



CITY PLANNING COMMISSION

March 12, 2008 / Calendar No. 18

C 080234 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 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58, and 65-68), proposed Site 5 of the Bathgate 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 such property to a developer selected by HPD;

to facilitate development of two buildings, tentatively known as Roscoe C. Brown Jr. Apartments, with approximately 279 residential units and commercial space, to be developed under the New York City Housing Development Corporation's Low Income Affordable Marketplace Program and the Department of Housing Preservation and Development's Mixed Income Rental Program, Community District 3, Borough of the Bronx

Approval of three separate matters is required:

1. The designation of property located at 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58, and 65-68), proposed Site 5 of the Bathgate Urban Renewal Area, as an Urban Development Action Area; and
2. an Urban Development Action Area Project for such area; and
3. the disposition of such property, to a developer selected by HPD.

The application was submitted by the Department of Housing Preservation and Development (HPD) on December 21, 2007.

Approval of this application would facilitate the development of two buildings, tentatively known as the Roscoe C. Brown, Jr. Apartments, with approximately 279 residential units, 6,777

square feet of retail space, 23 below-grade parking spaces, and 10,062 square feet of private open space.

The Department of Housing Preservation and Development 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 and the proposed project 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 designation, project approval, and disposition of city-owned property, which is the subject of this report (C 080234 HAX), implementation of the proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 080232 HUX	Third amendment to the Bathgate Urban Renewal Plan
C 080233 ZMX	Zoning Map Amendment for a block bounded by Third Avenue from M1-4 to R8A and R8A/ C2-4.

BACKGROUND

A full background discussion and project description appears in the related report for the amendment of the Bathgate Urban Renewal Area plan (C 080232 HUX).

ENVIRONMENTAL REVIEW

This application (C 080234 HAX) in conjunction with the related actions (C 080232 HUX, and C 080233 ZMX), 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 Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 08HPD011X. The lead agency is the Department of Housing Preservation and Development (HPD).

A summary of the environmental review appears in the report on the related application for the amendments to the Bathgate URA (C 080232 HUX).

UNIFORM LAND USE REVIEW

This application (C 080234 HAX) in conjunction with the related actions (C 080232 HUX and C 080233 ZMX), was certified as complete by the Department of City Planning on January 7, 2008, and was duly referred to Community Board 3 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

Community Board Public Hearing

A summary of the vote of Community Board 3 appears in the report on the related application for the amendment to the Bathgate URA (C 080232 HUX).

Borough President Recommendation

A summary of the Borough President's recommendation appears in the report on the related application for the amendment to the Bathgate URA (C 080234 HUX).

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 9), the City Planning Commission scheduled February 13, 2008, for a public hearing on this application (C 080234 HAX). The hearing was duly held on February 13, 2008 (Calendar No. 39), in conjunction with the public hearings on the applications for the related actions (C 080232 HUX) and (C 080233 ZMX).

There were three speakers, as described in the report on the related application for the amendment to the Bathgate URA (C 080232 HUX), and the hearing was closed.

CONSIDERATION

The Commission believes that the application for UDAAP designation and project approval and, the disposition of city-owned property are appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report on the related application for the amendment to the Bathgate URA (C 080232 HUX).

RESOLUTION

The City Planning Commission finds that the proposed designation of city-owned property located at 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58, and 65-68) conforms to the objectives and provisions of the Third Amended Bathgate Urban Renewal Plan (C 080232 HUX) which is being considered concurrently with this application; and be it further

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 property located at located at 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58, and 65-68), located in Community District 3, Borough of the Bronx, Site 5 of the Bathgate Urban Renewal Area, 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 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 at 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58, and 65-68), Site 5 of the Bathgate 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 if any, to be provided by the municipality pursuant to Section 696 the Urban Development Action Area Act is necessary to enable the project to be undertaken; and
- c. The policy is consistent with the policy and purposes stated in Section 691 of and the Urban Development Action Area Act.

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 531 East 172nd Street (Block 2929, Lot 50) and 3952, 3966, 3968, 3970, and 3972 Third Avenue (Block 2929, Lots 58,

and 65-68), Site 5 of the Bathgate Urban Renewal Area, Community District 3, Borough of the Bronx, to a developer selected by HPD, is approved.

The above resolution (C 080234 HAX), duly adopted by the City Planning Commission on March 12, 2008 (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 Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERRULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. MCRAE,
JOHN MEROLO, KAREN A. PHILLIPS, Commissioners