



CITY PLANNING COMMISSION

June 9, 2010/ Calendar No. 4

C 100259 HUX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the fourth amendment to the Bathgate Urban Renewal Plan for the Bathgate Renewal Area, Borough of the Bronx Community District 3.

The New York City Department of Housing Preservation and Development (HPD) filed an application for the Fourth Amendment to the Bathgate Urban Renewal Plan to remove part of Lot 42, Block 2919 from the Bathgate Urban Renewal Area boundary on March 10 2010 to facilitate the development of a non-profit institution with sleeping accommodations.

BACKGROUND

(HPD) is seeking to amend the Bathgate Urban Renewal Plan in order to remove a portion of Block 2919, Lot 42, currently designated for industrial use from the Bathgate Urban Renewal Area. The Bathgate Urban Renewal Plan was adopted by the City Planning Commission on April 30, 1975 (CP-22899). The plan governs development in the approximately 20-block Bathgate Urban Renewal Area, which is generally bounded by the Cross Bronx Expressway on the north, Fulton Avenue on the east, E. 171st Street and St. Paul's Place on the south, and Park and Third Avenues on the west. The Bathgate Urban Renewal Plan was first amended on March 17, 1980 (C 790839 HUX) to establish the Industrial Development Area. The second amendment, effectuated on December 12, 1983 (C 831979 HUX), facilitated residential development by disposition of Lot 20 on Block 2928 to New York City Housing Authority. The third amendment, approved on March 12, 2008 (C 080232 HUX), facilitated residential development on Third Avenue between 172nd Street and Claremont Parkway.

Lot 42 is currently vacant and undeveloped. The proposed action would facilitate a proposal by the applicant to develop a community facility containing 104 units of supportive housing on Third Avenue between East 172nd Street and Claremont Parkway

(Block 2919, Lot 42), in Bronx Community District No. 3, to be known as Lindenguild Hall. Lot 43 is a split zoning lot; most of the lot, fronting on Third Avenue, is located in an R6/C2-4 District, and the rear of the lot is in an M1-4 District. The lot is also split by the Bathgate Urban Renewal Area (URA); the portion zoned M1-4 is located within the URA, and the portion zoned R6/C2-4 is not. The Bathgate Urban Renewal Plan does not permit Use Group 3 uses within the URA; therefore the applicant is seeking to remove Lot 42 from the URA in order to construct the proposed supportive housing facility.

Block 2919, Lot 42, is an irregularly-shaped parcel containing approximately 14,749 square feet of land with approximately 154 feet of frontage along the west side of Third Avenue. The entire lot is vacant and privately-owned. The part of Lot 42 which is to be removed from the URA is approximately 3,320 square feet. The proposed action would facilitate a nine-story community facility (Use Group 3). The facility would contain approximately 8,700 square feet of social service uses to be provided in the cellar and a portion of the first floor and the upper floors would contain 104 units occupying approximately 78,300 square feet. Approximately 4,280 square feet of accessory open space would be provided on the western portion of the zoning lot. The building will have a height of 93 feet and a street wall height of 60 feet. The building is completely within the R6 portion of the zoning lot. The M1-4 portion of Lot 42 will have a garden which is accessory to the community facility.

Lot 42 is bounded by a one-story nursery school to the north, a parking lot and a five-story multiple dwelling with a ground floor store to the west, a two-story church and a one-story store to the south. A row of attached three-story dwellings and a recently opened four-story high school are located to the east across Third Avenue. The Bathgate Industrial Area is just north of Lot 42.

The New York City Board of Standards and Appeals (“BSA”) granted a variance to modify the bulk, use and parking regulations in the (cite zoning district) (Cal. No. 290-08-BZ) to allow the proposed community facility with sleeping accommodation (Use Group 3) to be built on the property owned by the applicant. The variance was

conditioned on the removal of part of Lot 42 from the Bathgate Urban Renewal Area before applying for a permit from the Buildings Department.

