



IN THE MATTER OF an application submitted by Throggs Neck Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4b:

1. eliminating from within an existing R4-1 District a C1-2 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and a line 100 feet easterly of Revere Avenue;
2. eliminating from within an existing R4A District a C1-2 District bounded by Meyers Street, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
3. eliminating from within an existing R4A District, a C2-2 District bounded by a line 175 feet northwesterly of Bruckner Boulevard, a line 100 feet northeasterly of East Tremont Avenue, Meyers Street, and East Tremont Avenue;
4. changing from an R4-1 District to an R5B District property bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Boulevard (southeasterly portion), and a line 100 feet easterly of Balcom Avenue and its southerly prolongation;
5. changing from an R4-1 District to an R6A District property bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and Revere Avenue;
6. changing from an R4A District to an R6A District property bounded by a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
7. establishing within the proposed R5B District a C2-4 District bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Expressway, and a line 100 feet easterly of Balcom Avenue and its southerly prolongation; and
8. establishing within the proposed R6A District a C2-4 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue,

a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and Revere Avenue;

Borough of the Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated March 28, 2022, and subject to the conditions of CEQR Declaration E-669.

This application (C 220007 ZMX) for a zoning map amendment was filed by Throggs Neck Associates LLC on July 22, 2021. This application, in conjunction with the related action (N 220008 ZRX), would facilitate the development of four mixed-use buildings, ranging between three and eight stories in height, containing a total of approximately 324,000 square feet, including 349 residential units, 99 of which would be permanently affordable, as well as approximately 53,00 square feet of commercial and community facility floor area, in the Schuylerville neighborhood of The Bronx, Community District 10.

RELATED ACTIONS

In addition to the zoning map amendment (C 220007 ZMX) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

N 220008 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area

BACKGROUND

The applicant requests a zoning map amendment to change R4A/C1-2, R4A, R4-1/C2-4 and R4-1 zoning districts to R6A/C2-4, R6A and R5B/C2-4 zoning districts, as well as a zoning text amendment to designate a new MIH area coterminous with the R6A/C2-4 and R6A zonings districts. The project area consists of 35 tax lots on four blocks (Block 5312, Lots 1, 10, 19, and p/o 21; Block 5309, Lot 1, 7, 11, 35, 36, 41, 42, 44, 47, 50, 54, and p/o 60; Block 5306, Lots 8, 18, 19, 22, 23, 28, 30, 31, and 231; Block 5307, Lots 55, 58, 61, 63, 64, 66, 67, 73, 75, and 76) located on the norther side of Bruckner Expressway between Crosby Avenue to the east and Balcom Avenue to the west, in the Schuylerville neighborhood of The Bronx. The project area includes four development sites spread over four blocks: Development Site A (Block 5312, Lot

1); Development Site B (Block 5309, Lots 35, 36, 41, 42, 44, 47, and 50); Development Site C (Block 5306, Lots 8, 18, 19, 22, and 23); and Development Site D (Block 5307, Lots 55, 58, 61, 63, 64, 66 and 67). In addition the development sites, the project area also contains 15 lots that are not owned or controlled by the applicant.

Bruckner Expressway is a 200-foot-wide, major north-south freeway that connects the Triborough Bridge to the south end of the New England Thruway at the Pelham Parkway Exchange. The Bruckner passes through several neighborhoods throughout the Bronx, including Port Morris, Hunts Point, Soundview, Throggs Neck, Schuylerville and Pelham Bay Park. East Tremont Avenue is a 100-foot-wide thoroughfare passes through several neighborhoods and connects Throggs Neck to West Bronx. Within Schuylerville, East Tremont serves as the main commercial corridor, and is located within a Business Improvement District mapped between Bruckner Expressway to the north and Miles Avenue to the south.

The area surrounding the development sites is primarily developed with low-rise residential, commercial buildings and community facilities. Crosby Avenue is an 80-foot-wide thoroughfare predominantly developed with residential uses, including one- and two-family homes, as well as multifamily residential buildings. Balcom Avenue is a 60-foot-wide street characterized by two- to six-story mixed-used residential buildings and some open spaces. Buildings range from one- and two-story houses, to six- and seven-story multifamily buildings, to eight-story community facility buildings.

Development Site A (Block 5312, Lot 1) has a total lot area of 39,624 square feet and approximately 162 feet of frontage on Bruckner Expressway and 245 feet on Crosby Avenue. It is currently improved with a one-story grocery store with 52 surface parking spaces and approximately 19,800 square feet with a floor area ratio (FAR) of 0.50.

Development Site B (Block 5309, Lots 35, 36, 41, 42, 44, 47, and 50) has a total lot area of 28,242 square feet and has approximately 238 feet of frontage on Bruckner Expressway and 175 feet on Edison Avenue. In total, the buildings include approximately 7,436 square feet with an FAR of 0.25. Lot 35 is an 8,351-square-foot vacant lot. Lot 35 is an unmapped and unbuilt street. Lot 36 is a 2,766-square-foot lot occupied by an approximately 1,826-square-foot vacant two-story residential building with two units. Lot 41 is a 602-square-foot lot occupied by a vacant

519- square-foot one-story commercial building. Lot 42 is an 1,819-square-foot lot occupied by a 2,090-square-foot two-story residential building with two units. Lot 44 is a 5,482-square-foot lot occupied by a vacant 3,000-square-foot one-story commercial building. Lot 47 is a 3,657-square-foot vacant lot. Lot 50 is a 5,476-square-foot lot occupied by an approximately 2,238-square-foot two-story commercial building.

Development Site C (Block 5306, Lots 8, 18, 19, 22, and 23) has a total lot area of 17,847 square feet and has approximately 117 feet of frontage on Bruckner Expressway and 203 feet on Revere Avenue. Lot 8 is a 3,294-square-foot lot. Lot 18 is a 2,355-square-foot lot. Lot 19 is a 5,100-square-foot lot. Lot 22 is a 2,454-square-foot lot and Lot 23 is a 4,644-square-foot lot. All the lots are currently vacant.

Development Site D (Block 5307, Lots 55, 58, 61, 63, 64, 66 and 67) has a total lot area of 17,406-square-feet and approximately 310 feet of frontage on Bruckner Boulevard. Lot 55 is a 14-square-foot vacant lot. Lot 58 is a 675-square-foot vacant lot. Lot 61 is a 1,690-square-foot vacant lot. Lot 63 is a 1,222-square-foot vacant lot. Lot 64 is a 1,466-square-foot vacant lot. Lot 66 is a 1,702-square-foot vacant lot. Lot 67 is 11,180-square-foot vacant lot. All the lots are currently fenced off, vacant, and overgrown.

The project area includes 15 sites that are not owned by the applicant. Block 5312 within the project area includes non-applicant owned Lots 10, 19, and p/o 21, all fronting Edison Avenue. Lot 10 is a 4,797-square-foot corner lot fronting both Bruckner Expressway and Edison Avenue, improved with a 3,733-square-foot one-story office building. Lot 19 is a 2,725-square-foot interior lot fronting Edison Avenue improved with a 1,396-square-foot one-story residential building. The approximately 11.5-foot portion of Lot 21 is a 1,640-square-foot interior lot fronting Edison Avenue is improved with a 1,320-square-foot two-story residential building.

Block 5309 includes non-applicant owned Lots 1, 7, 11, 54, and p/o 60. Lot 1 is a 1,650-square-foot corner lot fronting both Bruckner Expressway and East Tremont Avenue, improved with a 1,595-square-foot one-story commercial building. Lot 7 is a 5,657-square-foot interior lot fronting East Tremont Avenue improved with a 4,000-square-foot two-story commercial building. Lot 11 is a 5,765-square-foot interior lot fronting East Tremont Avenue improved with a 7,60-square-foot three-story mixed-use building with commercial uses on the ground floor and

two dwelling units on the upper floors. Lot 60 is a 20,475-square-foot lot largely comprised of Meyers Street, a mapped unbuilt street.

Block 5306 includes non-applicant owned Lots 28, 30, 31, and 231. Lot 28 is a 3,172-square-foot interior lot fronting East Tremont Avenue improved with a 1,912-square-foot two-story commercial building. Lot 30 is a 2,550-square-foot interior lot fronting East Tremont Avenue improved with a 4,227-square-foot two-story mixed used building with commercial on the ground floor and two dwelling units on the upper floor. Lot 31 is a 4,952-square-foot interior lot fronting East Tremont Avenue improved with a 4,500-square-foot two-story commercial building. Lot 231 is a 3,465-square-foot corner lot fronting Bruckner Expressway and East Tremont Avenue and it is improved with a 1,540-square-foot two-story mixed used building with commercial use on the ground floor and one dwelling unit on the upper floor.

Block 5307 includes non-applicant owned Lots 73, 75, and 76. Lot 73 is a 2,500-square-foot interior lot fronting Bruckner Expressway improved with a 2,496-square-foot two-story multi-family residential building. Lot 75 is a 2,500-square-foot interior lot fronting Bruckner Expressway improved with two accessory parking spaces and a 400-square-foot two-story multi-family residential building with three accessory parking spaces. Lot 76 is a 5,000-square-foot interior lot fronting Bruckner Expressway improved with a 1,920-square-foot two-story multi-family residential building and an accessory parking garage.

The area surrounding the project area includes a variety of lower-density residential zoning districts, as well as commercial overlays, including R3A, R4-1, R4A, R3A/C1-2, R3A/C2-2, R4A/C1-2, and R4A/C2-2. R3A zoning districts allow low density single and two-family detached residences with a maximum FAR of 0.50. R4-1 and R4A zoning districts are contextual zoning districts that allow a wide range of low-density housing types, both with a maximum FAR of 0.75. C1-2 and C2-2 commercial overlays are typically mapped within residential zoning districts with high off-street parking requirements. When mapped in R1 through R5 zoning districts, these commercial overlays allow a maximum commercial FAR of 1.0.

The project area was originally mapped with an R4 zoning district but was rezoned in 2004 to the current R4A, R4A/C1-2, R4-1, and R4-1/C1-2 zoning districts in the Throggs Neck Area Rezoning (C 040479 ZMX, et al.) initiated by the Department of City Planning. The Throggs

Neck Rezoning changed R4 zoning districts to lower density or contextual districts and added Bronx Community District 10 to the list of areas governed by the Lower Density Growth Management (LDGMA) regulations, which require new developments to provide better site design options while balancing the need for providing adequate parking and maintain yards and open space.

The project area is split between R4A and R4-1 zoning districts. The eastern portion of the project area along Bruckner Expressway is located within an R4A zoning district, which extends on the northerly side of Bruckner Expressway between East Tremont and Crosby avenues. A C1-2 commercial overlay is mapped with a depth ranging between 100 to 150 feet along the Bruckner Expressway. The western portion of the project area, along the northerly side of Bruckner Expressway, is located within an R4-1 zoning district that extends from East Tremont and Balcom avenues. A C1-2 commercial overlay is mapped to a depth of 100 feet along the East Tremont Avenue.

R4-1 and R4A zoning districts are contextual residential districts that allow a wide range of low-density housing types. R4-1 zoning districts allow a maximum FAR of 0.75 for residential uses and 2.0 for buildings containing certain community facility uses. In LDGMAs, the FAR may be increase by up to 20 percent under certain circumstances. In both R4-1 and R4A zoning districts located in LDGMAs, the maximum perimeter wall height is 25 feet, and 21 feet, respectively, and the maximum building height is 35 feet.

C1-2 commercial overlay are typically mapped within residential districts with high off-street parking requirements. This overlay is mapped along streets that serve local retail needs and is found widely throughout lower- and medium-density areas and occasionally in higher-density districts. When mapped in R4 zoning districts, C1-2 overlays allow a maximum commercial FAR of 1.0. In mixed-use buildings, commercial uses are limited to one or two floors and must be located below residential uses.

There are community facilities interspersed throughout the surrounding area, including the Senator John D. Calandra School (PSX014) and New York City Board of Education Building located on the west side of Crosby Avenue, directly across the project area. Miele Park, a 0.39-acre triangular plaza owned and operated by the Department of Parks and Recreation, is located

directly east of Development Site A. The northern portion of St. Raymond's Cemetery, a 180-acre Catholic cemetery, is located north and northeast of the project area.

Although the project area is located outside of the Transit Zone, it is served by public transit. There are several bus lines proximate to the project area, including the Bx5 (Pelham Bay Park/Hunts Point), Bx8 (Locust Point/Williamsbridge), Bx40/Bx42 (Throggs Neck/River Park Towers), BxM8 (Pelham Bay/City Island/Midtown), and the Q50 (Co-Op City/Pelham Bay/Flushing) bus lines. FRESH discretionary tax incentives are available in the surrounding area. Additionally, the area is served by the 6 subway line, with the Buhre Avenue located at the intersection between Westchester and Crosby Avenue, approximately a mile from the project area.

The applicant proposes to change R4A/C1-2, R4A, R4-1/C2-4 and R4-1 zoning districts to R6A/C2-4, R6A and R5B/C2-4 zoning districts, as well as a zoning text amendment to designate a new MIH area. These actions would facilitate the four developments containing a total of approximately 324,000 square feet, including approximately 269,000 square feet of residential floor area, and 53,500 square feet of commercial and community floor area. The residential portion would include a total of 349 dwelling units, 99 of which would be permanently affordable pursuant to MIH Option 2; of the total, 99 units would be income-restricted units for seniors; and 22 units for veterans. The development would include a total of 309 parking spaces.

Development Site A would be developed with an eight-story, approximately 125,000-square-foot building with approximately 126 residential units, 38 of which would be permanently affordable. Additionally, the building would contain approximately 17,000 square feet of commercial use intended to replace the existing grocery store. The proposed development would have a base height of approximately 65 feet and rise to a total height of 85 feet after a 10-foot setback with frontage along Bruckner Expressway and Crosby Avenue. Although 72 parking spaces are required, 190 spaces would be provided.

Development Site B would be developed with a five-story, approximately 101,000-square-foot building with 102 units, 31 of which would be permanently affordable. Additionally, the building would contain approximately 23,000 square feet of commercial and community uses intended for local retail and spaces for youth services. The proposed development would have a total height

of 55 feet without setback with frontage along Bruckner Expressway and Edison Avenue. Although 67 parking spaces are required, 75 spaces would be provided.

Development Site C would be developed with an eight-story, approximately 63,500-square-foot building with approximately 99 income-restricted units for seniors, 30 of which would be permanently affordable. Additionally, the building would contain approximately 13,500 square feet of commercial uses, including office and retail space on the ground floor. The proposed development would have a base height of approximately 65 feet and rise to a total height of 85 feet after a 10-foot setback along the frontages of Bruckner Expressway and Revere Avenue. Although 25 parking spaces are required, 29 spaces would be provided.

Development Site D would be developed with a three-story, approximately 16,800-square-foot building with approximately 22 units for veterans. The proposed development would rise to a total height of 35 feet without setback with frontage along Bruckner Expressway. Additionally, 15 parking spaces would be provided, as required

The applicant proposes to change R4A/C1-2, R4A, R4-1/C2-4 and R4-1 zoning districts to R6A/C2-4, R6A and R5B zoning districts, as well as a zoning text amendment to designate a new MIH area coterminous to the area proposed to be mapped with the R6/C2-4 and R6A zoning districts.

R6A zoning districts typically facilitate contextual medium-density residential buildings, allowing a maximum residential FAR of 3.6 with Inclusionary Housing, and a maximum community facility FAR of 3.0. R6A zoning districts with Inclusionary Housing allow a maximum building base height of between 40 and 65 feet, above which the building must set back 10 feet on a wide street and 15 feet on a narrow street, before rising to a maximum height of 85 feet. Within 25 feet of the boundary of a lower density residential district (such as R4A or R4-1), height is limited to 45 feet to transition to the lower scale of those districts.

R5B is primarily a three-story rowhouse buildings. The maximum FAR is 1.35 with a maximum street wall height of 30 feet, above which the building must set a maximum of 33 feet. The front yard must be at least five feet deep, and it must be at least as deep as one adjacent front yard and no deeper than the other, but it need not exceed a depth of 20 feet. Attached rowhouses do not

require side yards but there must be at least eight feet between the end buildings in a row and buildings on adjacent zoning lots. On-site parking spaces must be provided for 66 percent of the dwelling units although parking can be waived when only one space is required.

The proposed C2-4 commercial overlay allow a range of local-serving commercial uses with a maximum FAR of 1.0 in the R5B district and 2.0 in the R6A district. It would have low off-street parking requirements, and typically result in ground-floor retail or service uses within mixed-use buildings.

The applicant also proposes a zoning text amendment to Appendix F of the Zoning Resolution to designate an MIH area coterminous within the proposed R6A/C2-4 and R6A zoning districts. The proposed text amendment would map MIH Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for permanently affordable housing units for household with incomes averaging 60 percent of the Area Median Income (AMI), with 10 percent of the residential floor area set aside for households with incomes averaging 40 percent of the AMI. Option 2 requires that 30 percent of residential floor area be set aside for permanently affordable housing units for residents with incomes averaging 80 percent of the AMI.

ENVIRONMENTAL REVIEW

The application (C 220007 ZMX), in conjunction with the application for a zoning text amendment (N 22008 ZRX), 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 lead is the City Planning Commission. The designated CEQR number of 22DCP015X.

After a study of the environmental impact of the proposed actions, a Negative Declaration was issued on March 28, 2022. On August 19, 2022, a Revised Environmental Assessment Statement (EAS) was issued to include information related to water and sewer infrastructure analysis. The Revised EAS concludes that the additional information would not alter the conclusions of the EAS issued March 25, 2022. A Revised Negative Declaration was issued on August 22, 2022. The Revised Negative Declaration includes an (E) Designation (E-669) to avoid the potential for

significant adverse impacts related to hazardous materials, air quality, and noise. The requirements of the (E) designation are described in the Revised Environmental Assessment Statement and Revised Negative Declaration.

UNIFORM LAND USE REVIEW

This application (C 220007 ZMX) was certified as complete by the Department of City Planning on March 22, 2022, and duly referred to Bronx Community Board 10 and the Bronx Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 220008 ZRX) which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

On May 19, 2022, Bronx Community Board 10 held a public hearing on this application (C 220007 ZMX) and the related action, and, on May 27, 2022, by a vote of 24 in favor, one opposed, and one abstaining, adopted a resolution recommending disapproval of the application.

Borough President Recommendation

The Bronx Borough president held a two-day public hearing on June 21 and 22, 2022 on the application (C 220007 ZMX) and the related action, and issued a recommendation on June 24, 2022, to approve the application with following conditions:

- That the proposed R6A district along Bruckner Boulevard, between Crosby and Edison avenues, be changed to an R6B district;
- That all temporary construction jobs as well as permanent building service worker jobs be union jobs allocated from the Bronx and with emphasis on Community District 10;
- That a Bronx based organization be used as the administering agent for the affordable housing;
- That every current employee of the grocery store be temporarily relocated will the construction of the proposed development;
- That all residential buildings have at least 30 percent of all non-senior units with a minimum of two bedrooms;
- That all residential units, including senior housing, be built larger than HPD minimums;

- For the City to dedicate resources to fix the infrastructure problems to ensure that new development can be built and still provide services more effectively than today;
- For the City to invest in establishing a multi-agency task force that would work with community boards, local stakeholders, and community organizations to create a plan for how to remediate existing infrastructure issues;
- For the applicant team and city to create homeownership opportunities within the proposed developments and across throughout the community.

City Planning Commission Public Hearing

On June 8, 2022 (Supplemental Calendar No. 1), the City Planning Commission scheduled June 29, 2022, for a public hearing on this application (C 220007 ZMX), in conjunction with the related application for a zoning text amendment (N 220008 ZRX). The hearing was duly held on June 29, 2022 (Calendar No. 10). Twelve speakers testified in favor of the application and 20 in opposition.

Representatives of the applicant spoke in favor the application, describing the actions, the project area, the proposed development and the parking. The representative spoke to the existing conditions and location of the sites adjacent to Bruckner Expressway, as well as changes to the proposed buildings programs, as modified during the public review process. The representative spoke about the affordability of the proposed units, including the addition of senior housing units on the building proposed on Development Site C and units for veterans to be located on Development Site D. The current owners of the existing grocery store discussed the plan to rebuild the space within the proposed development.

Other speakers in favor included the Bronx Borough President, who further explained her recommendation, elaborating on her proposal to modify the proposed rezoning, the benefits of the proposed project and the need to assess the infrastructure in the neighborhood. A representative from 32BJ SEIU stated that the developers have made commitments to create service jobs with a prevailing wage at this site. An Open New York representative highlighted the need for housing throughout the city and in the neighborhood, stating that the units are highly needed. Speakers highlighted space for youth services and local retail, and the extended

provisions of parking spaces beyond the requirements. Other speakers supported the creation of diverse affordable housing in the neighborhood, which has been limited in the past decade.

Speakers in opposition included New York State Assembly Member of the 82nd Assembly District, who stated concerns regarding how the proposed developments would change the built context of the neighborhood. Representatives from the Waterbury Lasalle Community Association stated their belief that Community District 10 does not need more housing. A representative of the Throggs Neck Business Improvement District shared that the rezoning is not needed to enhance the commercial activity in the area, citing and that no new development out of scale should be facilitated before the infrastructure is improved. A Bronx Coalition Against Up Zoning representative, as well as other members from the community, stated concerns regarding neighborhood context, closure of the grocery store, and infrastructure capacity. Several community members also expressed reservations as to why some development sites were not developed or improved for the past decades. Many residents shared, that, from their own personal experiences, Crosby Avenue has constant traffic congestion and would not be able to handle more density. Speakers also noted that, although they acknowledge the need to create new affordable housing in their community and homeownership opportunities, they prefer for it to be developed pursuant to existing zoning regulations.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 220007 ZMX), in conjunction with the related action for a zoning text amendment (N 220008 ZRX), is appropriate.

The requested actions would facilitate four developments containing approximately 324,000 square feet of floor area, including approximately 269,000 square feet of residential floor area, 53,500 square feet of commercial and community facility floor area. The residential portion would include 349 dwelling units, 99 of which would be income-restricted units for seniors and 22 for veterans, in addition to 309 parking spaces.

The Commission finds that the proposed R6A and R5B zoning districts are appropriate. Bruckner Expressway is an approximately 200-foot-wide major arterial. R6A zoning districts results in buildings ranging in height from four to eight stories with an FAR of 3.6. The Commission finds the proposed bulk to be appropriate along this major corridor. The step-down provisions in the zoning limit the height in an R6A to 45 feet within 25 feet of an R4-1 or R4A districts, ensuring a smooth transition from lower scale to medium scale parts of the neighborhood. The R6A zoning district is appropriate, given the lower to medium scale of Site A, B and C. R5B zoning districts are row house districts that include height limits and street wall lineup provisions to ensure that new buildings are consistent with the scale of the existing built context. The R5B is appropriate given the lower scale context of Site D. C2-4 commercial overlays permit a wide range of commercial uses that will help activate this portion of Bruckner Expressway, as well as enhance the existing commercial corridor along East Tremont Avenue.

The Commission finds that the boundaries of the proposed R6A/C2-4 and R5B/C2-4 zoning districts constitute sound land use rationale and a well-considered plan. The medium density districts are appropriate along Bruckner Expressway and East Tremont Avenue, which are wide thoroughfares. The northern boundaries of the proposed districts of Saint Raymonds Cemetery, the prolongation of Meyers Street and the offset of 100 feet from Gifford Avenue respond to the context of the neighborhood while ensuring that future land use patterns are consistent.

The proposed zoning text amendment to map an MIH area with Option 1 and Option 2 is appropriate as it ensures the creation of permanently affordable housing. As currently planned, the project will produce 99 permanently affordable units. Additionally, 99 will be affordable for senior and 22 for veterans, helping to address the urgent need for affordable housing, particularly in areas proximate to transit. The Commission is pleased to note that the project will be the second MIH mapping in Community District 10.

The Commission acknowledges, in response to feedback received during public review, the applicant has agreed to provide additional parking.

The Commission acknowledges the community concerns regarding the validity of the Lower Density Growth Management Area (LDGMA). The LDGMA was established in this area with the intent of protecting the existing character and aligning the zoning to the needs of the

neighborhood. These regulations, such as requiring additional parking and open space are not intended to directly limit housing or prohibit new development. The LDGMA regulations will continue to apply to these sites and would continue to require a higher parking requirement.

Regarding the recommendation by the borough president modify the proposed rezoning of Site A to change from the proposed R6A zoning district to an R6B zoning district, the Commission notes that Site A sits at the corner of the Bruckner Expressway and Crosby Avenue, both wide streets for the purposes of zoning. The relatively higher density of the proposed R6A is supported by the location and context of this site, across the street from PSX014 Senator John Calandra school. While the Commission understands the concerns of the borough president about out of context development, the step-down provisions discussed above will ensure that new development does not damage the character of the adjacent lower scale development.

The Commission further notes the borough president's recommendation that the applicant explore locally based affordable housing development nonprofits to serve as the administering agent is a requirement of the MIH program. The Commission encourages the applicant to continue engagement with the borough president regarding her recommendations to relocate current groceries workers, the breakdown of the units within the senior housing building, the infrastructure assessment of the area and provide homeownership opportunities to the area residents, which are matters beyond the scope of the requested actions.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement (EAS), for which a Revised Negative Declaration was issued on August 22, 2022 with respect to this application (CEQR No. 22DCP015X), the City Planning Commission finds that the action described herein will have no significant impact on the environment and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 4b:

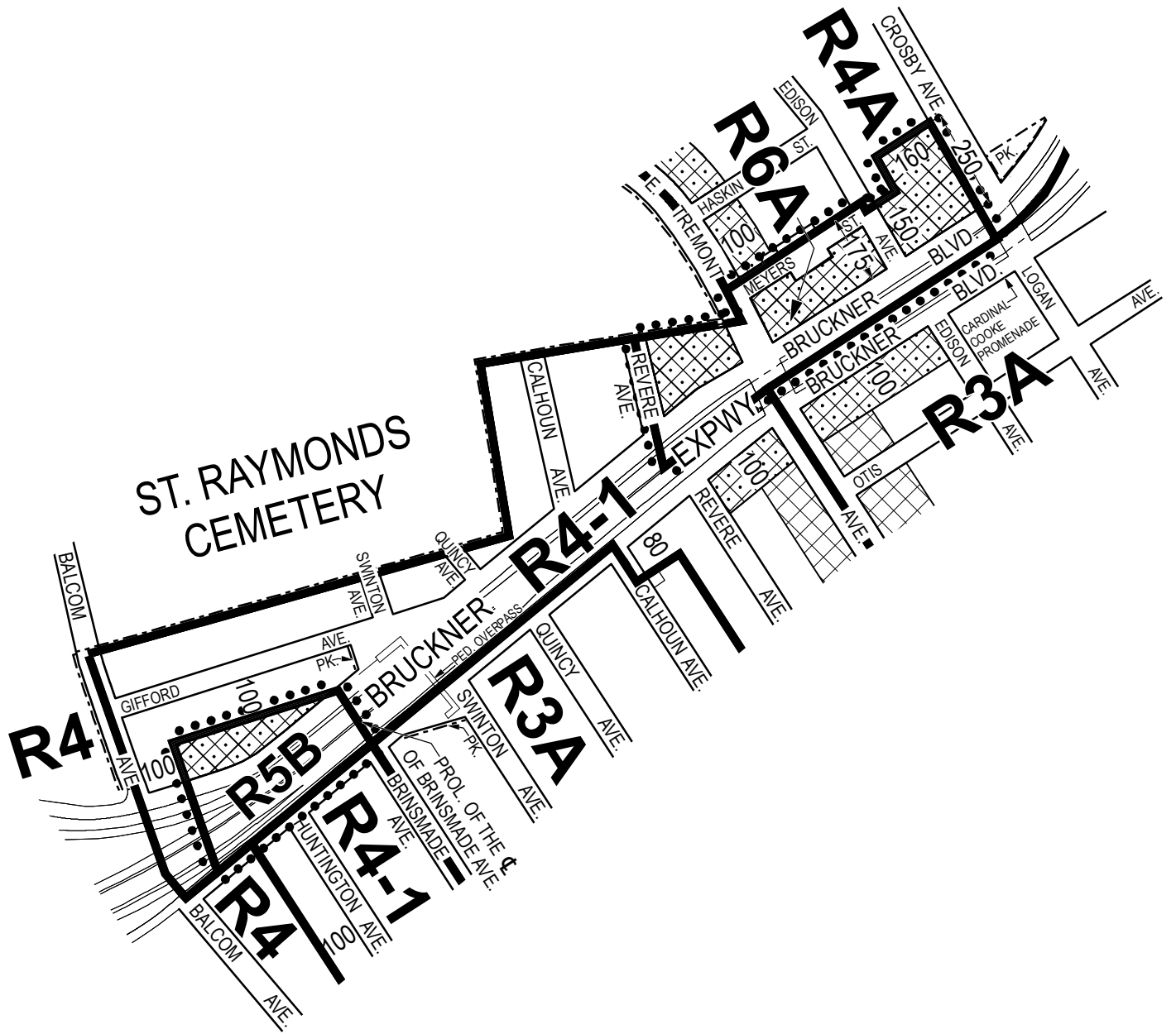
1. eliminating from within an existing R4-1 District a C1-2 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and a line 100 feet easterly of Revere Avenue;
2. eliminating from within an existing R4A District a C1-2 District bounded by Meyers Street, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
3. eliminating from within an existing R4A District, a C2-2 District bounded by a line 175 feet northwesterly of Bruckner Boulevard, a line 100 feet northeasterly of East Tremont Avenue, Meyers Street, and East Tremont Avenue;
4. changing from an R4-1 District to an R5B District property bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Boulevard (southeasterly portion), and a line 100 feet easterly of Balcom Avenue and its southerly prolongation;
5. changing from an R4-1 District to an R6A District property bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and Revere Avenue;
6. changing from an R4A District to an R6A District property bounded by a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
7. establishing within the proposed R5B District a C2-4 District bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Expressway, and a line 100 feet easterly of Balcom Avenue and its southerly prolongation; and
8. establishing within the proposed R6A District a C2-4 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont

Avenue, a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and Revere Avenue;

Borough of The Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated March 28, 2022, and subject to the conditions of CEQR Declaration E-669.

The above resolution (C 220007 ZMX), duly adopted by the City Planning Commission on August 24, 2022 (Calendar No. 5), 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.

KENNETH J. KNUCKLES, Esq., *Vice Chair*
DAVID J. BURNEY, ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, DAVID GOLD,
LEAH GOODRIDGE, RASMIA KIRMANI-FRYE, ORLANDO MARIN, JUAN
CAMILO-OSORIO, RAJ RAMPERSHAD, *Commissioners*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

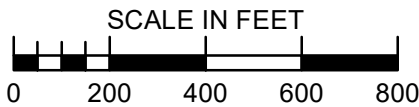
4b

**BOROUGH OF
BRONX**

S. Lenard, Director
Technical Review Division



New York, Certification Date:
March 28, 2022



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by eliminating C1-2 Districts from with existing R4-1 and R4A Districts, by changing R4-1 and R4A Districts to R5B and R6A Districts, and by establishing C2-4 Districts within the proposed R5B and R6A Districts.
- Indicates a C1-2 District
- Indicates a C2-2 District
- Indicates a C2-4 District



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: Bruckner Sites Rezoning	
Applicant: Throggs Neck Associates LLC	Applicant's Primary Contact: Akerman LLP
Application # 220007ZMX	Borough:
CEQR Number: 22DCP015X	Validated Community Districts: X10

Docket Description:

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

RECOMMENDATION: Unfavorable			
# In Favor: 24	# Against: 1	# Abstaining: 0	Total members appointed to the board: 26
Date of Vote: 5/19/2022 4:00 AM		Vote Location: 3573 Bruckner Boulevard	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 5/19/2022 11:00 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	Greek American Institute, 3573 Bruckner Boulevard, 10461

CONSIDERATION: Resolved...at the recommendation of the Housing and Zoning Committee that the Committee draft a letter of disapproval to the City of New York City Planning Commission on the matter of Uniform Land Use Review Procedure (ULURP) Application C220007ZMX and that this be forwarded to the Full Board for its approval. Motion passed 24 to 1 with 1 ineligible to vote.		
Recommendation submitted by	BX CB10	Date: 5/27/2022 1:23 PM



Hon. Vanessa L. Gibson
Borough President

BRONX COMMUNITY BOARD No. 10

3165 East Tremont Avenue • Bronx, New York 10461

Tel: (718) 892-1161 • Fax: (718) 863-6860

E-mail: bx10@cb.nyc.gov

Facebook.com/BronxCommunityBoard10

Website: www.nyc.gov/bronxcb10

Instagram & Twitter @BronxCB10



Joseph Russo
Chairperson

Matthew Cruz
District Manager

May 20, 2022

Daniel Garodnick, Chairperson

City Planning Commission

120 Broadway, 31st Floor

New York, NY 10271

Dear City Planning Commission Chairperson Gardonick,

We write to you and the Commission today to inform you of our overwhelming vote of disapproval by a margin of 24 to 1 on Uniform Land Use Review (ULURP) application C2200072MX.

As you know, the application, known as Bruckner Sites Rezoning, seeks to undo the changes in zoning that this Community Board, alongside the City of New York Department of City Planning (NYCDCP), had long advocated and supported from 2004-2011 with the help of you and your then colleagues at the New York City Council. It should be noted that the Department you now lead stood with us every step of the way and authored the plan we unanimously approved in the form of contextual zoning and the designation of Bronx Community District #10 as a Lower Growth Density Management Area (LDGMA) with the help of you and the then New York City Council. The Department, with this private applicant, now seeks to undo what it did with an apparent spot-zoning application, a practice that has been frowned upon for years by the Department.

We believe the future of this city also depends upon the diversity of its housing stock. The density proposed in the Bruckner Sites Rezoning would be unprecedented. It is also proposed along the I-95 corridor where study after study ranks The Bronx last in health outcomes because the confluence of highways contributing to high asthma rates. To be sure, there remains many transit-rich communities, particularly in Manhattan, that can accommodate the density proposed for this community and in similar ones within the outer-boroughs.

Our community is not anti-development. We very much support development that is as-of-right and that is in full compliance with current zoning and building code. It is not the responsibility of the Community Board to accommodate a spot-zoning application for properties that were intentionally left abandoned and vacant for years. We ask ourselves why an application such as this one would be certified by the City Planning Commission (CPC) when it is in one of the least accessible community districts not only in The Bronx but the City of New York.

Furthermore, we encourage the Department to review how rezoning applications are first introduced. We were told by property owners that they had not consented to their properties' inclusion in any rezoning application. The Department should request in writing the acknowledgement of all properties included in a rezoning application and then furnish it for all community boards upon request. The Bruckner Sites Rezoning application is a poor example of planning especially when one considers that the Department of City Planning, the City Planning Commission, and the New York City Council have historically acknowledged the challenges and unique differences of communities like ours. We kindly ask that the City Planning Commission continue to honor the diversity of our city's housing stock and disapprove of this plan.

Sincerely,

Joseph Russo, Chairperson



BOROUGH PRESIDENT RECOMMENDATION

Project Name: Bruckner Sites Rezoning	
Applicant: Throggs Neck Associates LLC	Applicant's Administrator: Akerman LLP
Application # 220007ZMX	Borough: Bronx
CEQR Number: 22DCP015X	Validated Community Districts: X10

Docket Description:

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

RECOMMENDATION: Conditional Favorable

Please attach any further explanation of the recommendation on additional sheets as necessary

CONSIDERATION: ULURP Recommendation for Bruckner Sites Rezoning

Recommendation submitted by	BX BP	Date: 6/27/2022 2:38 PM
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**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
120 BROADWAY- 31ST FLOOR
NEW YORK, NEW YORK 10271-0001**

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 # C 220007 ZMX-BRUCKNER SITES REZONING

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 10

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 BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT

6/24/22
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 220007 ZMX & N 220008 ZRX
BRUCKNER SITES REZONING**

DOCKET DESCRIPTION-C 220007 ZMX:

IN THE MATTER OF an application submitted by Throggs Neck Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4b:

1. Eliminating from an existing R4-1 District a C1-2 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and a line 100 feet easterly of Revere Avenue;
2. Eliminating from an existing R4A District a C1-2 District bounded by Meyers Street, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway and East Tremont Avenue;
3. Eliminating from within an existing R4A District, a C2-2 District bounded by a line 175 feet northwesterly of Bruckner Boulevard, a line 100 feet northeasterly of East Tremont Avenue, Meyers Street, and East Tremont Avenue;
4. Changing from R4-1 District to an R5B District property bounded by a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Boulevard, (southeasterly portion). And a line 100 feet easterly of Balcom Avenue and its southerly prolongation;
5. Changing from an R4-1 District to an R6A District property bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, Bruckner Expressway, and Revere Avenue;
6. Changing from an R4A District to an R6A District property bounded by a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and East Tremont Avenue;
7. Establishing within the proposed R5B District a C2-4 District boundary a line 100 feet southerly of Gifford Avenue, the northwesterly centerline prolongation of Brinsmade Avenue, Bruckner Expressway, and a line 100 feet easterly of Balcom Avenue and its southerly prolongation; and

8. Establishing within the proposed R6A District a C2-4 District bounded by a southerly boundary line of St. Raymonds Cemetery and its easterly prolongation, East Tremont Avenue, a line 175 feet northwesterly of Bruckner Boulevard, Edison Avenue, a line 150 feet northwesterly of Bruckner Boulevard, a line 160 feet southwesterly of Crosby Avenue, a line 250 feet northwesterly of Bruckner Boulevard, Crosby Avenue, Bruckner Expressway, and Revere Avenue;

Borough of The Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated March 28, 2022, and subject to the conditions of CEQR Declaration E-669.

DOCKET DESCRIPTION-N 220008 ZRX:

IN THE MATTER OF an application submitted by Throggs Neck Associates LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, Modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing (MIH) area. The Bronx, Community District #10.

BACKGROUND

The Project Area this application pertains to includes:

- Block 5312, Lots 1, 10, 19 and p/o 21
- Block 5309, Lots 1, 7, 11, 35, 36, 41, 42, 44, 47, 50 54, and p/o 60
- Block 5306, Lots 8, 18, 19, 22, 23, 28, 30, 31 and 231
- Block 5307, Lots 55, 58, 61, 63, 64, 66, 67, 73, 75 and 76.

In 2004, pursuant to ULURP Application No: C 040479 ZMX, the Department of City Planning amended the Zoning Map by eliminating an existing R4 district and adopting an R4A, R4A/C1-2, R4-1, and an R4-1/C1-2 zoning district. This amendment is known as the Throggs Neck Rezoning did not change the bulk or height of the underlying zoning district within the project area, but changed the permitted housing typologies that were permitted. This rezoning also included adding Bronx Community District 10 as a Lower Density Growth Management Area (LDGMA) which would increase off-street parking requirements for new developments and reduce the height of new buildings in floodplain areas.

PROJECT AREA

Portions of Block 5312, Lots 1, 10, 19 & p/o 21

Fronting on the north side of Bruckner Boulevard, between Crosby Avenue & Edison Avenue:

- R4-A (contextual district permitting only one and two family detached houses plus attic allowance). FAR up to 0.75.
C1-2 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors). Max FAR of 1.0

To:

- R6A (contextual district permitting six or seven story apartment buildings FAR 3.0
C2-4 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors, funeral homes, etc.). Max FAR 2.0.

Portions of Block 5309, Lots 1, 7, 11, 35, 36, 41, 42, 44, 47, 50, 54 & p/o 60

Fronting on the north side of Bruckner Boulevard, between Edison Avenue & East Tremont Avenues:

- R4-A (contextual district permitting only one and two family detached houses plus attic allowance). FAR up to 0.75.
C1-2 (commercial overlay allowing for local retain needs; grocery stores, restaurants, beauty parlors). Max FAR of 1.0

To:

- R6A (contextual district permitting six or seven story apartment buildings FAR 3.0
C2-4 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors, funeral homes, etc.). Max FAR 2.0

Portions of Block 5306, Lots 8, 18, 19, 22, 23, 28, 30, 31 & 231:

Fronting on the north side of Bruckner Boulevard, between East Tremont Avenue and Revere Avenue:

- R4-1 (contextual district permitting only one and two family detached houses-FAR 0.75)
C1-2 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors). Max FAR of 1.0.

To:

- R6A (contextual district permitted six or seven story apartment buildings FAR 3.0
C2-4 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors, funeral homes, etc.). Max FAR 2.0.

Portions of Block 5307, Lots 55, 58, 61, 63, 64, 66, 67, 73, 75 & 76

Fronting on the north side of Bruckner Boulevard, between Brinsmade Avenue & Balcom Avenue

- R4-1 (contextual district permitting only one and two family detached houses). Floor Area Ratio (FAR) 0.75.

To:

- R5B (contextual district typified by 3-story row-houses). FAR 1.35.
C2-4 (commercial overlay allowing for local retail needs; grocery stores, restaurants, beauty parlors, funeral homes, etc.). Max FAR of 1.0.

Within the Project Area, there are four Development Sites referred to herein as sites A, B, C, and D.

DEVELOPMENT SITES – EXISTING CONTEXT

Site A: Block 5312, Lot 1:

This site includes 39,624 square feet of lot area with 162 feet fronting on the north side of Bruckner Boulevard, with a maximum depth of 250 feet. Existing development on Site A includes a one-story building (approximately 19 feet) consisting of approximately 19,800 square feet. This building accommodates a supermarket (FAR 0.50). An off-street parking area accommodates 52 vehicles. This parking area is accessible via Crosby Avenue. Pending approval of this application the building currently located on Site A will be demolished.

The following Lots are subject to the proposed Zoning Amendment, but not included in the Development Site: Block 5312, Lots: 10, 19 & p/o 21. Development on these lots include a one-story office building, a one story residential building and a two-story residential building.

Site B: Block 5309, Lots 35, 36, 41, 42, 44, 47 & 50:

This site includes 28,242 square feet of lot area with 238 feet fronting on the north side of Bruckner Boulevard, with a maximum depth approximately 175 feet. Existing development on Site B includes one-story and two story buildings (maximum height 25 feet) with retail on street level and residences on the second story. The total square footage of these buildings approximates 7,435 square feet of floor area (FAR 0.26). The retail venues are vacant. Access to these locations is via Bruckner Boulevard and/or Edison Avenue.

The following Lots are subject to the proposed Zoning Amendment, but not included in the Development Site: Block 5309, Lots: 1, 7, 11, 54 & p/o 60. Development on these lots include one-to-three story commercial buildings. Lot 54 is an accessory surface parking lot. Currently Lot 60 is traversed by Meyers Street which is dedicated to public use.

Site C: Block 5306, Lots 8, 18, 19, 22 & 23:

This site includes 17,847 square feet of lot area with 117 feet of frontage on the north side of Bruckner Boulevard, with a maximum depth of approximately 202.6 square feet. This site is vacant.

The following Lots are subject to the proposed Zoning Amendment, but not included in the Development Site: Block 5306, Lots: 28, 30, 31 & 231. Development of these lots include two, two story mixed residential and commercial buildings and an additional two, two story commercial buildings.

Site D: Block 5307, Lots 55, 58, 61, 63, 64, 66 & 67:

This site includes 17,406 square feet of lot area, with approximately 309.67 feet of frontage on the north side of Bruckner Boulevard, with a maximum depth of 100 feet. This site is entirely vacant.

The following Lots are subject to the proposed Zoning Amendment, but not included in the Development Site: Block 5307, Lots: 73, 75 & 76. Development of these lots includes two, two story residential buildings in addition to two, accessory parking garages.

