



CITY PLANNING COMMISSION

December 5, 2007 / Calendar No. 19

C 080024 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 1382, 1388, 1392, and 1414 Shakespeare Ave. (Block 2872, Lots 7, 9, 11, and 15) 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 a seven-story building, tentatively known as Shakespeare Place, with approximately 127 residential units and community facility uses, to be developed under the Housing Development Corporation's New Housing Opportunities Program. Community Board 4, Borough of the Bronx.

Approval of three separate matters is required:

1. the designation of property located at located at 1382, 1388, 1392, and 1414 Shakespeare Ave. (Block 2872, Lots 7, 9, 11, and 15) 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 for the Urban Development Actions Area designation and project approval and disposition of city-owned property was submitted by the Department of Housing Preservation and Development (HPD) on July 26, 2007.and revised on October 29, 2007

Approval of this application would facilitate the development of a seven-story building,

tentatively known as Shakespeare Place, with approximately 127 residential units and community facility uses, Borough of the Bronx, Community District 4.

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

The Project Area consists of underutilized vacant lots which tend 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 ACTION

In addition to approval of the UDAAP designation and disposition of City-owned property which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 080023 PQX Acquisition of property located at 1382-1414 Shakespeare Avenue
(Block 2872, Lots 7, 9, 11, and 15)

BACKGROUND

The Department of Housing Preservation and Development (HPD) is seeking an Urban Development Action Area Project (UDAAP) designation and project approval for property located at 1382-1414 Shakespeare Avenue (Block 2871, Lots 7, 9, 11, & 15). The project site is located in the Highbridge neighborhood within Community District 4 and is zoned R7-1.

The site was previously disposed of and programmed for development under HPD's New Foundation program in 2001. New Foundations development is no longer being pursued. HPD

is now seeking approval to acquire the site through the related application (C 080023 PQX)

The application as certified was for an eight story apartment building with approximately 128 units of housing and approximately 15,000 square feet of community facility space, which has been reduced in the revised application

The revised a project, tentatively known as Shakespeare Place, which consists of a seven story apartment building with approximately 127 units of housing. The units will be affordable to moderate and middle income families.

The building will be developed pursuant to quality housing regulations and will provide an activity room, laundry facilities, street trees and open space for tenant use. The developer is proposing an approximately 8,000 square foot community facility on the ground floor. There will also be approximately 40 underground parking spaces for the residents and the proposed community facility.

The site is currently vacant. Other uses on the block include five and six-story apartment buildings, attached and semi-detached one and two-family homes, mixed commercial-residential buildings and neighborhood commercial uses. The surrounding area consists of five and six-story apartment buildings, neighborhood retail uses along Edward L. Grant Highway and a light manufacturing area along Cromwell Avenue to the east of the project site.

The area is served by public transportation, including the Bx35 bus line , which runs along Edward L. Grant Highway and the Bx11, which runs along W. 170th Street. Both buses connect to the #4 train on Jerome Avenue and cross the Washington Bridge into Manhattan.

ENVIRONMENTAL REVIEW

This application (C 080024 HAX) in conjunction with the related application (C 080023 PQX) were 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 lead agency is the Department of Housing Preservation and Development. The designated CEQR number is 07HPD034X.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on July 24, 2007.

UNIFORM LAND USE REVIEW

This application (C 080024 HAX) in conjunction with the related application (C 080023 PQX) were certified as complete by the Department of City Planning on August 6, 2007, and were duly referred to Bronx Community Board 4 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application in conjunction with the related application on September 18, 2007, and on that date, by a vote of 14 to 0 with 0 abstentions, adopted a resolution recommending approval of the applications.

Borough President Recommendation

This application and the related application were considered by the Bronx Borough who issued a

recommendation approving the applications on October 24, 2007 with the following conditions:

According to the most recent census data available, 38% of Bronx Community District 4 residents are below the age of eighteen. Therefore the number of three-bedroom units, only 4 is insufficient to accommodate the needs of the area's population. A community hosting so many young families clearly requires the additional living space provided by larger apartments. This project should include at least 19 three-bedroom units, 15% of the total 128 units.

Home ownership has a stabilizing impact on communities as it offers prospective residents an opportunity to invest in the future of their neighborhoods. Two-family owner occupied houses face the subject site on Shakespeare Avenue. While I am pleased that Shakespeare Place will attract middle and moderate income families, I am disappointed by its lack of homeownership opportunity.

Subject to increasing the number of three-bed-room units, I recommend approval of these applications.

City Planning Commission Public Hearing

On October 17, 2007 (Calendar No. 3), the City Planning Commission scheduled October 31, 2007 for a public hearing on this application (C 080024 HAX). The hearing was duly held on October 31, 2007 (Calendar No. 15) in conjunction with the hearing on the related application (C 080023 PQX).

There were three speakers in favor of the application, a representative of the project's sponsor, the architect for the project and a representative of HPD.

There were no other speakers on the application 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 and the related acquisition application (C080023 PQX) are appropriate.

This application would facilitate the development of a seven-story apartment building with approximately 127 units of housing. The units will be affordable to moderate and middle income families. In addition, building amenities would include an activity room, laundry facilities, street trees and open space for tenant use. There would be approximately 8,000 square feet of community facility space and 40 parking spaces.

The Commission notes the concern of the Borough President regarding the number of three-bedroom units in this project and urges HPD and the project sponsor to work to address this concern, recognizing that the timing and financing constraints may not allow the issue to be fully addressed in this project..

The Commission believes the proposed project would provide affordable housing for the Highbridge neighborhood. The return of these properties to productive use would also eliminate their blighting influence on the neighborhood. Furthermore, the project would complement ongoing public and private development on neighboring blocks. The Commission therefore finds that the proposed Urban Development Action Area (UDAAP) designation and project approval and related disposition of City-owned property appropriate.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment;

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 1382, 1388, 1392, and 1414 Shakespeare Ave. (Block 2872, Lots 7, 9, 11, and 15) 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 located at 1382, 1388, 1392, and 1414 Shakespeare Ave. (Block 2872, Lots 7, 9, 11, and 15) 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 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 policy 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 1382, 1388, 1392, and 1414 Shakespeare Ave. (Block 2872, Lots 7, 9, 11, and 15), Community District 4, Borough of the Bronx, to a developer selected by HPD, is approved.

The above resolution (C 080024 HAX), duly adopted by the City Planning Commission on December 5, 2007 (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

ANGELA M. BATTAGLIA, ANGELA R. CAVALUZZI, R.A BETTY CHEN,

ALFRED C. CERULLO, III, RICHARD W. EADDY,

NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS,

DOLLY WILLIAMS, Commissioners

KENNETH J. KNUCKLES, ESQ., Vice Chairman, IRWIN G. CANTOR, P.E.,

Commissioner, RECUSED

MARIA M. DEL TORO, Commissioner, RECUSED