ENVIRONMENTAL REVIEW

The application (C 100259 HUX) was reviewed pursuant to Article 8 of the New York State Environmental Conservation Law and Volume 6 of NYCRR Part 617, City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the New City Board of Standards and Appeals.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on December 15, 2009.

UNIFORM LAND USE REVIEW PROCEDURE

This application (C 100259 HUX) was certified as complete by the Department of City Planning on March 22, 2010, 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 April 13, 2010, and on that date, by a vote of 21 in favor, none opposed with one abstention, adopted a resolution recommending approval.

Borough President Recommendation

The Borough President held a public hearing on this application on May 6, 2010, and issued a recommendation on May 18, 2010, approving the application with the conditions that the two-bedroom units should be more appropriately sized at 800square feet as

opposed to the proposed average size of 750 square feet and that the project must meet either of four green building design standards including LEED rating of silver or higher, NYSERDA energy smart label, New York City Green Building Act Standards or Enterprise Green Building Criteria.

City Planning Commission Public Hearing

On May 12, 2010 (Calendar No. 1), the City Planning Commission scheduled May 26, 2010 for a public hearing on this application (C 100259 HUX). The hearing was duly held on May 26, 2010 (Calendar No. 11). There were three speakers in favor of the application and none in opposition.

The speaker from the Department of Housing Preservation and Development described the action before the Commission and the uniqueness of the project in terms of its location in the Bathgate Urban Renewal Area. The second speaker was from the Lantern Organization, the project sponsor. She noted that the proposed facility would meet an unmet need in the area by providing housing for the homeless veterans in addition to housing for low income families. It would incorporate several green building design elements which would give it a status equivalent to LEED silver rating for sustainability. She also mentioned that the Lantern Group is consulting with the Borough President's office and the architect to arrive at an agreeable size of the two-bedroom apartments. She noted that the area around the project site is not served by social service facilities and the comprehensive package of on-site services provided in the development would be an asset to the community. The project architect also appeared in favor.

There were no other speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed Fourth Amendment to the Bathgate Urban Renewal Plan (C 100259 HUX) is appropriate.

The proposed amendment to the Bathgate Urban Renewal Plan would remove a portion Block 2919, Lot 42, in the Bronx, currently designated for industrial use, from the Bathgate Urban Renewal Area. This action would facilitate approximately 104 units of supportive housing, which could not occur without an amendment to the Plan.

The City Planning Commission believes that the development being facilitated by this application would activate a vacant and undeveloped property with a much needed supportive housing facility that would serve the needs of low-income families and homeless veterans.

In addition, the City Planning Commission notes that, in response to the concerns expressed in the recommendation of the Bronx Borough President, a representative of the sponsor of the project reiterated at the Commission's public hearing their commitment to work with the Bronx Borough President's office to develop adequately sized units.

The Commission also notes that the representative of the sponsor of the project also stated at the Commission's public hearing that the proposed building would incorporate several green building design elements which would give it a status equivalent to LEED silver rating for sustainability.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant effect on the quality of the environment, and be it further

RESOLVED, that the City Planning Commission, pursuant to Section 197-c of the New York City Charter, the Uniform Land Use Review Procedure, and Section 505, Article 15 of the General Municipal Law of New York State, and after due consideration of the appropriateness of this action, that the proposed Fourth Amended Urban Renewal Plan

for the Bathgate Urban Renewal Area, Community District 3, Borough of the Bronx, submitted by the Department of Housing Preservation and Development, is approved.

The above resolution (C 100259 HUX), duly adopted by the City Planning Commission on June 9, 2010 (Calendar No. 4), 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, FAICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BE TTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners.

**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 100259 HUX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 3

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

5/18/10
DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 100259 HUX
LINDENGUILD HALL
May 19, 2010

DOCKET DESCRIPTION

IN THE MATER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the fourth amendment to the Bathgate Urban Renewal Plan for the Bathgate Renewal Area, Community District 3, Borough of the Bronx.

