007, and on that date adopted a resolution recommending approval of the application.

However, the borough board’s recommendation was submitted after the 30-day review period and was therefore non-complying.

City Planning Commission Public Hearing

On April 11, 2007 (Calendar No. 1), the City Planning Commission scheduled, April 25, 2007 for a public hearing on this application (C 070257 HAX). The hearing was duly held on April 25, 2007 (Calendar No. 18). There were three speakers, two in favor and one opposed. Those speaking in favor of the application included a representative of the developer and a representative of HPD. The representative of the developer address the issue of building repair in the homes previously built in the community. The representative of HPD briefly described the project and discussed HPD’s monitoring process for building repair issues for developments under their aegis.

Speaking in opposition to the application was a representative of the Melrose Commons Homeowners Association who expressed concern that the developer has not been responsive to building repair issues in homes built by the developer.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation, project approval and disposition of city-owned property located at 3120 Park Avenue (Block 2418, Lot 6), Site 23 within the Melrose Commons Urban Renewal Area; 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area; and 451 East 159th Street (Block 2381, Lot 43), Site 31 within the Melrose Commons Urban Renewal Area is appropriate.

The application would facilitate development of five vacant city-owned parcels, totaling 28,302 square feet in area that have had a blighting influence on this two neighborhoods for a number of years and also facilitate the implementation of both the Melrose Commons Urban Renewal Plan and the Mott Haven North Urban Renewal Plan.

The project sites are located in an R7-2 zoning district, in an R6 zoning district with a C1-4 commercial overlay and an R6 zoning district. The Commission notes that this project is consistent with the goals set forth in both the Melrose Commons Urban Renewal Plan (Sites 23 and 31) and the Mott Haven North Urban Renewal Plan (Site 14A) to develop new housing on the subject sites. The Commission believes that the proposed project offers an opportunity to address the need for affordable condominium/cooperative housing for moderate and middle income families and will contribute to the revitalization of the area.

The Commission recognizes the concerns of the residents who own homes in the area that were constructed by the designated developer of the POKO South Bronx Condominiums II. The Commission notes that the selection of the developer is not within the purview of this application,

but further notes that in correspondence from the developer dated April 27, 2007 and HPD dated May 4, 2007, steps are begin taken to address the concerns of those homeowners.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the proposed disposition of city-owned property located at 3120 Park Avenue Site 23 of the Melrose Commons Urban Renewal Area (Block 2418, Lot 6), 720-722 East 161st Street (Block 2647, Lots 43 and 44) and 451 East 159th Street, Site 31 of the Melrose Commons Urban Renewal Area (Block 2381, Lot 43), 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 Environment 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 actions to be approved are ones which minimizes or avoids 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 possible by incorporating as conditions to the approval of 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 be it further

RESOLVED, that the City Planning Commission finds that the proposed disposition of city-owned property located at 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson

Avenue (Block 2646, Lot 41), Site 14A conforms to the objectives and provisions of the Mott Haven Urban Renewal Plan.

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

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of 3120 Park Avenue (Block 2418, Lot 6), Site 23 within the Melrose Commons Urban Renewal Area; 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area; and 451 East 159th Street (Block 2381, Lot 43), Site 31 within the Melrose Commons Urban Renewal Area, in Community District 1 and 3, 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) the designation 3120 Park Avenue (Block 2418, Lot 6), Site 23 within the Melrose Commons Urban Renewal Area; 720-722 East 161st Street (Block 2647, Lots 43 and 44); 748 Jackson Avenue (Block 2646, Lot 41), Site 14A within the Mott Haven North Urban Renewal Area; and 451 East 159th Street (Block 2381, Lot 43), Site 31 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 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 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 at 3120 Park Avenue (Block 2418, Lot 6), 720-722 East 161st Street (Block 2647, Lots 43 and 44) and 451 East 159th Street (Block 2381, Lot 43), Community District 1 and 3, Borough of The Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 070257 HAX).

The above resolution (C 070257 HAX), duly adopted by the City Planning Commission on May 23, 2004 (Calendar No. 27), 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., RICHARD W. EADY, BETTY Y. CHEN, LISA A. GOMEZ, NATHAN LEVENTHAL, JOHN MERULO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners