

## CITY PLANNING COMMISSION



September 3, 2019 / Calendar No. 6

C 190338 HAX

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a. the designation of property located at 320 Concord Avenue and 745 E. 141st Street (Block 2574, p/o Lot 1) as an Urban Development Action Area; and
  - b. 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 development containing approximately 235 affordable housing units, community facility and/or retail space.

This application (C 190338 HAX) for a designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP), approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development was filed by the New York City (NYC) Department of Housing Preservation and Development on March 22, 2019. The proposed action, along with the related actions, would facilitate the development of four detention facilities that comprise the NYC borough-based jail system in Bronx Community District 1, Brooklyn Community District 2, Manhattan Community District 1 and Queens Community District 9.

### **RELATED ACTIONS**

In addition to the UDAAP designation, project approval and disposition of City-owned property (C 190338 HAX), which is the subject of this report, the following actions are also being considered concurrently with this application:

*System-wide*

C 190333 PSY

Site selection for four new borough-based jail facilities

N 190334 ZRY Text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system

*Bronx*

C 190335 ZSX Special Permit pursuant to ZR Section 74-832

C 190336 ZMX Zoning Map Amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X

N 190337 ZRX Zoning Text Amendment to Appendix F to establish a new Mandatory Inclusionary Housing (MIH) area

*Brooklyn*

C 190339 ZSK Special Permit pursuant to ZR Section 74-832

C 190116 MMK City map amendment to establish upper and lower limiting planes to State Street between Boerum Place and Smith Street

*Manhattan*

C 190340 ZSM Special Permit pursuant to ZR Section 74-832

C 190341 PQM Acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet

C 190252 MMM City map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way

*Queens*

C 190342 ZSQ Special Permit pursuant to ZR Section 74-832

C 190117 MMQ City map amendment to demap 82nd Avenue between 126th Street and 132nd Street

## **BACKGROUND**

A full background discussion and description of this application appear in the report for the related site selection action (C 190333 PSY).

## **ENVIRONMENTAL REVIEW**

The subject application (C 190338 HAX), in conjunction with the applications for related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, N 190337 ZRX, C 190339 ZSK, C 190116 MMK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117 MMQ), was reviewed pursuant 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 (NYCRR), Section 617.00 et seq. and the New York City Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 18DOC001Y. The lead agency is the Department of Correction.

A summary of the environmental review appears in the report on the related application for a site selection (C 190333 PSY).

## **UNIFORM LAND USE REVIEW**

On March 25, 2019 this application (C 190338 HAX), in conjunction with the applications for related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX and N 190337 ZRX), was certified as complete by the Department of City Planning and duly referred to Community Board 1 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) and in accordance with the procedures for non-ULURP matters.

## **Community Board Public Hearing**

Bronx Community Board 1 held a public hearing on this application (C 190338 HAX) on May 23, 2019 and by a vote of 25 in favor, zero opposed and three abstaining, adopted a resolution recommending disapproval of the proposed application. The full recommendation is attached to this report.

The Community Board's full recommendation appears in the report for the related site selection action (C 190333 PSY).

### **Borough President Recommendation**

The Bronx Borough President considered this application (C 190338 HAX) and on July 2, 2019 issued a recommendation disapproving the proposed application. The full recommendation is attached to this report.

The full recommendation appears in the report for the related site selection action (C 190333 PSY).

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

On June 19, 2019 (Calendar No. 6), the CPC scheduled July 10, 2019 for a public hearing on this application (C 190338 HAX). The hearing was duly held on July 10, 2019 (Calendar No. 13) in conjunction with the public hearing on the applications for the related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, N 190337 ZRX, C 190339 ZSK, C 190116 MMK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117 MMQ).

There were a number of speakers, as described in the report for the related site selection action (C 190333 PSY), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for an Urban Development Action Area designation, project approval and disposition of City-owned property (UDAAP) is appropriate.

A full description of the Commission's consideration appears in the report for the related site selection action (C 190333 PSY).

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 23, 2019, with respect to this application (CEQR No.

18DOC001Y), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation 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

**WHEREAS**, the Department of Housing Preservation and Development has recommended the designation of property located at located at 320 Concord Avenue and 745 E. 141st Street (Block 2574, p/o Lot 1), in Community District 1, Borough of 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 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 matters pursuant to the Urban Development Action Area Act:

- a) the designation of property located at 320 Concord Avenue and 745 E. 141st Street (Block 2574, p/o Lot 1), 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:
  - i. The present status of the area tends to impair or arrest sound development of the

municipality;

ii. 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

iii. The project is consistent with the policy and purposes stated in the Section 691 of the Urban Development Action Area Act, 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 this report, the application of the Department of Housing Preservation and Development, for the disposition of city-owned property located at 320 Concord Avenue and 745 E. 141st Street (Block 2574, p/o Lot 1) in Community District 1, Borough of Bronx, to a developer to be selected by the Department of Housing Preservation and Development, is approved (C 190338 HAX).

The above resolution (C 190338 HAX), duly adopted by the City Planning Commission on September 3, 2019 (Calendar No. 6), 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.

**MARISA LAGO**, *Chair*

**KENNETH J. KNUCKLES, ESQ.**, *Vice Chairman*

**DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ**, *Commissioners*

**ALFRED C. CERULLO III, ORLANDO MARIN, RAJ RAMPERSHAD**,  
*Commissioners, Voting No*