



CITY PLANNING COMMISSION

May 9, 2007/ Calendar No. 10

C 070275 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 1st amendment to the Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area.

The proposed amendment involves land use changes and the removal of height restrictions to facilitate the Boricua Village project on Sites 48, 49, 59 and 60, as well as land use changes and removal of height restrictions to facilitate a future project within the Melrose Commons Urban Renewal Area on Sites 45, 46, 56 and 57. In addition, the designation of Site 15 is being changed from commercial to residential to accommodate future mixed use development, Borough of the Bronx, Community Districts 1 and 3.

The application for the First Amendment to the Melrose Commons Urban Renewal Plan was filed by the Department of Housing Preservation and Development on January 4, 2007. The proposed amendments would facilitate the Boricua Village development as well as other future developments within the Melrose Commons Urban Renewal Area. The proposed First Amended Plan includes the following changes:

1. Nine entire sites (2, 15, 30, 34, 38, 45, 46, 48, and 60) and portions of three sites (1, 5, and 14) are proposed for land use changes to facilitate residential and mixed-use projects, open space and commercial use.
2. Eight sites (45, 46, 48, 49, 56, 57, 59, and 60) are proposed to be exempted from height limits of the Melrose Commons Urban Renewal Area in order to facilitate the Boricua Village proposal and another future proposal.
3. Development is proposed to be limited, in the aggregate, to 750 units of housing and 50,000 square feet of commercial space for four sites (48, 49, 59, and 60) and to 400 units for two sites (56 and 57).
4. For three sites (16, 17, and 48), the restrictions on curb cuts are proposed to be lifted to facilitate future proposals.

5. On one site (48), the maximum lot coverage restrictions would be lifted to facilitate the Boricua Village proposal.
6. The “Minimum Street Wall and Building Wall Lengths and Heights” section is proposed to be deleted in order to simplify the design and review of projects.
7. One entire site (19) is proposed to be deleted due to the fact that there are no future City plans for this property.
8. The Plan text has been revised to reflect HPD’s standard format for urban renewal plans.

RELATED ACTIONS

In addition to the First Amendment to the Melrose Commons Urban Renewal Plan (MCURP), 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 070276 ZMX Rezoning of a block bound by E. 163rd Street, Elton Avenue, E. 161st Street, and Third Avenue from R8/ C1-4 and C4-4 to R8/ C2-4.
2. C 070277 HAX UDAAP designation, project approval, and disposition of city-owned properties to developers to be selected by HPD.

BACKGROUND

The MCURP was adopted by the City in May, 1994. The plan governs development in the approximately 34-block Melrose Commons Urban Renewal Area (MCURA), which is generally bounded by E. 163rd Street on the north, Brook, St. Anns, and Third Avenues on the east, E.

156th, E. 157th, and E. 158th and E. 159th Streets on the south, and Melrose, Courtlandt, and Park Avenues on the west. The original URA planned for 1,714 total new residential units. To date, approximately 1,308 residential units have been completed or are under construction. Most of the sites south of E. 161st Street have been developed with new affordable housing. Several sites north of E. 161st Street, including the proposed Boricua Village site, remain undeveloped.

The Boricua Village is located southwest of the prominent intersection of Third Avenue and E. 163rd Street. Due to this location, this site was described in the community's vision for the Melrose Commons URA plan as the "Town Center" which would include public uses, including an educational facility.

The New York City Department of Housing Preservation and Development proposes the First Amendment to the Melrose Commons Urban Renewal Plan (C 070275 HUX), the rezoning of one block bound by E. 163rd Street, Elton Avenue, E. 161st Street, and Third Avenue (C 070276 ZMX), and UDAAP designation, project approval, and disposition of city-owned properties (C 070277 HAX) to developers to be selected by HPD, in Community District 3, Melrose, Bronx. Some of the proposed changes to the MCURP also affect property located in Bronx Community District 1. The proposed amendment, among other changes, proposes to change land use designations, delete sites, eliminate height restrictions for certain sites, eliminate curb cut restrictions for certain sites, and to eliminate the "Minimum Street Wall and Building Wall Lengths and Heights" section of the original plan.

Area Description

The neighborhood constituting the Melrose Commons URA is characterized by recently-constructed eight- to nine-story buildings on the wider avenues, and four-story town homes on the narrow streets. Older four- to seven- story apartment buildings have been preserved as part of the Melrose Commons URA plan and are scattered throughout the area. Commercial retail uses are mostly located along Melrose, Third, and Courtlandt Avenues, and 161st and 163rd Streets. Some remaining URA sites north of E. 161st Street have not yet been developed and remain vacant. The Hub commercial center is located to the south. The mixed industrial and residential neighborhood of Morrisania is located to the north. The Bronx Civic Center is located to the west.

The Boricua Village project site is located in the mixed residential and retail Melrose neighborhood and constitutes four sites within the MCURP. The surrounding area consists of newly constructed attached homes in the MCURA, four to seven-story apartment buildings in the MCURA to the south and east and in the Morrisania Mixed Use District to the north. Some light industrial and storage uses are also located within the Morrisania neighborhood to the north. Local retail areas, including grocery stores, restaurants, and other services are located along E. 163rd Street and Third Avenue.

The area is well served by public transportation; the Bx 6, 15, 21, and 55 busses serve the site along E. 163rd Street and Third Avenue. These bus lines connect to the 2 and 5 train lines at 149th Street and Third Avenue and the 4, B, and D train lines at E. 161st Street and River Avenue. In

addition, the Melrose station on the Metro North train is located approximately three blocks to the northwest.

Context and Zoning

Other uses immediately surrounding the site include a one-story shopping center, a service station and a three-story commercial office building across E. 163rd Street to the north, 1-6 story residential and retail buildings across Third Avenue to the east, one story commercial buildings, a police precinct, and a five-story residential building to the south, and an 8,000 square foot park over a rail cut and juvenile detention facility to the west.

The zoning on the proposed Boricua Village site is currently split between an R8 district with a C1-4 overlay along a portion of E. 163rd Street and a C4-4 district on the balance of the site. The proposed rezoning area is currently occupied by city-owned vacant land, one city-owned vacant courthouse, three city-owned vacant commercial buildings, and three occupied, privately-owned residential apartment buildings, one of which contains ground-floor retail space. The vacant buildings would be demolished for the project and will be part of the UDAAP and disposition site along with the vacant land. The three occupied residential buildings would remain and would be rezoned, but would not be included in the proposed Boricua Village project or the proposed UDAAP action.

Project Description

The proposed Boricua Village project will consist of seven buildings ranging from six (6) to

fourteen (14) stories, approximately 679 residential units, 36,511 square feet of retail space, 120,000 square foot college building, 174 below-grade parking spaces, 65,264 square feet of publicly-accessible open space, including the proposed “Boricua Plaza,” and 17,226 square feet of private open space. All of the units will be affordable housing for low- and moderate- income households. The project will be developed through HPD’s Cornerstone Program and will use programs such as the 421-a Affordable Housing Program, the Housing Development Corporation’s New Housing Opportunities Program (New HOP), and Low Income Affordable Marketplace Program (LAMP).

The buildings are identified here as Buildings A, B, C, D, E, F, G, and the Boricua College building. 174 parking spaces would be provided below grade and would be accessible from an entrance located along Elton Ave in Building A1.

Boricua College would occupy a 14 story, 120,000 sq. ft. building located at the southwestern portion of the site facing O’Neil Square Park. The building would include classrooms, a theater, administrative offices, and a museum. Approximately 2,000 full time students and faculty members would be located at this site. Boricua College is a bilingual college which currently has campuses in Brooklyn, Manhattan, and the Bronx. The proposed building would replace the existing Bronx building, which the college has outgrown. The facility primarily offers night classes.

Public Open Space would be located primarily in the de-mapped portions of E. 162nd Street, E

161st Street, and Brook Avenue. The open space would center on the proposed 37,803 square foot “Boricua Plaza,” located adjacent to the proposed Boricua College building. This plaza would be landscaped with a new tree plantings, seating areas, and paving materials. The plaza would feature an amphitheater with raised, grassy seating areas which will be available to the college for outdoor performance space. An additional open area with tables and seating would be adjacent to a planned retail space, to provide interaction between the open space and a potential café. In addition, the de-mapped portions of E. 162nd Street and E. 161st Street would become landscaped pedestrian walkways connecting Boricua Plaza to Third Avenue. Retail spaces and residential areas in Buildings A1, C, and F would front on the Plaza.

Buildings A1 and A2, buildings ranging in size from 11 to 13 stories would be located along Elton Avenue and E. 163rd Street in the northern section of the site, will contain approximately 215 apartments and 12,700 square feet of ground floor retail along Elton Avenue, E. 163rd Street, and on the proposed “Boricua Plaza” open space. 5,377 sq. ft. of private open space would be located to the rear of Buildings A1 and A2 and accessible only to residents of the buildings. The entrance to the parking ramp for the entire development would be located on Elton Avenue in the southwestern edge of Building A.

Building B, a building ranging in size from eleven- to thirteen-stories would be located at the northeastern corner of the site at Third Avenue and E. 163rd Street, would contain 92 apartments and 8,794 square feet of ground floor retail along Third Avenue and E. 163rd Street.

Building C, a building ranging in size from nine- to ten-stories would be located north of the de-mapped portion of E. 162nd Street, would contain 127 apartments and 4,493 square feet of

ground floor retail fronting Third Avenue and the proposed Boricua Plaza. Approximately 5,377 sq. ft. of private open space would be located to the rear of Building C and accessible only to residents of the building.

Building D, a building ranging in size from eleven- to thirteen stories would be located in the southeast corner of the site, would contain 107 apartments and 6,838 square feet of ground floor retail along Third Avenue. Approximately 3,042 sq. ft. of private open space would be located behind Building D and accessible only to residents of the building.

Building E, would be a single building with two wings, one six-story wing located north of the de-mapped portion of E. 161st Street, and one eight-story wing located south of the de-mapped portion of E. 162nd Street. Building E, would contain 70 apartments and approximately 3,430 square feet of private open space located to the rear of Building E and accessible only to residents of the building.

Building F, a building ranging in size from nine- to ten- stories would be located in the south-central area of the site east of the de-mapped portion of Brook Avenue, would contain 68 apartments and 5,986 square feet of ground floor retail facing the proposed Boricua Plaza.

Requested Actions

The project requires the following actions: an Urban Renewal Plan Amendment, a zoning map amendment; UDAAP designation, project approval, and disposition of city-owned property.

Urban Renewal Plan Amendment (C 070275 HUX)

The proposed amended MCURP would include 18 changes to the original plan. Some of these changes are necessary for the Boricua Village project, others facilitate future projects, and others amend the plan to reflect existing conditions. For Boricua Village, the following amendments are proposed: height limits would be lifted, land use designations would be changed, lot coverage provisions would be lifted, and curb cut restrictions along Third Ave would be eliminated.

For future developments, the following amendments are proposed: height limits would be lifted for Sites 45, 46, 56, and 57, land use designations would be changed, street wall coverage provisions would be deleted, and curb cut restrictions would be waived along Third Avenue and Brook Avenue. Amendments meant to reflect current conditions include changes in land use designation to reflect existing community gardens which are planned to remain and the deletion of sites which are no longer intended to be included in the plan.

Zoning Map Amendment (C 070276 ZMX)

The Boricua Village site is currently split between two zoning districts. A 38,000 square foot area along Elton Ave. and E. 163rd Street is zoned R8 with a C1-4 overlay. The 143,000 square foot balance of the site is currently zoned C4-4. R8 is a high-density residential district. The R8/ C1-4 allows for residential development with a maximum FAR of 6.2 for height factor development. The existing zoning allows local commercial uses with an FAR of 2.0 and community facility uses with an FAR of 6.5. C4-4 is a regional commercial district. The C4-4

allows a residential FAR of 3.44 for height factor development, regional commercial uses with an FAR of 3.4, and community facility uses with an FAR of 6.5.

The proposed zoning map amendment would rezone the entire 4.2 acre site to R8 with a C2-4 overlay. This would allow residential development with a maximum FAR of 7.2 on wide streets and 6.2 on narrow streets with Quality Housing regulations, a community facility FAR of 6.5, and a commercial FAR of 2.0. The three existing buildings in the rezoning area would comply and conform with the proposed zoning. The C2-4 would allow local commercial uses with a slightly wider range of uses than the C1-4, including Use Groups 7, 8, 9, and 14.

For the portions of the site which would be rezoned from C4-4 to R8, the required residential parking would be reduced from 50% of the number of units to 40%. Commercial and community facility parking requirements remain the same in rezoning from C1-4 and C4-4 to a C2-4 commercial overlay.

UDAAP/ Disposition (C 070277 HAX)

The UDAAP designation, project approval, and disposition consists of 43 city-owned lots and the city-owned beds of three de-mapped streets: E. 162nd Street from Third Avenue to Washington Avenue, E. 161st Street from Third Avenue to Brook Avenue, and Brook Avenue from E. 161st Street to Elton Avenue to facilitate the proposed development, Boricua Village.

ENVIRONMENTAL REVIEW

This application (C 070275 HUX) in conjunction with the related actions (C 070276 ZMX,

and C 070277 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 06HPD008X. The lead agency is the Department of Housing Preservation and Development (HPD).

