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October 20, 2021/Calendar No. 13

C 210399 HAX

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**IN THE MATTER OF** an application submitted by the NYC 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 346 Powers Avenue (Block 2572, Lot 6), 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 to be selected by HPD;

to facilitate the development of two new buildings containing approximately 221 supportive housing units, 95 shelter units, and community facility space, Borough of the Bronx, Community District 1.

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This application for UDAAP designation, project approval, and disposition of City-owned property (C 210399 HAX) was filed by the New York City Department of Housing Preservation and Development (HPD) on April 4, 2021. This application, in conjunction with the related action, would facilitate the development of two new community facility buildings containing approximately 221 supportive housing units for families with children, 95 shelter units, and community facility space at 346 Powers Avenue, (Block 2572, Lot 6), in the Mott Haven neighborhood of Bronx Community District 1.

Approval of three separate matters is required:

1. The designation of property located at 346 Powers Avenue (Block 2572, Lot 6) in the Borough of the Bronx, as an Urban Development Action Area; and
2. An Urban Development Action Area Project (UDAAP) for such area; and
3. The disposition of such property, to a developer selected by HPD

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 Project pursuant to Article 16 of the General Municipal Law.”

## **RELATED ACTIONS**

In addition to the UDAAP application that is the subject of this report, implementation of the project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

**C 210398 ZSX**      Special permit pursuant to Zoning Resolution (ZR) Section 74-903

## **BACKGROUND**

HPD requests UDAAP designation, project approval and disposition of City-owned property, and a special permit to modify bulk regulations to facilitate the construction of two new community facility buildings in Mott Haven, Bronx Community District 1. Building 1 would be a new homeless shelter, which would provide approximately 95 units for families with children. Building 2 would be a permanent supportive housing facility, for families with children, providing a total of approximately 221 units, including two units for superintendents, and an on-site Use Group 3A day-care center

The development site is comprised of one zoning lot (Block 2572, Lot 6) that occupies most of the block bounded by East 142<sup>nd</sup> Street to the north, East 141<sup>st</sup> Street to the south, Jackson Avenue to the east, and Powers Avenue to the west. The surrounding area is generally developed with mid-rise multifamily apartment buildings to the south and west, including the 38-building, rehabilitated Diego Beekman housing complex; one- and two-family attached homes to the north; and industrial uses on the blocks to the east that are zoned for manufacturing use, the site currently used as the

Bronx Tow Pound, located one block east of the development site. Community facility uses in the surrounding area include the Academic Leadership Charter School immediately west of the development site and a preschool located on Jackson Avenue, located approximately one block northeast of the development site. In addition, one block to the north across East 143<sup>rd</sup> Street is the 35-acre St. Mary's Park that contains several recreational facilities including an indoor pool and running tracks.

In the late 1980s, the development site was subject to two ULURP actions: a site selection (C 870600 PSX) and a zoning map amendment (C870651 ZMX) to rezone a portion of the site from an M1-2 zoning district to an R6 zoning district. These actions facilitated the development of the existing three-story, 60,185-square-foot building with containing a non-profit institution with sleeping accommodations use operated by the New York City Human Resources Administration as a transitional shelter for families. Following Hurricane Sandy in 2012, the existing shelter has been operated by Women in Need (WIN).

The surrounding area is zoned R6, with some block portions containing C1-4 commercial overlays along Cypress Avenue. The area to the east includes manufacturing zoning districts, including M1-2 and M1-3. R6 zoning districts are medium-density residential zoning districts that permit buildings ranging in height from three to 12 stories for residential and community facility uses. R6 districts permit a Floor Area Ratio (FAR) of 2.43 for residential use and non-profit institutions with sleeping accommodations, and 4.8 for most other community facility uses. C1-4 commercial overlays are local retail designations. M1-2 and M1-3 districts are light industrial zoning districts that typically produce warehouses and distribution centers

The area is well served by public transportation. The development site is located approximately one quarter mile away from both the East 143<sup>rd</sup> Street Station and Cypress Avenue stations on the No. 6 subway line. In addition, three blocks to the south of the development site are several bus lines running along East 138<sup>th</sup> Street, including the Bx33, providing service between Harlem, Manhattan and Port Morris, Bronx, and the Bx17, providing service between Mott Haven and the shopping district on Fordham Road. Three blocks east of the development site is the Bruckner Expressway. The site is located within the Transit Zone.

The development site is an L-shaped lot occupying the majority of Block 2572 and has a total area of 59,808 square feet. The site is currently occupied by an H-shaped, three-story, 60,185-square-foot building containing a non-profit institution with sleeping accommodations use, and 16 unenclosed parking spaces in a lot near the corner of Jackson Avenue and East 141<sup>st</sup> Street.

The existing WIN transitional shelter for families on the development site would be replaced with the proposed development, which would be comprised of approximately 281,789 feet of floor area split between two new buildings. The proposed 11-story Building 1 would contain approximately 80,071 square feet of floor area, comprised of a 95-unit shelter for families with children. The proposed 8-story Building 2 would contain approximately 201,718 square feet floor area comprised of a permanent supportive housing facility with a total of approximately 221 units plus, including two units for superintendents, a day-care facility use.

Building 1 would be constructed on the southeast corner of the development site at the street line along East 141<sup>st</sup> Street and Jackson Avenue with ground floor recess along Jackson Avenue. Along East 141<sup>st</sup> Street, Building 1 would rise one story, set back and then rise to a base height of approximately 56 feet (six stories) and then to an overall height of approximately 107 feet (11 stories). The ground floor of the building would include a variety of rooms and spaces for offices, programming, recreation, and on-site supportive services, as well as a laundry room, mail room and computer room. The ground floor would also contain approximately 1,214 square feet of childcare space for residents of the shelter.

Building 2 would occupy the northern portion of the development site and have an articulated at-grade streetwall. On each street frontage, the streetwall would rise to a base height ranging from approximately 56 feet to 60 feet (six stories), and then rise to an overall height ranging from approximately 76 feet to 80 feet (eight stories). The cellar would contain offices to provide on-site supportive services, such as case management services, clinical mental and behavioral health services, and job development counseling. The ground floor would contain both a mix of one-, two- and three-bedroom units for residents, as well as a community room, computer lab and an approximately 4,186-square-foot day-care center.

The development site would be landscaped with open passive and active recreational space provided

for both buildings. This space would include a playground and play area, seating areas with picnic tables, as well as other passive seating areas. Trees, plantings, and other landscaping elements would be provided throughout the space. Due to security requirements, the open spaces for Building 1 and Building 2 would remain separate.

The proposed development would include approximately 28 spaces for bicycle parking, with 11 spaces in Building 1 and 18 spaces in Building 2. Because less than 25 parking spaces are required for this project, accessory vehicular parking would be waived pursuant to ZR Section 25-33.

The development would be constructed in phases. Building 1 would be built first and once completed, shelter users will be relocated from the existing shelter building into Building 1. This would allow for demolition of the existing shelter and the construction of Building 2, the site of the existing shelter.

To facilitate the proposed development, two actions are required.

A special permit (C 210398 ZSX) pursuant to ZR Section 74-903 would increase the allowable community facility FAR from 2.43 FAR to 4.8 for developments containing non-profit institutions with sleeping accommodations. The special permit would allow the proposed development to exceed the maximum allowable FAR of 2.43 for community facility uses, as defined in ZR Section 24-11 to a total FAR of 4.71.

UDAAP designation, project approval, and disposition of City-owned property (C 210399 HAX) would allow HPD to dispose of the subject property to WIN.

## **ENVIRONMENTAL REVIEW**

The application (C 210399 HAX), in conjunction with the application for the related action (C 210398 ZSX), 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 QualityReview (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 21HPD002X. The lead agency is HPD.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on April 30, 2021.

## **UNIFORM LAND USE REVIEW**

This application (C 210399 HAX) and the application for the related action (C 210398 ZSX) were certified as complete by the Department of City Planning on May 17, 2021 and duly referred to Bronx Community Board 1 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**

Bronx Community Board 1 held a public hearing on this application (C 210399 HAX) on June 9, 2021 and on June 25, by a vote of two in favor, 14 opposed, and none abstaining, adopted a resolution recommending disapproval of the application.

### **Borough President Recommendation**

The Bronx Borough President held a public hearing on this application (C 210399 HAX) on August 10, 2021 and on August 24, 2021 issued a recommendation to approve the application.

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

On September 1, 2021 (Calendar No. 5), the Commission scheduled September 22, 2021 for a public hearing on this application (C 210399 HAX) and the application for the related action (C 210398 ZSX). The hearing was duly held on September 22, 2021 (Calendar No. 35). Four speakers from the project team testified in favor and none in opposition.

A representative from HPD provided an overview of the proposed development and surrounding context; describing how the proposed design creates open space for the residents and also describing the use breakdown between supportive housing and shelter housing. The representative for the developer described the importance of the proposed programming, including childcare and job training. Another representative for the developer provided the unit breakdown and the importance of a purpose-built family shelter. The project architect described

design elements, noting his belief that the proposed design would harmonize with the built form of the neighborhood by including landscaping and setbacks, and creating visual interest.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes the proposed UDAAP application (C 210399 HAX), in conjunction with the related action (C 210398 ZSX), is appropriate. Together, these actions will facilitate the construction of two buildings with 221 permanent supportive housing units for families with children and a new homeless shelter that will provide approximately 95 units for families with children.

The Commission finds that the UDAAP designation, project approval, and disposition of City-owned property (C 210399 HAX) is appropriate. The requested action will facilitate the development of permanent supportive housing and a shelter on City-owned property. The Commission notes that the project site was never intended as permanent shelter. The site's proximity to transit, a large residential population, and existing commercial corridors make it an ideal location for supportive housing to accommodate families in need

The requested special permit will increase the allowable community facility FAR from 2.43 to 4.8 for non-profit developments with sleeping accommodations, allowing more supportive and shelter units in a contextual building. The project will activate the site by replacing an older non-optimal shelter with modern buildings, making the site more welcoming to both current and future residents of the neighborhood.

As a condition for the granting of the special permit, the Commission shall find that the distribution of bulk on the zoning lot will not unduly obstruct the access of light and air to adjoining properties or public streets, and will result in satisfactory site planning and satisfactory urban design relationships of buildings to adjacent streets and the surrounding area; that the proposed facility will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; and that the streets providing access to such use will be adequate to handle the traffic generated or provision

has been made to handle such traffic.

The increase in allowable floor area will not unduly obstruct light and air to adjoining properties or impede public access. The oscillating street wall and open space in front of the building will enhance the streetscape, allow light and air to the adjacent residential buildings and the buildings provide outdoor passive recreation for residents.

The proposed development will not require any additions to the supporting services in the neighborhood as resident services (including case management, medical care, counseling, parenting and family skills, and job placement services). Related staff will be located on site.

The street providing access to the proposed development is adequate to handle traffic generated by the proposed development. The project site fronts on East 142<sup>nd</sup> Street, East 141<sup>st</sup> Street, Jackson Avenue, and Powers Avenue, and provides ample vehicle access to the site. It is anticipated that residents and employees will use nearby transit options, including the 6 train and multiple bus routes.

The Commission notes that the existing shelter has been operated by WIN, who will also operate the new shelter. The Commission recognizes and applauds WIN's commitment to provide and expand supportive housing to Bronx residents.

The requested actions will facilitate the redevelopment of this transit-accessible City-owned site and provide new supportive housing for families, as well transitory shelter housing for families.

## **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 at 346 Powers Avenue (Block 2572, Lot 6) 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 346 Powers Avenue (Block 2572, Lot 6) in the Borough of 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 346 Powers Avenue (Block 2572, Lot 6) in Borough of the Bronx, Community District 1, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 210399 HAX), duly adopted by the City Planning Commission on October 20, 2021 (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.

**ANITA LAREMONT, Esq., Chair**

**KENNETH J. KNUCKLES, Esq., Vice-Chairman**

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED CERULLO, III,  
JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, RAJ RAMPERSHAD, *Commissioners***



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> WIN powers	
<b>Applicant:</b> HPD - NYC Dept of Housing Preservation & Development	<b>Applicant's Primary Contact:</b> Winifred Campbell
<b>Application #</b> 210399HAX	<b>Borough:</b>
<b>CEQR Number:</b> 21HPD002X	<b>Validated Community Districts:</b> X01

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

<b>RECOMMENDATION:</b> Unfavorable			
# In Favor: 2	# Against: 14	# Abstaining: 0	<b>Total members appointed to the board:</b> 40
<b>Date of Vote:</b> 6/25/2021 12:00 AM		<b>Vote Location:</b> webex	

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

<b>Date of Public Hearing:</b> 6/9/2021 5:30 PM	
<b>Was a quorum present?</b> 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>
<b>Public Hearing Location:</b>	webex

<b>CONSIDERATION:</b>		
Recommendation submitted by	BX CB1	Date: 7/26/2021 11:24 AM



# BOROUGH PRESIDENT RECOMMENDATION

<b>Project Name:</b> WIN powers	
<b>Applicant:</b> HPD - NYC Dept of Housing Preservation & Development	<b>Applicant's Administrator:</b> Winifred Campbell
<b>Application #</b> 210399HAX	<b>Borough:</b> Bronx
<b>CEQR Number:</b> 21HPD002X	<b>Validated Community Districts:</b> X01

**Docket Description:**

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

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  - a. the designation of property located at 346 Powers Avenue (Block 2572, Lot 6), as an Urban Development Action Area; and
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**RECOMMENDATION:** Favorable

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

**CONSIDERATION:** Bronx Borough President's Recommendation for WIN Powers

Recommendation submitted by	BX BP	Date: 8/24/2021 12:37 PM
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