



## **CITY PLANNING COMMISSION**

June 25, 2014/ Calendar No. 6

C 140231 PPX

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**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 1337 Jerome Avenue (Block 2856, Lot 51) pursuant to zoning, Borough of the Bronx, Community District 4.

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This application for the disposition of one city-owned property was filed by the Department of Citywide Administrative Services (DCAS) on January 8, 2014.

### **BACKGROUND**

The Department of Citywide Administrative Services (DCAS) is seeking disposition approval pursuant to zoning, for one property located at 1337 Jerome Avenue (Block 2856, Lot 51) in The Bronx, Community District 4.

1337 Jerome Avenue is a 6,516 square foot lot located on the west side of Jerome Avenue between Clarke Place and West 170<sup>th</sup> Street in the Highbridge neighborhood of The Bronx, Community District 4. The property is developed with a one-story, 6,250 square foot, commercial building constructed in 1920. The property was privately owned until 1981, when the City acquired the property through the In-Rem Tax Foreclosure Process. It was assigned to the Department of Health and Mental Hygiene (DOHMH) in 1982 which used it as a pest control facility. The site has been vacant since August 2013, and on December 3, 2013, DOHMH surrendered the property to DCAS.

The property is a split lot located in an M1-2 zoning district and an R8/C2-4 zoning district. R8 zoning districts typically result in developments between eight to ten stories. Residential FAR ranges from 0.94 to 6.02, if developed pursuant to Quality Housing the maximum permitted FAR is 7.2 on a wide street. M1-2 zoning districts permit light industrial uses, wholesale service and storage facilities with a maximum permitted FAR of 2.0. Currently there is no specific proposal related to the disposition of this property. The site is located within a

neighborhood planning study being conducted by the Department of City Planning for potential future zoning map amendments.

The surrounding area is comprised primarily of commercial and light industrial uses, including several automotive uses. Most of the area's commercial and industrial buildings are one -two stories. Additional uses on the block include a church and a vacant lot. Across the street on the east side of Jerome Avenue are commercial uses and multifamily residences. The # 4 elevated subway line runs along Jerome Avenue with a stop located north of the site at East 170<sup>th</sup> street.

## **ENVIRONMENTAL REVIEW**

This application (C 140231 PPX) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Department of Citywide Administrative Services.

This application was determined to be a Type II action which requires no further environmental review.

## **UNIFORM LAND USE REVIEW**

This application (C 140231 PPX) was certified as complete by the Department of City Planning on February, 18, 2014, and was duly referred to Community Board 4 and the Bronx Borough President, in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

## **Community Board Public Hearing**

Community Board 4 held a public hearing on March 25, 2014, on this application (C 140089 PPX), and on that date by a vote of 28 in favor to 1 opposed with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

The application was considered by the Borough President who issued a recommendation on May 2, 2014, approving the application with a comment that when a specific plan for the site is realized, that both the Borough President and the Community Board be apprised of that plan.

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

On May 7, 2014 (Calendar No. 1), the City Planning Commission scheduled May 21, 2014 for a public hearing on this application (C 140231 PPX). The hearing was duly held on May 21, 2014 (Calendar No. 22). There was one speaker in favor of the application and none opposed. A representative from the Department of Citywide Administrative Services summarized the project and explained that DCAS maintains surplus city-owned property and that disposition approval provides the flexibility to dispose of the property in the future. He also stated that DCAS is willing to work with other city agencies if there is a need or an interest in the site and that sites of this size are typically sold at public auction. The representative stated that typically there is one auction scheduled per year and the lead time was anywhere from six to eight months and at this time there were no auctions scheduled for this year.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for the disposition of city-owned property pursuant to zoning (C 140231 PPX), as modified, is appropriate.

The site has been unoccupied since it was vacated by DOHMH in August 2013, and the proposed action would allow the City to dispose of the property. The Commission believes that while disposition approval may be appropriate in the future, it acknowledges that the site is located in an area which is within a neighborhood planning study currently being conducted by the Department. The Commission believes that this site, which is over 5,000 square feet in area, located in a predominantly high density residential zoning district with a commercial overlay,

and proximity to mass transit and active commercial uses, would benefit from the conclusions of that study. The Bronx Borough President has also asked that “when a specific plan for this site’s development is ultimately realized, that both my office and Bronx Community District #4 be privy to these plans”.

The Commission therefore believes that its disposition should be delayed until more progress can be made on the ongoing neighborhood study. Therefore, the Commission is modifying its disposition approval to restrict the disposition from auction for one year to facilitate further study of this property by the Department of City Planning in consultation with DCAS and other city agencies to determine an appropriate future use of the site.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that the disposition of one city-owned property located at Block, 2856, Lot 51 in the Borough of the Bronx, Community District 4, proposed in an application by the Department of Citywide Administrative Services, dated June 25, 2014, is approved with the following condition:

The property located at 1337 Jerome Avenue (Block 2856, Lot 51) shall be withheld from public auction until a date no earlier than June 25, 2015.

