



## **CITY PLANNING COMMISSION**

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June 9, 2004/Calendar No. 19

C 040274 HAX

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**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 3377 White Plains Road (Block 4624, Lot 37), as an Urban Development Action Area Project for such 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 a seven-story building tentatively known as RAIN Apartments for the Elderly, with approximately 72 units of low-income housing for senior citizens, plus one unit for a superintendent, and a senior citizens center to be developed under the New York State Housing Trust Fund Program, Borough of The Bronx, Community District 12.

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The application was filed by the Department of Housing Preservation and Development (HPD) on February 12, 2004.

Approval of three separate matters is required:

1. The designation of 3377 White Plains Road (Block 4624, Lot 37) in the Borough of The Bronx, as an Urban Development Action Area;
2. An Urban Development Action Area Project for such property; and
3. The disposition of such property to a developer selected by HPD.

Approval of this application would facilitate the construction of a seven-story residential building containing 72 dwelling units for the elderly, plus one two-bedroom unit for the superintendent. Twelve

units will be reserved for elderly persons with disabilities. The proposed project is tentatively known as RAIN Apartments for the Elderly.

The Department of Housing Preservation and Development states in its application that:

The Disposition Area consists of underutilized vacant lots which tend to impair or arrest the sound development of the surrounding community, with or without tangible 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 Disposition 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.

## **BACKGROUND**

This proposed seven story building is located in the Olinville section of Community District 12. The project site consists of a city-owned vacant lot zoned R6 with a C2-2 commercial overlay. The project site is located on a block bounded by White Plains Road, Magenta Street, Olinville Avenue, and Rosewood Street. The proposed 76, 581 square foot building will have a total of 72 one-bedroom units for the elderly and one two-bedroom unit for the superintendent. Twelve units will be reserved for elderly persons with disabilities. The building will also contain a laundry room, storage room, and garden for the use of the residents. In addition, a Senior Center will be located on the ground floor and will contain dining, educational and health screening facilities, a multi-purpose room and a separate garden area. The Center will be accessible to building residents and members of the community. A 30-car accessory parking lot will be provided on site directly south of the building with ingress/egress provided at White Plains Road.

The surrounding area contains a mix of one and two-family homes, and some mid-rise apartment buildings. Commercial facilities, including a convenience/grocery store, barber shop, hair dresser, laundromat, offices, and several small houses of worship are found along White Plains Road. P.S. 41 is located immediately to the west of the proposed building. The Bx-39 bus stops less than a block from the site. Additional transit service is available one and one half blocks north at the intersection of Gun Hill and White Plains roads, where one can board the #2 and #5 train, as well as local busses Bx-28, Bx-30, Bx-41, Bx-55, and the BxM-11 express bus to Manhattan.

## **ENVIRONMENTAL REVIEW**

This application (C 040274 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 03HPD015X. 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 June 16, 2003.

## **UNIFORM LAND USE REVIEW**

This application (C 040274 HAX) was certified as complete by the Department of City Planning on

March 8, 2004, and was duly referred to Community Board 12 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 12 held a public hearing on this application on March 25, 2004, and on March 30, 2004, by a vote of 22 to 0 with 0 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 May 11, 2004 subject to the following conditions:

I however, want to insist that as specified at my public hearing, owing to the project's location within 100 feet of an elevated subway line, windows that reduce noise volume will be installed. I also suggest that blinds to minimize intruding light be provided.

However, the Borough President's recommendation was submitted after the 30-day review period and was therefore non-complying.

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

On April 28, 2004 (Calendar No. 1), the City Planning Commission scheduled May 12, 2004, for a public hearing on this application (C 040274 HAX). The hearing was duly held on May 12, 2004 (Calendar No. 13). There were two speakers representing the applicant who spoke in

favor of the application and described the proposal to the Commission.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the application for UDAAP area designation and project approval and disposition of city-owned property located at 3377 White Plains Road (Block 4624, Lot 37) is appropriate.

This application would facilitate the construction of a seven-story residential building with a total of 72 one-bedroom apartments plus one two-bedroom apartment for the superintendent. The proposal would facilitate the development of an underutilized vacant city-owned parcel, totaling 26,085 square feet in area, that has had a blighting influence on the area for a number of years. The proposed project is to be developed under the New York State Division of Housing and Community Renewal's Housing Trust Fund and offers an opportunity to provide affordable housing for senior citizens.

The Commission believes that the project site is well situated for the needs of its future residents. The project site is located in a neighborhood containing local shopping and convenient public transportation.

## **RESOLUTION**

**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 3377 White Plains Road (Block 4624, Lot 37), located in Community District 12, Borough of The Bronx, 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 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 3377 White Plains Road (Block 4624, Lot 37) as an Urban Development Action Area;
- b) an Urban Development Action Area Project for such area; and

the City Planning Commission recommends that the City Council find 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 to be provided by the municipality pursuant to Section 696 of the Urban Development Action Area Act is necessary to

enable the project to be undertaken; and

- c. The project is consistent with the policy and purposes stated in Section 691 of 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 3377 White Plains Road (Block 4624, Lot 37) Community District 12, Borough of The Bronx, to a Developer to be selected by the Department of Housing Preservation and Development is approved.

The above resolution (C 040274 HAX), duly adopted by the City Planning Commission on June 9, 2004 (Calendar No. 19), 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.,**  
**RICHARD W. EADDY, JANE D. GOL, CHRISTOPHER KUI,**  
**JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners