



CITY PLANNING COMMISSION

November 17, 2004/Calendar No. 18

C 050062 HUX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, 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 4th amendment to the Melrose Urban Renewal Plan for the Melrose Urban Renewal Area, Borough of Bronx, Community District 1.

The proposed plan:

1. Indicates that Site C will be rezoned from R6 and C8-3 to R7-2 and that the existing C2-4 overlay on Morris Avenue side of Site C will be maintained. The C2-4 overlay on the Morris Avenue side of Site C will be expanded to include all of the block bounded by Morris Avenue, East 153rd Street and Concourse Village East (Park Avenue).
2. Amends Section C.2, “Proposed Uses” to reflect the actual land uses listed in Map 2, “Land Use Plan” Section C.2.a, “Residential” has been modified to exclude a requirement that all housing be developed to serve low and moderate income families. All references to “Public Housing” “Moderate income”, and “projects with a Section 8 rent subsidy” have been revised to exclude Site C.
3. Deletes the provision for pedestrian circulation and pedestrian plazas on Site C and D.
4. Has been modified to conform to the current language, terminology and methodology for urban renewal plans.

These changes would facilitate development of an eight story mixed-use building, tentatively known as Nueva Era Apartments, with approximately 210 rental units and retail space.

The application for an amendment to the Melrose Urban Renewal Plan was filed by the Department of Housing Preservation and Development (HPD) on August 16, 2004, to facilitate the development of 210 units of rental housing for low-income families and ground floor commercial space on Melrose Urban Renewal Area Site C, on a block bounded by East 153rd Street, Morris Avenue and Concourse Village East (Park Avenue), The Bronx, Community District 1.

RELATED ACTIONS

In addition to the Fourth amendment to the Melrose Urban Renewal Plan which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. C 050060 ZMX An amendment of the zoning map, changing from an C8-3 district and an R6 district with an C2-4 overlay along Morris Avenue to an R7-2 district with a C2-4 overlay for property bounded by bounded by East 153rd Street, Morris Avenue and Concourse Village East (Park Avenue)

2. C 050061 HAX Designation of 249-51 East 153rd Street, Morris Avenue and 2996 Concourse Village East (Block 2442, Lots 34, 59, and 60) as an Urban Development Action Area, and an Urban Development Action Area Project for such area; and for the disposition of such property.

3. N 050075 ZAX Non-ULURP modification to the previously approved Melrose Large Scale Residential Development Plan (CP-22253).

BACKGROUND

The Melrose Urban Renewal Area is generally bounded by East 153rd and East 156th Streets on the north, Third Avenue on the east, East 145th, East 148th, and East 149th streets on the south, and Park Avenue and the Grand Concourse in the west, is located in the Melrose section of Community District 1. The Melrose Urban Renewal Plan was originally approved by the Board of Estimate on May 21, 1970 (Cal. No. 21). The most recent amendment to the Plan was approved by the City Planning Commission on August 22, 1977.

Area and Project Description

This application (C 050062 HUX) for the Fourth Amended Urban Renewal Plan, proposes to modify the language in the Plan to reflect the proposed project.

The project site is 58,397 square feet in area and consists of three vacant city-owned parcels, one of which is the demapped portion of East 154nd Street, between Morris Avenue and Concourse Village East. The project site is located within a C8-3 zoning district located along Concourse Village East and an R6 zoning district with a C2-4 commercial overlay mapped to a depth of 100 feet along Morris Avenue. Abutting the site to the south is a church fronting on East 153rd Street and a service station/auto repair shop abut the site to the north. Surrounding the project site to the south, across East 153rd Street is Melrose URA Site D2, Maria Lopez Plaza housing with 216 units.

To the east across Morris Avenue are NYCHA's Melrose Houses with 932 units. To the west across Concourse Village East, below grade is the Metro-North (New Haven Line) railroad. The proposed project site is accessible by the following bus lines: Bx32 which runs along Morris Avenue, the Bx19-crosstown bus that runs along East 149th Street and the Bx 6 also crosstown bus which transverse East 161st Street, four blocks north of the subject site.

The proposed project, tentatively known as Nueva Era Apartments, would facilitate the development of an eight story mixed-used development of 210 units of rental housing for low-income families with approximately 24,000 square feet of retail space at the first floor level facing Morris Avenue and an accessory parking garage with 63 spaces facing the Concourse Village East side. This Quality Housing project also includes approximately 22,000 square feet of landscaped courtyard and recreation area at the second floor level. In addition to the residential units, the project would contain community rooms, laundry rooms, on-site support services, management and security offices. The project is to be financed by the NYC Housing Development Corporation's Low-Income Affordable Marketplace Program (LAMP).

The proposed Fourth Amendment to the Urban Renewal Plan (C 050062 HUX) will modify language in several sections of the Plan. "Proposed Uses" is being amended to reflect the actual uses listed in Map 2. In Section C.2.a, "Residential" has been modified to exclude a requirement that all housing be developed to serve low and moderate income families and will exclude all references to "Public Housing", "Moderate income", and "project with Section 8 rent subsidy" relating to Site C. The provisions for pedestrian circulation and pedestrian plazas on Sites C and D has been deleted

completely. This provision is no longer applicable since these requirements are tied to a project (South Bronx High School) that was never built.