The above resolution (C 140231 PPX), duly adopted by the City Planning Commission on June 25, 2014 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Bronx Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**CARL WEISBROD, Chairman,**  
**KENNETH J. KNUCKLES, ESQ., Vice-Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,**  
**MARIA M. DEL TORO, JOSEPH I. DOUEK, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners**



# Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #: **C140231PPX**

Project Name: **Disposition of City-owned Property**

CEQR Number: **Type II**

Borough(s): **The Bronx**

Community District Number(s): **04**

Please use the above application number on all correspondence concerning this application

## SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

### Project Description

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 1337 Jerome Avenue (Block 2856, Lot 51), pursuant to zoning.



Applicant(s): Dept. of Citywide Administrative Services (DCAS) Municipal Building One Centre Street, 20th Floor North New York, NY 10007	Applicant's Representative: Chris Grove, Senior Planner Dept. of Citywide Administrative Services (DCAS) 212.386.0613
Recommendation submitted by: Bronx Community Board 4	
Date of public hearing: <i>March 25, 2014</i> Location: <i>Bronx Museum of the Arts 1040 Grand Concourse</i>	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>	
Date of Vote: <i>March 25, 2014</i> Location: <i>13x Museum of the Arts - 1040 6 C Bx, NY 10456</i>	
<b>RECOMMENDATION</b> <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>	
<b>Voting</b> # In Favor: <i>28</i> # Against: <i>1</i> # Abstaining: <i>0</i> Total members appointed to the board: <i>39</i>	
Name of CB/BB officer completing this form <i>Jose Rodriguez, District Manager</i>	Title <i>District Manager</i> Date <i>3/27/14</i>

**BOROUGH PRESIDENT  
RECOMMENDATION**

**CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
Fax # (212)720-3356**

**INSTRUCTIONS**

- 1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
- 2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

**APPLICATION NOS: C 140231 PPX**

**DOCKET DESCRIPTION**

**PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

**COMMUNITY BOARD NO: 4**

**BOROUGH: THE BRONX**

**RECOMMENDATION**

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

**EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)**

**PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION**

*Ruben Delfino*  
**BOROUGH PRESIDENT**

*5/2/14*  
**DATE**

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION**  
**ULURP APPLICATION NO: C 140231 PPX**  
**Disposition of One City-owned property**  
**May 2, 2014**

**DOCKET DESCRIPTION**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Service (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 1337 Jerome Avenue, (Block 2856, Lot 51), pursuant to zoning.

**BACKGROUND**

Approving this application will facilitate the disposition of one city owned property, 1337 Jerome Avenue, (Block 2856, Lot 51), pursuant to zoning. This site is located in Bronx Community District #4 and is on the west side of Jerome Avenue, between West 170<sup>th</sup> Street to the north and Marcy Place to the south. The site (Lot 51) is an irregularly shaped lot comprising of 6,516 square feet of property. Located on the site is a vacant, one-story commercial building consisting of 6,250 square feet. Lot 51 is situated in two zoning districts, these include M1-2 and an R8/C2-4. A majority of the building, including the frontage of 1337 Jerome Avenue, is located in the R8/C2-4 zone. The C2-4 overlay allows for local shops and restaurants as well as funeral-parlors and repair services.

Development of the surrounding community is typified by one-story buildings accommodating retail activity as well as auto repair shops. Residential development includes five- and six-story multi-family structures situated to the east and west of the site. Mass transportation access is provided at 170<sup>th</sup> Street to the #4 train which operates above ground on Jerome Avenue. Additional subway service is provided via the "D" Train on the Grand Concourse approximately five blocks east of the site. Bus transportation operates on 170<sup>th</sup> Street and on the Grand Concourse.

**ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

This application was reviewed pursuant to CEQR and SEQR and received a Type II Designation. The City Planning Commission certified this application as complete on February 18,2014.

**BRONX COMMUNITY BOARD PUBLIC HEARING**

Bronx Community Board #4 called a public hearing on this application on March 25, 2014. A vote recommending approval of this application was 28 in favor, one against and zero abstaining.

**BOROUGH PRESIDENT'S PUBLIC HEARING**

The Bronx Borough President convened a public hearing on this application on May 1, 2014. Representatives of the applicant were present and spoke in favor of this application. No other members of the public were present and the hearing was closed.

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

The disposition of surplus property is beneficial to the city, as it returns such sites to the private sector for development. With specific reference to this site, I am especially pleased to note that much of this property is located in an R8 zone, suggesting that residential development is likely along with retail development pursuant to the C2-4 overlay.

I believe the location of this site, its proximity to mass transit and the vigorous commercial activity now in place on 170<sup>th</sup> Street provides a developer with a potentially a high-profile project location. I therefore would request that when a specific plan for this site's development is ultimately realized, that both my office and Bronx Community District #4 be privy to these plans. Given this site's current zoning and its strategic location, I believe this caveat is necessary.

I concur with Bronx Community Board #4 and recommend approval of this application.