After a study of the potential environmental impacts of the proposed action, it was determined that the proposed action may have a significant effect on the environment and that an environmental impact statement would be required for the following reasons:

1. The action, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The action, as proposed, may result in significant adverse impacts on socioeconomic conditions in the vicinity of the affected area.
3. The action, as proposed, may result in significant adverse impacts on community facilities in the vicinity of the affected area.
4. The action, as proposed, may result in significant adverse impacts on publicly accessible open space facilities in the vicinity of the affected area.
5. The action, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The action, as proposed, may result in significant adverse impacts on historic resources (architectural resources) in the affected area.
7. The action, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.
8. The action, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
9. The action, as proposed, may result in significant adverse impacts on natural resources in

the vicinity of the affected area.

10. The action, as proposed, may result in significant adverse hazardous materials impacts in the affected area.
11. The action, as proposed, may result in inconsistencies in Coastal Zone policies in the vicinity of the affected area with respect to the Waterfront Revitalization Program.
12. The action, as proposed, may result in significant adverse impacts on infrastructure systems in the vicinity of the affected area.
13. The action, as proposed, may result in significant adverse impacts on solid waste and sanitation services in the vicinity of the affected area.
14. The action, as proposed, may result in significant adverse impacts on energy in the vicinity of the affected area.
15. The action, as proposed, may result in significant adverse impacts to traffic and parking conditions in the vicinity of the affected area.
16. The action, as proposed, may result in significant adverse impacts on transit services and pedestrian flows in the vicinity of the affected area.
17. The action, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
18. The action, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
19. The action, as proposed, may result in significant adverse construction-related impacts.
20. The action, as proposed, may result in significant adverse public health impacts in the vicinity of the affected area.

A Positive Declaration was issued on November 30, 2005 and distributed, published and filed and the applicant was asked to prepare a Draft Environmental Impact Statement (DEIS). A public scoping meeting was held on the Draft Scope of Work on January 9, 2006 and Final Scope of Work was issued on March 28, 2006.

The lead agency prepared a DEIS and issued a Notice of Completion on January 19, 2007.

Pursuant to SEQRA regulations and CEQR procedures, a joint public hearing was held on the

DEIS on March 28, 2007, in conjunction with the Uniform Land Use Review Procedure (ULURP) applications (C 070275 HUX, C 070276 ZMX, and C 070277 HAX).

The Final Environmental Impact Statement (FEIS) was completed and a Notice of Completion of the FEIS was issued on April 27th, 2007. The Notice of Completion for the FEIS identified the following significant impacts and the proposed following mitigation measures:

HISTORIC RESOURCES

Architectural Resources

The proposed developments would require the demolition of the Bronx Municipal Court – Second District building, which the New York City Landmarks Preservation Commission (LPC) has determined meets eligibility criteria for New York City Landmark (NYCL) designation. This building is in a state of advanced disrepair. In addition, with 57,600 gross square feet, it does not contain enough space to accommodate the Boricua College campus proposed on that site. In consultation with LPC, HPD determined that the demolition of this structure would constitute a significant adverse impact on historic resources. Therefore, the feasibility of reusing and incorporating this historic building into the proposed project rather than demolishing it was evaluated. It was concluded that the adaptive reuse of the Bronx Municipal Court – Second District building as part of Boricua College is not feasible and could not be accomplished without significant adverse impacts on this historic resource (see Chapter 21, “Alternatives”). LPC concurred with this conclusion and requested that Historic American Buildings Survey (HABS) level archival documentation be prepared as partial mitigation. This documentation has been prepared and was submitted to LPC for review on January 9, 2007.

TRAFFIC AND PARKING

Traffic

To assess the traffic impacts associated with the proposed and future actions, an overall study area was defined that considers the location of the proposed and future actions, primary access routes to and from the site, and key intersections likely to be affected by project-generated trips. The traffic study area, located in the Melrose section of the Bronx, is bounded by East 165th Street to the north, East 149th Street to the south, Prospect Avenue to the east, and the Grand Concourse to the west and includes a network of 20 intersections. The traffic analysis results show that during the AM peak hour, the proposed and future actions would result in nine significantly impacted lane groups at seven intersections. In the midday, eight lane groups at five intersections would experience significant adverse impacts. During the PM peak hour, there would be seventeen significantly impacted lane groups at ten intersections.

AM Peak Hour

- *East 165th Street and Brook Avenue:* The northbound approach of Brook Avenue would deteriorate within LOS F and increase in average delay from 84.5 to 129.9 (45.4) spv.
- *East 163rd Street and Third Avenue:* The eastbound approach would deteriorate from LOS D to LOS E and increase in average delay from 43.2 spv to 62.8 (19.6) spv. The westbound approach would deteriorate from LOS D to LOS E and increase in average delay from 53.6 spv to 64.8 (11.2) spv.
- *East 161st Street and Grand Concourse (southern intersection):* The southbound left-turn movement would deteriorate within LOS F and increase in average delay from 218.9 to 236.5 (17.6) spv.
- *East 161st Street and Concourse Village East:* The westbound through-right movement would deteriorate within LOS F and increase in average delay from 205.7 to 249.6 (43.9) spv.
- *East 156th Street and Third Avenue:* The eastbound approach would deteriorate within LOS F and increase in average delay from 186.9 to 222.4 (35.5) spv.
- *East 149th Street and Melrose/Third/Willis Avenues:* The southbound through movement would deteriorate from LOS E to LOS F and increase in average delay from 69.8 to 82.2 (12.4) spv.
- *East 149th Street and St. Ann's Avenue:* The northbound approach would deteriorate within LOS F and increase in average delay from 131.5 to 165.7 (34.2) spv. The southbound approach would deteriorate within LOS F and increase in average delay from 174.9 to 259.8 (84.9) spv.

Midday Peak Hour

- *East 165th Street and Brook Avenue:* The eastbound right-turn movement would deteriorate within LOS D and increase in average delay from 41.7 to 54.5 (12.8) spv. The northbound approach of Brook Avenue would deteriorate from LOS D to LOS E and increase in average delay from 47.1 to 62.9 (15.8) spv.
- *East 163rd Street and Third Avenue:* The eastbound approach would deteriorate from LOS D to LOS E and increase in average delay from 51.8 to 71.3 (19.5) spv. The westbound approach would deteriorate from LOS E to LOS F and increase in average delay from 77.0 to 99.0 (22.0) spv.
- *East 161st Street and Melrose Avenue:* The westbound approach would deteriorate from LOS C with an average delay of 25.0 spv to a de-facto left-turn movement operating at LOS D with an average delay of 48.9 spv and a shared through and right-turn movement operating at LOS C with an average delay of 28.3 spv.
- *East 156th Street and Third Avenue:* The westbound approach would deteriorate within LOS E and increase in average delay from 69.4 to 74.7 (5.3) spv.
- *East 149th Street and St. Ann's Avenue:* The northbound approach would deteriorate within LOS F and increase in average delay from 84.6 to 96.5 (11.9) spv. The southbound approach would deteriorate within LOS F and increase in average delay from 71.4 to 92.4 (21.0) spv.

PM Peak Hour

- *East 165th Street and Melrose/Webster Avenues:* The southbound left-turn movement on Webster Avenue would deteriorate from LOS D to LOS E and increase in average delay from 48.7 to 59.5 (10.8) spv.

- *East 165th Street and Brook Avenue:* The northbound approach of Brook Avenue would deteriorate within LOS F and increase in average delay from 139.1 to 220.6 (81.5) spv.
- *East 163rd Street and Washington Avenue:* The westbound left-turn movement would deteriorate from LOS C to LOS D and increase in average delay from 32.0 to 45.5 (13.5)spv.
- *East 163rd Street and Third Avenue:* The eastbound approach would deteriorate from LOS F with an average delay of 154.6 spv to a de-facto left-turn movement operating at LOS E with an average delay of 67.5 spv and a through-right movement operating at LOS F with an average delay of 236.4 spv. The northbound approach would deteriorate from LOS E with an average delay of 62.7 spv to a de-facto left-turn movement operating at LOS F with an average delay of 138.8 spv and a through-right movement operating at LOS E with an average delay of 68.0 spv.
- *East 161st Street and Grand Concourse (northern intersection):* The left-turn movement on the northbound main approach would deteriorate within LOS E and increase in average delay from 72.7 to 77.3 (4.6) spv.
- *East 161st Street and Grand Concourse (southern intersection):* The southbound left-turn movement would deteriorate within LOS E and increase in average delay from 58.6 to 74.5 (15.9) spv.
- *East 161st Street and Concourse Village East:* The westbound left-turn movement would deteriorate within LOS E and increase in average delay from 65.0 to 72.3 (7.3) spv. The westbound through-right movement would deteriorate within LOS D and increase in average delay from 44.2 to 52.0 (7.8) spv.
- *East 161st Street and Melrose Avenue:* The eastbound approach would deteriorate within LOS F and increase in average delay from 139.3 to 173.9 (34.6) spv. The westbound approach would deteriorate from LOS C with an average delay of 31.5 spv to a de-facto left-turn movement operating at LOS F with an average delay of 592.1 spv and a through-right movement operating at LOS D with an average delay of 41.9 spv.
- *East 156th Street and Third Avenue:* The eastbound approach would deteriorate within LOS E and increase in average delay from 57.1 to 62.3 (5.2) spv. The westbound approach would deteriorate within LOS F and increase in average delay from 284.0 to 337.6 (53.6) spv.
- *East 156th Street and St. Ann's Avenue:* The eastbound approach would deteriorate within LOS E and increase in average delay from 61.6 to 76.0 (14.4) spv.
- *East 149th Street and Melrose/Third/Willis Avenues:* The southbound through movement on Melrose Avenue would deteriorate from LOS E to LOS F and increase in average delay from 79.4 to 86.4 (7.0) spv.
- *East 149th Street and St. Ann's Avenue:* The northbound approach would deteriorate within LOS F and increase in average delay from 107.8 to 115.7 (7.9) spv. The southbound approach would deteriorate within LOS F and increase in average delay from 359.0 to 466.3 (107.3) spv. As discussed below under "Mitigation," all of these significant adverse impacts could be mitigated.

TRANSIT AND PEDESTRIANS

The transit and pedestrians analysis includes a description of the existing and future operating conditions of these facilities in the vicinity of the project area and identification of the potential for significant adverse impacts that would require mitigation. The analysis results show that new trips associated with the proposed and future actions would not result in significant adverse subway or pedestrian impacts, but there would be the potential for significant adverse impacts on

the Bx6 route, which runs along East 161st Street, the Bx2 and Bx41 routes, which run along Melrose Avenue, and the Bx15, Bx21, and Bx55 routes, which run along Third Avenue. Measures that would mitigate the transit and pedestrian impacts are discussed below in “Mitigation.”

AIR QUALITY

Mobile Sources

With respect to mobile sources, it was determined that the highest predicted CO concentrations for any of 8-hour time period would not result in any violations of the CO standard or any significant impacts at the receptor locations, as shown in Table S-4. \

Table S-4
Future (2009) Maximum Predicted 8-Hour Average Project
Build Carbon Monoxide Concentrations (partspermillion): No Build and Build

Site	Location	Time Period	8-Hour Concentration (ppm)	
			No Build	Build
1	Melrose Avenue & East 161st Street	PM	3.2	3.3
2	Third Avenue & East 163rd Street	PM	3.6	3.8
Note: 8-hour CO standard is 9 ppm.				

MITIGATION

HISTORIC RESOURCES

Portions of the Boricua Village project site may be sensitive for archaeological resources. Measures by which the presence of such resources would be evaluated, and any subsequent mitigation measures implemented, would be developed in consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and specified in a Letter of Resolution to be executed by the New York City Department of Housing Preservation and Development, OPRHP, and the developer of Boricua Village. The proposed Boricua Village project would require the demolition of the Bronx Municipal Court – Second District building to allow for the development of a new campus for Boricua College. As described in Chapter 7, “Historic Resources,” this building is in a state of advanced disrepair. In addition, with 57,600 gross square feet, it does not contain enough space to accommodate the proposed college campus. The demolition of this historic structure is a significant adverse impact. Therefore, Historic American Buildings Survey (HABS) level archival documentation has been prepared as partial mitigation and was submitted to LPC for review on January 9, 2007. To avoid any inadvertent construction-related damage to historic resources, historic structures located within 90 feet of project construction would be included in a construction protection plan to be developed in consultation with OPRHP and LPC.

TRAFFIC AND PARKING

A total of 20 signalized intersections were analyzed. Significant adverse impacts were identified at seven intersections during the AM peak hour, five intersections during the midday peak hour, and eleven intersections during the PM peak hour. Traffic impacts on the local street network could be mitigated by standard traffic engineering improvements such as signal phasing and timing modifications, parking prohibitions, lane re-striping, and changes in pavement markings. These measures are consistent with the range of traffic capacity improvements that have been proposed and implemented for other projects in the city. These mitigation measures would reduce the parking supply in the study area by approximately 8 spaces; this reduction would not cause a significant adverse impact on the area's parking supply.

TRANSIT AND PEDESTRIANS

As discussed in Chapter 15, "Transit and Pedestrians," the proposed and future actions would result in significant adverse impacts to the operations of the Bx6, Bx15, and Bx21 bus routes, which would operate above the guideline capacity of 65 passengers for a standard bus, and the Bx2, Bx41, and Bx55 bus routes, which would operate above the guideline capacity of 93 passengers for an articulated bus, as follows:

- Bx2 – northbound route increasing in average passengers per bus from 87 to 106 in the PM peak period; southbound route increasing from 111 to 129 in the AM peak period.
- Bx15 – southbound route increasing in average passengers per bus from 62 to 70 in the AM peak period.
- Bx21 – northbound route increasing in average passengers per bus from 49 to 66 in the PM peak period.
- Bx41 – southbound route increasing in average passengers per bus from 89 to 104 in the AM peak period.
- Bx55 – northbound route increasing in average passengers per bus from 89 to 142 in the PM peak period; southbound route increasing from 76 to 106 in the AM peak period and from 84 to 113 in the PM peak period.
- Bx6 – northbound route increasing in average passengers per bus from 69 to 71 in the AM peak period and from 63 to 72 in the PM peak period.

To mitigate these impacts, it is recommended that NYCT schedule additional buses for the impacted routes, as follows:

- Two additional buses on the southbound Bx2 route in the AM peak period and one additional bus on the northbound Bx2 route in the PM peak period;
- One additional bus on the southbound Bx15 route in the AM peak period;
- One additional bus on the northbound Bx21 route in the PM peak period;
- Two additional bus on the southbound Bx41 route in the AM peak period;
- Three additional buses on the southbound Bx55 route in the AM peak period, two additional buses on the southbound Bx55 route in the PM peak period, and six additional buses on the northbound Bx55 route in the PM peak period; and,
- One additional bus on the eastbound Bx6 route in both the AM and PM peak periods.

With these improvements, the study area bus routes would have adequate capacity to accommodate the projected increase in bus ridership.

AIR QUALITY

STATIONARY SOURCES

Development on URA Sites 52 and 62 could result in potential significant adverse air quality impacts due to emissions from HVAC systems. The results of the analysis determined that to ensure no significant impacts would occur, HVAC exhaust stack(s) must be a minimum of 40 feet from the lot line facing URA Site 53 if burning fuel oil, or a minimum of 10 feet from the lot line facing URA Site 53 if burning natural gas. For URA Site 62, the results of the analysis determined that to ensure that no significant impacts would occur from HVAC systems if burning fuel oil, HVAC exhaust stack(s) must be a minimum of 15 feet from the lot line facing URA Site 64.

To ensure no significant impacts would occur from Building C on Building B of Boricua Village, HVAC exhaust stack(s) must utilize natural gas exclusively and be a minimum of 55 feet from Building B. To ensure no significant impacts would occur on Buildings E North and E South of Boricua Village, HVAC exhaust stack(s) must utilize natural gas exclusively and be a minimum of 48 feet from Buildings D and F.

To avoid potential significant impacts from the proposed HVAC systems at Courtlandt Corners, any HVAC stack(s) located on Building C must not be located on the portion of the building fronting Courtlandt Avenue. With these mitigation measures in place, no significant adverse air quality impacts are predicted.

UNAVOIDABLE ADVERSE IMPACTS

The proposed Boricua Village project would require the demolition of the Bronx Municipal Court – Second District building to allow for the development of a new campus for Boricua College. Because the New York City Landmarks Preservation Commission (LPC) has determined that this building meets eligibility criteria for New York City Landmark (NYCL) designation, its demolition would be a significant adverse impact on historic architectural resources. Therefore, Historic American Buildings Survey (HABS) level archival documentation has been prepared as partial mitigation and was submitted to LPC for review on January 9, 2007.

However, a significant adverse impact caused by the demolition of an historic architectural resource cannot be fully mitigated. The HABS documentation would constitute partial mitigation of this impact.

UNIFORM LAND USE REVIEW

This application (C 070275 HUX), in conjunction with the applications for the related actions

(C 070276 ZMX) and (C 070277 HAX), was certified as complete by the Department of City Planning on January 22, 2007, and was duly referred to Community Boards 1 and 3, the Bronx Borough Board, 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 Hearings

Community Board 3 held a public hearing on this application on February 13, 2007, and on that date, by a vote of 24 to 0 with no abstentions, adopted a resolution recommending approval of this application.

Community Board 1 held a public hearing on this application on February 22, 2007, and on that date, by a vote of 18 to 1 with no abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on March 26, 2007.

The Borough President's recommendation included the following conditions:

- Assured incorporation of homeownership in the form of cooperatives or condominiums;
- Adequate mitigation for the impact on subway, Metro-North and bus transit;
- Identification and impact analysis of all development within ½ mile radius with corresponding mitigation;
- Achievement of LEED Silver or equivalent rating;

- Coordination with Department of Small Business Services to develop a relocation plan affecting the six displaced businesses.

Borough Board Recommendation

This application was considered by the Bronx Borough Board, which issued a recommendation approving the application on March 7, 2007.

City Planning Commission Public Hearing

On March 14, 2007 (Calendar No. 1), the City Planning Commission scheduled March 28, 2007, for a public hearing on this application (C 070275 HUX). The hearing was duly held on March 28, 2007 (Calendar No. 28), in conjunction with the public hearings on the applications for the related actions (C 070276 ZMX) and (C 070277 HAX). There were six speakers in favor of the application.