An amendment to the zoning map (C 050060 ZMX), in conjunction with the Fourth Amended Plan (C 050062 HUX), is proposed to change the zoning on the subject site from a C8-3 district and an R6 district with a C2-4 overlay, to an R7-2 district with a C2-4 overlay. C8 districts have a maximum floor area ratio (FAR) of 2.0 and permit automotive and other heavy commercial uses but do not permit residential uses. R6 districts are a medium residential district with a maximum FAR of 2.43. The proposed R7-2 district is also a medium density residential district but has a higher maximum permitted FAR of 3.44 and a 4.0 FAR under Quality Housing. R7-2 districts also have a lower parking requirement than R6 districts. The proposed development will be built pursuant to Quality Housing regulations and will have a total of 219,282 square feet of floor area (3.75 FAR). C2-4 districts permit a wide range of local and service establishments (Use Groups 5 through 9) and when mapped in an R7-2 district the maximum commercial FAR is 2.0.

HPD is also seeking UDAAP designation and project approval and disposition of city-owned property (Block 2442, Lots 34, 59, and 60) to facilitate the development of 210 units of rental housing for low-income families, a project financed by the NYC Housing Development Corporation's Low-Income Affordable Marketplace Program (LAMP). The proposed site would be disposed in accordance with the Melrose Urban Renewal Plan to a developer/sponsor to be determined by HPD.

In conjunction with this application (C 050062 HUX), HPD is also requesting a minor modification to the previously approved Melrose Large Scale Residential Development Plan (CP-22253). The City Planning Commission approved the application on January 31, 1973, Calendar No. 13. The modification is required to update the previously approved large scale plan drawings and zoning calculations to reflect changes as a result of the current proposal. A total of 5,919 square feet of lot area was transferred to Site C under the previously approved authorization. The additional lot area is not needed and will not be used as part of the current proposal, but will continue to remain on zoning lot Site C.

ENVIRONMENTAL REVIEW

This application (C 050062 HUX), in conjunction with the applications for the related actions (C 050060 ZMX, C 050061 HAX and N050075ZAX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set Fourth 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 No. 91 of 1977. The designated CEQR number is 04HPD020X. The lead agency is the Department of Housing Preservation and Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 20, 2004.

UNIFORM LAND USE REVIEW

This application (C 050062 HUX), in conjunction with the applications for the related actions (C 050060 ZMX and C 050061 HAX), was certified as complete by the Department of City Planning on September 7, 2004, and was duly referred to Community Board 1 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules along with the related non-ULURP application (N 050075 ZRX) which was referred for review and comment.

Community Board Public Hearing

Community Board 1 held a public hearing on this application on September 30, 2004, and on that day, by a vote of 22 to 0 with 1 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on October 29, 2004, subject to the following conditions:

1. Solid steel security gates will not block retail windows;
2. The glass block feature present on Concourse Village East will be incorporated into the design of the building's street wall on East 153rd Street;
3. Foundation planting will be installed on East 153rd Street;
4. Decorative streetlights will satisfy the standards of the Department of Transportation and the existing streetlights on the site will be removed;
5. There will be no chain link fencing in areas visible to the public;
6. Bronx residents will be offered employment opportunities through my "Bronx At Work" initiative.

City Planning Commission Public Hearing

On October 20, 2004 (Calendar No. 3), the City Planning Commission scheduled November 3, 2004 for a public hearing on this application (C 050062 HUX). The hearing was duly held on November 3, 2004 (Calendar No. 12), in conjunction with the public hearings on the applications for the related actions (C 050060 ZMX and C 050061 HAX). There were two speakers in favor and none in opposition to the application.

A representative for the developer and the architect of the project spoke in favor of the application and briefly described the proposals.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed amendment to the Melrose Urban Renewal Plan, in conjunction with the related actions, is appropriate.

The goals of the Melrose Urban Renewal Plan are to remove blight, maximize appropriate land uses and remove or rehabilitate substandard and insanitary structures and impediments to the assemblage and development of land. The Fourth Amendment to the Melrose Urban Renewal Plan (C 050062 HUX), in conjunction with the related applications (C 050060ZMX, C 050061HAX and N050075ZAX) encompasses these goals.

The proposed Amendment to the Melrose Urban Renewal Plan (C 050062 HUX), in conjunction with the related actions would facilitate the development of the proposed Nueva Era Apartments, an eight story mixed-used building with 210 units of rental housing for low-income families and retail space, to be financed by the NYC Housing Development Corporation's Low-Income Marketplace Program (LAMP).

In addition to the requested urban renewal action, HPD seeks approval of a zoning map amendment to rezone Block 2442 from C8-3 and R6/C2-4 to R7-2/C2-4 (C 050060 ZMX), the approval of an Urban Development Action Area designation and project, and related disposition of city-owned property (C 050061 HAX).

The proposed project would offer housing to low income families (25% of the units (53) would be set aside for formerly homeless families). The project would be developed as one building with approximately 24,000 square feet of retail space at the first floor on Morris Avenue. The building would also include two residential components, which would provide approximately 210 units. An accessory parking garage with 63 spaces is to be located at the first floor level on Concourse Village East. On the roof of the garage, between the two residential portions of the building, there would be approximately 22,000 square feet of landscaped courtyard and recreation area. In addition to the residential units, these buildings would contain community rooms for meetings, laundry rooms, on-site support services, management and security offices. The approximately 58,397 square foot proposed project site, Block2442, Lots 34,59 and 60, has been vacant for many years.

The Commission believes that the proposed amendment to the Melrose Urban Renewal Plan is appropriate. The proposed amendment would modify the language in the Plan to reflect the proposed project. Text within the plan is being changed to reflect that the proposed zoning map amendment from C8-3 and R6/C2-4 to R7-2/C2-4 for the entire block. In addition, the proposed urban renewal plan amendment would edit the Section C.2, “Proposed Uses” to reflect the actual uses listed in Map 2 and “Residential” would be modified to exclude a requirement that all housing be developed to serve low and moderate income families. The proposed amendment, would also exclude all references to “Public Housing”, “Moderate income”, and “project with Section 8 rent subsidy” relating to Site C. Finally, the provision for pedestrian circulation and pedestrian plazas on Sites C and D would be deleted completely. Further, the text in the Plan has been revised to conform to the current HPD current format for urban renewal.

The Commission believes that the proposed rezoning of Block 2442, which includes the proposed Nueva Era project site, from C8-3 and R6/C2-4 to R7-2/C2-4 is appropriate. The proposed project site is located in C8-3 and R6/C2-4 districts. The area to be rezoned includes the project site, and two privately-owned properties, a house of worship and an auto repair/service station.

The proposed R7-2 district with the C2-4 overlay would accommodate the proposed project. The proposed zoning change is needed to accommodate the project. The R7-2 zoning designation is a medium-density general residence district that allows a maximum FAR of 3.44 and 4.00 under the Housing Quality Program. The proposed project would be built at an FAR of 3.75. The proposed R7-2 zone and proposed development integrates contextually with the existing surrounding

development, such as Maria Lopez Plaza housing development with 216 units across from East 153rd Street and Melrose Houses across Morris Avenue.

HPD seeks approval of an Urban Development Action Area designation and project, and disposition of city-owned property (C 050061 HAX). The project site comprises three vacant city-owned parcels, one of which is the demapped portion of East 154nd Street, between Morris Avenue and Concourse Village East. (Block 2442, Lots 34, 59, and 60). are subject to the proposed UDAAP and related disposition action.

HPD is also requesting approval of a minor modification to the previously approved Melrose Large Scale Residential Development Plan (CP-22253). The City Planning Commission approved the application on January 31, 1973, Calendar No. 13. The modification is required to update the previously approved large scale plan drawings and zoning calculations to reflect changes as a result of the current proposal. A total of 5,919 square feet of lot area was transferred to Site C under the previously approved authorization. The additional lot area is not needed and will not be used as part of the current proposal, but will continue to remain on zoning lot Site C.

The Commission notes the concerns of the Borough President regarding issues relating to the building design and street amenities. The applicant has indicated to the Commission that the building facade facing East 153rd Street will be treated in the same manner as the Concourse Village East side and decorative street lighting and foundation planting will be installed along East 153rd Street. The Commission also encourages the intended developer/sponsor to keep the Borough

President apprised of ongoing efforts regarding employment opportunities.

The Commission believes the Nueva Era project would provide new low income housing and retail development in the Melrose section of the Bronx. The project complements ongoing public and private redevelopment efforts and accentuates the city's commitment to redevelop the Melrose Urban Renewal Area and the South Bronx. The proposed project would establish a residential/commercial mixed-use presence onto a site that has been vacant and a source of blight to the community over many years. The Commission, therefore, believes that the proposed amendment to the Melrose Urban Renewal Plan, in conjunction with the related actions, is appropriate.

RESOLUTION

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

RESOLVED, that the City Planning Commission finds that the amended Urban Renewal Plan for the Melrose Urban Renewal Area is an appropriate plan for the area involved; and

The City Planning Commission certifies that the Amended Urban Renewal Plan for the Melrose Urban Renewal Area complies with provisions of Section 502, Article 15 of the General Municipal Law of New York State, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives; and

The Commission further certifies that the Amended Urban Renewal Plan for the Melrose Urban Renewal Area is in conformity with the findings and designation of the Melrose Urban Renewal Area as adopted by the City Planning Commission on September 24, 1969. The Commission certifies its unqualified approval of the Amended Urban Renewal Plan for the Melrose Urban Renewal Area, pursuant to Section 505, Article 15 of the General Municipal Law of New York State; and be it further

RESOLVED, by 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 Amended Urban Renewal Plan for the Melrose Urban Renewal Area, Community District 1, Borough of The Bronx, submitted by the Department of Housing Preservation and Development on August 16, 2004 is approved.

The above resolution (C 050062 HUX), duly adopted by the City Planning Commission on November 17, 2004 (Calendar No. 18), 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., ALFRED C. CERULLO, III, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners