



December 5, 2018 / Calendar No. 13

C 190026 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 properties located at 4697 Third Avenue (Block 3041, Lots 38 and 40) 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 to be selected by HPD;

to facilitate a mixed-use building containing approximately 52 affordable housing units and commercial space in Borough of the Bronx, Community District 6.

This application (C 190026 HAX) was filed on July 31, 2018 by HPD. The applicant requests an Urban Development Action Area designation and project approval and disposition of City-owned property at 4697 Third Avenue (Block 3041, Lots 38 and 40), Borough of the Bronx, Community District 6.

Approval of three matters is required:

- 1) The designation of property located at 4697 Third Avenue (Block 3041, Lots 38 and 40) as an Urban Development Action Area; and
- 2) An Urban Development Action Area Project (UDAAP) for such area; and
- 3) The disposition of such property to a developer selected by HPD

Approval of these actions would facilitate the construction of a new eight-story mixed-use development of approximately 47,561 square feet of floor area. The proposed development comprises 52 affordable housing units and ground floor retail space.

HPD states in its application that:

The Project Area consists of land 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 Development is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.

BACKGROUND

HPD seeks UDAAP designation, project approval, and disposition of City-owned property located at 4697 Third Avenue (Block 3041, Lots 38 and 40). The property is located in a C4-5X zoning district in the Belmont neighborhood of Bronx Community District 6. The action would facilitate the construction of an eight-story mixed-use building containing approximately 52 affordable dwelling units and retail space on the ground floor.

In 2010 the project area, which is coterminous with the development site, was rezoned from a C8-3 district to a C4-5X district as part of the Third Avenue/Tremont Avenue Rezoning (C 100407 ZMX). In this rezoning, 75 blocks along the Third Avenue and Tremont Avenue corridors were rezoned to promote new opportunities for residential and commercial development. The Inclusionary Housing program was applied to the area to incentivize development of affordable housing by allowing a 33 percent floor area bonus for projects that allocate 20 percent of the residential floor area as permanently affordable.

The project area comprises approximately 9,541 square feet of total lot area (5,031 and 4,510 square feet on Lots 38 and 40, respectively) and is located on the western side of Third Avenue, between Cyrus Place and East 188th Street. The site has approximately 104 feet of frontage on Third Avenue and extends to a depth of 104-124 feet. It is currently owned by the City of New York. There is one curb cut in the middle of the block along East 188th Street. The project area

is currently vacant, but was recently used as a parking lot for City vehicles. The vehicles will be parked at nearby lots in the future.

The proposed development would comprise approximately 47,561 square feet of total floor area, for a total floor area ratio (FAR) of approximately 4.96. The building would include approximately 40,416 square feet of residential use, and approximately 7,144 square feet of retail space on the ground floor. No parking is being proposed for the development.

The surrounding area contains a range of building forms. Residential uses consist primarily of four- to six-story buildings, some of which have commercial space on the ground floor along Park and Washington avenues. There are also attached and semi-detached single- and two-family homes in the study area along Cyrus Place and East 187th Street. A larger, 15-story residential building is at the southeast corner of East 188th Street and Washington Avenue. Commercial and industrial uses along Third Avenue are predominantly located on the first, second and third stories.

Public facilities in the surrounding area include a post office, a New York State Department of Labor office, and St. Barnabas Hospital. There are several schools, including Fordham University, two blocks north of the project area, along with several public elementary, middle and high schools.

The area is well-served by public transit and roadways. The B and D subway lines run below ground along Grand Concourse with a stop at Fordham Road, about a half mile west. The elevated 4 line that runs along Jerome Avenue is approximately $\frac{3}{4}$ mile west. The Fordham Metro-North train station is located at Fordham Plaza, a five-minute walk north of the project area, and is served by the Harlem, New Canaan, and New Haven lines. The Fordham Plaza Bus Terminal provides access to the BX1, BX2, BX9, BX12, BX15, BX17, BX22, BX34, BX41 and BXM4 bus lines, as well as several bus lines that serve Westchester County.

ENVIRONMENTAL REVIEW

This application (C 190026 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order 91 of 1977. The lead agency is HPD. The designated CEQR number is 18HPD064X.

After a study of the potential environmental impacts of the proposed actions, a Negative Declaration was issued on August 3, 2018.

UNIFORM LAND USE REVIEW

This application (C 190026 HAX) was certified as complete by the Department of City Planning on August 6, 2018, and was duly referred to Community Board 6 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 6 held a public hearing on this application (C 190026 HAX) on September 12, 2018, and on that date, by a vote of 23 in favor, one opposed and three abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application (C 190026 HAX), was considered by the Bronx Borough President, who issued a recommendation approving the application on October 18, 2018.

City Planning Commission Public Hearing

On, October 17, 2018 (Calendar No. 1), the Commission scheduled October 31, 2018 for a public hearing on this application (C 190026 HAX). The hearing was duly held on October 31, 2018 (Calendar No. 25).

Two speakers testified in favor of the application. A representative of HPD summarized the proposal and provided a brief history of the site. The developer provided details about the

proposal and how it would fit with the neighborhood context.

CONSIDERATION

The Commission believes that this application for UDAAP designation, project approval and disposition of City-owned property (C 190026 HAX), is appropriate.

The proposed project will improve a currently vacant City-owned site with a new 100 percent affordable mixed-use building with ground floor commercial space. It will return the site to productive use and provide much-needed affordable housing in this transit-rich neighborhood. The income levels for the 52 residential units will be assured in a regulatory agreement to be signed at the project's closing. The Commission also notes that this rezoning would be consistent with 2010 rezoning that sought to promote new opportunities for residential and commercial development.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and

WHEREAS, the Department of Housing Preservation and Development has recommended the designation of property located at 4697 Third Avenue (Block 3041, Lots 38 and 40) in Community District 6, Borough of the Bronx, as an Urban Development Action Area;

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 further **RESOLVED**, that the City Planning Commission, after due consideration of the appropriateness of the actions, certifies its unqualified approval of the following matter pursuant to the Urban Development Action Area Act:

- a) The designation of property located at 4697 Third Avenue (Block 3041, Lots 38 and 40) as an Urban Development Action Area and

b) An Urban Development Action Area Project for such area; and

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 the report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at 4697 Third Avenue (Block 3041, Lots 38 and 40) in Community District 6, Borough of the Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved.

The above resolution (C 190026 HAX), duly adopted by the City Planning Commission on December 5, 2018 (Calendar No. 13), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirement of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKES, *Esq.*, *Vice Chairman*

ALLEN P. CAPPELLI, *Esq.*, **ALFRED C. CERULLO, III**,

MICHELLE R. de la UZ, **JOSEPH I. DOUEK**,

RICHARD W. EADDY, **CHERYL COHEN EFFRON**,

HOPE KNIGHT, **ANNA HAYES LEVIN**,

ORLANDO MARÍN, **LARISA ORTIZ**, **RAJ RAMPERSHAD**, *Commissioners*



**CITY OF NEW YORK
BRONX COMMUNITY BOARD 6**

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Honorable Ruben Diaz Jr., Bronx Borough President

MS. EVONNE CAPERS
Board Chairperson

MR. JOHN SANCHEZ
District Manager

9/18/18

To Whom It May Concern,

On September 12th, 2018 Bronx Community Board 6 held its General Board Meeting and convened a public hearing on ULURP Application C190026HAX which would facilitate the development of an 8-story mixed use building containing 53 units of residential housing and 9,898 sq. feet of commercial space at 4697 Third Ave Bronx, NY 10458 (Block 3041, Lot 38). After hearing the developer's presentation, Bronx Community Board 6 recommended this project for approval by a vote of 23 in support, 1 opposed, and 3 abstentions. The board views this development positively and we support its intention to providing more affordable housing in our community. Please don't hesitate to contact us at bronxcb6@bronxcb6.org or 718-579-6990 if you have further questions.

Sincerely,

John Sanchez
District Manager
Bronx Community Board 6

Evonne Capers
Board Chairperson
Bronx Community Board 6

*Honorable Ritchie Torres,
City Council Member, 15th Council District*

*Honorable Rafael Salamanca,
City Council Member, 17th Council District*

**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.

APPLICATIONS NOS: C 190026 HAX

DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. #6

BOROUGH: BRONX

RECOMMENDATION

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

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary): PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 190026 HAX
4697 3rd Avenue

DOCKET DESCRIPTION

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 properties located at 4697 3rd Avenue (Block 3041, Lots 38 and 50) 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 to be selected by HPD;

To facilitate a mixed-use building containing approximately 52 affordable housing units and commercial space in Borough of The Bronx, Community District #6.

BACKGROUND

Approval of this application will facilitate construction of an eight-story mixed-use building to be located on the northwest corner of 3rd Avenue, between Cyrus Place on the south and East 188th Street on the north. The site is composed of 9,541 square feet of total lot area, offering 104 feet of frontage on 3rd Avenue. It is currently vacant, although it previously was used as an off-street parking lot. This site is zoned C4-5X and is located in Bronx Community District #6 and is within a Transit Zone.

The proposed as-of-right development will offer 47,561 square feet of total floor area (61,257 gross square feet), FAR of 4.96. This building will offer 52 units, plus 1-superintendent unit of affordable housing, approximating 40,416 square feet. Retail space will consist of 7,145 square feet. The residential unit allocation includes:

- Seven-Studio Units: 426 Gross Square Feet
- 19- 1 Bedroom Units: 596 Gross Square Feet
- 20- 2 Bedroom Units: 825 Gross Square Feet
- Seven- 3 Bedroom Units: 1,008 Gross Square Feet

Amenities to be included within the building include:

- Garden-terrace and playground for passive recreation: 2,324 Square Feet*
- On-site gym: 431 Square Feet
- Laundry room: 317 Square Feet
- Bike room

*Residents will have access to sections of this garden area for the planting of fruit and vegetables.

Retail/commercial space will include approximately 104 feet of frontage on 3rd Avenue, offering approximately 7,145 square feet of retail space.

This proposed building will satisfy Passive House environmental standards, which are the most demanding of all environmental ratings. As such, this building will include:

- Rainwater recapture for the purpose of toilet services
- Solar panels to reduce conventional energy consumption
- Energy recovery ventilation systems
- Air condensing boiler systems
- Energy rated appliances
- Interior noise and installation systems to minimize heat/cooling loss and interior noise
- Window installations that maximize heat/cooling retention

The affordability of this project will satisfy Mandatory Inclusionary Housing (MIH) mandates including:

- 10% of total units at 30% of Area Median Income (AMI) or less
- 10% of total units at 30% of AMI
- 10% of total units at 40% of AMI
- 10% of total units at 50% of AMI
- 60% of total units at 60%-80% of AMI

Development of the surrounding community includes:

- Two-family homes and mid-rise residential buildings
- Extensive retail development located on 3rd Avenue, Fordham Road approximately one block north, Webster Avenue one block west of the site
- Professional office building facilities located at Fordham Plaza, two blocks north of the site

- Light industrial auto-related facilities located on 3rd Avenue and on Webster Avenue
- Fordham University's Rose Hill Campus and Roosevelt High School's campus both of which are located two blocks north of the site. Numerous other schools are within a four block radius of the site.
- The Belmont community's "Little Italy" is located within a four block radius of the site
- Saint Barnabas Hospital is with 1/3rd of a mile's distance from the site

Mass transportation access is extensive. Within walking distance (1/2 mile) are:

- Metro North Commuter Railroad's Harlem and New Haven Division services
- Subway services via the "D Train" and #4 Train
- Select Bus Service (SBS) #12
- Bus transit via the BX 1, BX 2, BX9, BX 12, BX15, BX17, BX22, BX34, BX41, Express Bus transit to Manhattan via BXM4, as well as Bee Line Bus services to Westchester County.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The City Planning Commission certified this application as complete on August 6, 2018.

BRONX COMMUNITY BOARD PUBLIC HEARING

A public hearing was held by Bronx Community District #6 on September 12, 2018. A vote recommending approval of this application was 22 in favor, one opposed and three abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on October 9, 2018. Representatives of the applicant were present and spoke in favor of this application. No other members of the public offered testimony and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Although the Department of Housing Preservation and Development (HPD) is the applicant, it is Bronx Pro that has been selected by HPD to develop this specific site, known as 4997 3rd Avenue (Block 3041, Lots 38 and 40). I make note of this because Bronx Pro is perhaps one of the most successful developers of Bronx residential buildings, offering tenants with some of the borough's best maintained properties.

Reviewing the specifics of this application I am especially pleased to note that the site identified for this proposed building will finally be developed. As this site is located within a short distance of East Fordham Road, the borough's most active retail/commercial strip, the

combination of residential and commercial development this project will yield, has the potential of extending the vibrant activity on East Fordham Road, south. Furthermore, given the extensive availability of mass transit, this fact means those commuting to other points in The Bronx, Manhattan or Westchester, will find this location on 3rd Avenue ideal.

I am especially pleased to note that this proposed building will satisfy Passive House environmental requirements. Some of these include the retention of rainwater to service the building's toilets, extensive reliance on solar panels and an energy recovery system that uses the heat created by the heating and cooling systems to power up such systems. This in turn reduces fuel consumption. Windows that minimize heat loss in winter and cooling air in the summer will also reduce energy consumption while increasing the comfort zone for tenants.

On site amenities include an exterior garden area which not only will provide space for passive recreation, but also offer residents an area to be planted by the tenant for the purpose of growing vegetables, etc. An on-site gym for fitness is to be offered as well.

As vacant properties across The Bronx are scarce it is vital that these few remaining sites be developed in a manner that will encourage residents to remain in the community. This can only be realized if the proposed project includes state-of-the-art amenities designed to not only reduce energy consumption, but the costs associated with such consumption. 4697 3rd Avenue will be such a building.

I recommend approval of this application.