A representative of HPD spoke in favor of the application and gave a description of the amendment to the Urban Renewal Plan. The president of Boricua College described the proposed Boricua College facility and provided a history of the college. The developer described the project financing and said the project will revitalize the area. The project architect described the design and program for the site.

A representative from the Borough President's office expressed support for the project and described the conditions of the Borough President's approval.

HPD's environmental consultant stated that the comments from the Borough President would be addressed in the Final Environmental Impact Statement.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the amended Urban Renewal Plan for the Melrose Commons Urban Renewal Area (C 070275 HUX) in conjunction with the related applications to amend the zoning map (C 070276 ZMX), and UDAAP designation, project approval, and disposition of City-owned property (C 070277 HAX), is appropriate. The Commission believes that concerns of the Borough President have been addressed by the applicant through changes to the EIS and the commitment to provide homeownership units.

The Commission notes that the proposed actions would facilitate the development of the remaining urban renewal sites with appropriate new housing, retail, educational facilities, and publicly-accessible open space. The development of these remaining sites would strengthen the residential character of the area by replacing vacant sites with new developments. The development of the Boricua Village proposal is appropriate for this prominent intersection, with new residential, retail, educational, and publicly-accessible open space creating a town center for the surrounding neighborhoods.

Urban Renewal Area Plan Amendment (C 070275 HUX)

The Commission believes the Urban Renewal Plan Amendment is appropriate. The First Amended Melrose Commons Urban Renewal Plan would change land use designations, lift URA height limits on certain sites, remove curb cut restrictions for some sites, remove URA regulations concerning street walls, and remove certain sites from the URA. These changes would facilitate the development of remaining sites in the Melrose Commons Urban Renewal Area.

The Commission recognizes the prominence of the intersection of E 163rd Street and Third Avenue in the MCURA and believes the taller buildings facilitated by the lifting of height limits and proposed land use changes would be appropriate at this location. Land use changes are in keeping with the intentions of the MCURP.

This Urban Renewal Plan Amendment would facilitate the development of the Boricua Village proposal. This project would create approximately 679 units of housing, 36,511 square feet of retail space, 120,000 square feet of community facility space for Boricua College, 65,000 square feet of publicly accessible open space, and 174 parking spaces. In addition, this amendment would facilitate other future developments within the Melrose Commons Urban Renewal Area. The community would benefit from development on these long-vacant sites.

Zoning Map Amendment (C 070276 ZMX)

The Commission believes the zoning map amendment from R8/ C1-4 and C4-4 to R8/ C2-4 is appropriate. The R8 zoning district permits development at a maximum FAR of 6.2. This will allow development at a scale appropriate to this prominent location and to the community's vision of a "Town Center" on this site. The proposed C2-4 zoning designation allows a slightly larger range of commercial and retail uses than the C1-4.

UDAAP/ Disposition (C 070277 HAX)

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

This application would facilitate the development of approximately 679 residential units for low and moderate income families, 36,511 square feet of retail space, a 120,000 square foot college building, 174 below-grade parking spaces, and 65,264 sq. ft. of publicly-accessible open space. This proposal will bring needed new units of affordable housing to the Melrose community as well as educational, shopping, and open spaces appropriate to a town center.

The return of these vacant lots to productive use would eliminate their blighting influence on the neighborhood and would enable these city-owned properties to be developed with uses that would serve the needs of Community Districts 1 and 3 and the City of New York.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 27, 2007, with respect to this application (CEQR No. 06HPD008X), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, 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 minimize or avoid 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 practicable by incorporating as conditions to the approval 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 other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission finds that the proposed the First Amendment to the Melrose Commons Urban Renewal Plan is an appropriate plan for the area involved, complies with provisions of Article 15 of the General Municipal Law and conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives; and

RESOLVED, that the City Planning Commission, pursuant to Section 197-c of the New York City Charter and Section 505, Article 15 of the General Municipal Law, and after due consideration of the appropriateness of this action, certifies its unqualified approval of the First Amended Urban Renewal Plan for the Melrose Commons Urban Renewal Area, Community Districts 1 and 3, Borough of the Bronx.

The above resolution (C 070275 HUX), duly adopted by the City Planning Commission on May 9, 2007 (Calendar No. 10), 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 and Section 505, Article 15 of the General Municipal Law of New York State.

AMANDA M. BURDEN, AICP, Chair
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, BETTY CHEN, RICHARD W. EADDY,
NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS,
DOLLY WILLIAMS**, Commissioners

LISA A. GOMEZ, Commissioner **RECUSED**