BACKGROUND

This application, submitted by the Department of Housing Preservation and Development (HPD) (the applicant) would amend the Bathgate Urban Renewal Plan (the Plan), allowing for residential development on a portion of property identified by the Plan for manufacturing. The entire site is located on the west side of Third Avenue, between East 172nd Street on the south and Claremont Parkway on the north, (Block 2919, Lots 39, 42, 43, and 44). It consists of 14,749 square feet of vacant property, is privately owned and secured by fencing. It includes 154 feet of frontage on the west side of Third Avenue and is zoned R6/C1-4, R6/C2-4. Lot 42, zoned M1-4, consists of 7,500 square feet and is the only portion of the site that is within the Bathgate Industrial Area. Approving this application removes Lot 42 from the Plan and by so doing removes the development restrictions as stipulated in the Plan.

The Lantern Group, the owner of this site proposes construction of Lindenguild Hall, a nine-story residential building consisting of approximately 104 units. The proposed building would include 52-two bedroom units and 52-studio apartments. Each two-bedroom unit would offer a single bathroom and consist of approximately 750 square feet. Each studio would offer approximately 330 square feet of living space. The two unit apartment is expected to rent to families at 60% of AMI. The studio units will be offered to homeless veterans with preference given to those with ties to Bronx Community District Three. No retail space is to be constructed as part of this development.

The Lantern Group will employ a full time staff including one program director, two case managers, one housing coordinator and three residential monitors. A resident-superintendent will oversee the ongoing maintenance of the building. On site amenities include a community room consisting of 8,000 square feet, office space and an exterior garden consisting of approximately 4,200 square feet. This garden area will be accessible only to residents of Lindenguild Hall and will be located on the rear side of the building. No on-site parking facility is to be provided.

Existing development in the surrounding area includes low-rise and mid-rise residential development on Third Avenue and on East 172nd Street. The only exception is the 11-story Roscoe Brown Jr. Apartments located one block north of the proposed Lindenguild Hall site.

The Bathgate Industrial Park is located northwest of the site. Retail activity and bus transportation are available on Claremont Parkway and Third Avenue. No subway access is located within a five block radius of the site. Crotona Park, the largest public park in Community District 3 is situated one block east of the site.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQR and received an Unlisted declaration. The City Planning Commission certified this application as complete on March 22, 2010.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board 3 held a public hearing on this matter on April 17, 2010. A vote recommending approval of this application was 14 in favor, zero against, zero abstentions.

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this matter on May 6, 2010. Representatives of applicant were present and spoke in favor of this matter. No members of the public were present and the hearing was closed.

BOROUGH PRESIDENT'S RECOMMENDATION

Providing affordable housing, on-site social and emotional care, career training services in well managed and appropriately designed facilities is what the Lantern Group has been offering to Bronx citizens for many years.

Lindenguild Hall will offer critically needed housing to homeless veterans. In addition, the individuals and families residing here will have an opportunity to benefit from the comprehensive programming provided by the Lantern Group. This programming includes vocational, educational training and on-site counseling. I endorse the preference that the Lantern Group intends to offer homeless veterans with ties to Bronx Community District Three.

I am however concerned that the proposed two bedroom units consisting of 750 square feet are too small to offer families adequate accommodations. Therefore as a condition for my support of this application, a minimum of 800 square feet per unit is necessary.

I also regret that this project lacks sustainable design features which I promote as a hallmark of my administration, as does the Mayor's 2030 Program. An overview of what my administration requires is available through my office. At a minimum I stipulate that *one* of the following environmental standards be satisfied

- LEED rating of silver or higher,
- NYSERDA Energy Smart Label,
- New York City Green Building Act Standards

- Enterprise Green Building Criteria

I therefore offer my conditional approval pending inclusion of some sustainable design features as part of the building's profile.

With the two modifications noted and included, I recommend approval of this application.