PROPOSED DEVELOPMENT

Site A: Block 5312 Lot 1:

As proposed by the applicant, development of Site A requires the demolition of the existing one-story commercial building currently occupied by a supermarket. Redevelopment of this site includes construction of an 8-story, mixed-use, residential and commercial Quality Housing building. This new building will include 126 residential units of which 38 will be permanently affordable pursuant to MIH Option 2. This proposed building will be approximately 142,468 square feet of floor area (FAR 3.6), of which 125,500 square feet will be residential floor area. The remaining floor area will be occupied by a supermarket of approximately 16,968 square feet. The building height would rise a total of 85 feet with 10-foot setbacks above the base eight of 65 feet. Within 25 feet of the R4A district to the north, any building would be required to step down to a maximum building height of 45 feet. Preliminary specifics include:

	Number of Units	Percentage of Units	Avg. Net SF per unit
1 Bedroom:	70	56%	600 square feet
2 Bedrooms:	45	35%	810 square feet
3 Bedrooms:	11	9%	980 square feet
Total: 126 Units			

Building A will include both an enclosed and unenclosed parking area accommodating a total of 190 vehicles.

Site B: Block 5309, Lots 35, 36, 41, 42, 44, 47 & 50:

As proposed by the applicant, development of Site B will require the demolition of the structures now in place on the lots. Redevelopment of this site includes construction of a five-story residential and commercial Quality Housing building. This building will be approximately 101,336 square feet of floor area (FAR 3.6). Residential floor area will approximate 77,663 square feet. The remaining floor area will approximate 23,703 square feet set aside for commercial purposes. This retail space will accommodate venues pursuant to local retail uses (Use Group 6). A total of 102 units of residential housing will be constructed, of which approximately 31 units will be permanently affordable pursuant to MIH Option 2. This building will rise to a maximum of 51 feet. Preliminary specifics include:

	Number of Units	Percentage of Units	Avg. Net SF per unit
Studios:	32	31%	446 square feet
1 Bedroom:	50	49%	626 square feet
2 Bedrooms:	16	16%	857 square feet
3 Bedrooms:	4	4%	1,102 square feet
Total: 102 Units			

Building B will include enclosed parking for 75 vehicles.

A separate land use application for the demapping of Meyers Street, which currently is mapped as Lot 35, has been filed with the Department of City Planning and is planned to enter public review in 2022. The demapping would eliminate the privately-owned paper street portion of Meyers Street.

**Site C: Block 5306, Lots 8, 18, 19, 22 & 23:
(These sites are currently vacant)**

As proposed by the applicant, development of Site C will devote 100 percent of the units constructed to accommodate senior affordable housing in accordance with New York City's SARA term sheet. A total of 99 units will be constructed, of which 30 will permanently affordable pursuant to MIH Option 2. This building will include approximately 63,505 square feet of floor area (FAR 3.6). Approximately 50,069 square feet will be devoted to residential use. The remaining balance of 13,436 square feet will be available for retail purposes pursuant to local retail uses (Use Group 6). This building will rise approximately 84 feet and will include 15 foot setbacks above the base height of 64 feet. Preliminary specifics include:

	Number of Units	Percentage of Units	Avg. Net SF per unit
Studios:	88	89%	360 Square Feet
1 Bedroom:	10	10%	510 Square Feet
Super's Unit	1	1%	
Total: 99 Units			

Building C will include enclosed parking for 29 vehicles.

**Site D: Block 5307 Lots, 55, 58, 61, 63, 64, 66 & 67:
(These sites are currently vacant)**

As proposed by the applicant, development of Site D will devote 100 percent of the units constructed to accommodate veterans. The Tunnel to Towers Foundation will facilitate construction of a three-story residential Quality Housing building. A total of 22 units will be provided. The building will contain approximately 16,773 square feet of residential floor area (FAR 0.96). The building will rise approximately 30 feet. Preliminary specifics include:

	Number of Units	Percentage of Units	Avg. Net SF per unit
Studios:	6	89%	450 Square Feet
1 Bedrooms:	13	10%	625 Square Feet
2 Bedrooms:	3	1%	800 Square Feet
Total: 22 Units			

Building D will include unenclosed parking for 15 vehicles.

Pending approval of this application the full development scope being proposed by the applicant calls for construction of four individual buildings within the Project Area. Taken together as one project the totals include:

- 269,975 square feet of residential floor area
- 54,107 square feet of commercial floor area
- 339 dwelling units, of which 190 are affordable
- 99 units will be permanently affordable pursuant to the MIH program
- 309 off-street parking

Total Development Cost: Estimated between \$80 to \$100 million

As part of the currently proposed application, all commercial overlays currently mapped in the rezoning area would be amended to C2-4. This designation will allow for local retail and service establishments (Use Group 6) home maintenance or repair services (Use Group 7) amusement or service establishments (Use Group 8), retail establishments that serve a larger area (Use Group 9), special services related to boating (Use Group 14) and because of the proximity between the various sites this application pertains to and the Bruckner Expressway, a Hotel use (Use Group 5). Parking requirements includes one space per 1,000 square feet of floor area for general retail or services uses. Food stores exceeding 2,000 square feet of floor area require one space per 1,000 square feet of floor area.

Pursuant to N 220008 ZRX a zoning text amendment of Zoning Resolution Appendix F: Inclusionary Housing Designated Areas and MIH Areas for Community District 10, The Bronx, establishes Blocks 5312, 5309, and 5306 within the Project Area as an MIH Area.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQR requirements and the Environmental Assessment Statement (EAS) received a Negative Declaration on March 28, 2022. The City Planning Commission was the lead agency for the EAS. The City Planning Commission certified this application as complete on March 28, 2022.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #10 held a public hearing on this application on May 19, 2022. A vote recommending these applications be denied was 23 in favor of denying approval, 1 in favor of recommending approval and 1 recusal.

BRONX BOROUGH PRESIDENT PUBLIC HEARING

The Bronx Borough President convened a public hearing on June 21, 2022. This hearing took place at 851 Grand Concourse, The Bronx, New York beginning at approximately 6pm EST. The applicant was present and spoke in favor of approving this application. There were 36 speakers, with 15 speaking in favor of the proposal and 21 opposed. The public hearing remained open to allow for a virtual public hearing on June 22, 2022.

The Bronx Borough President continued the public hearing as a virtual public hearing, on this application, on June 22, 2022, beginning at approximately 5pm EST. The applicant was present and spoke in favor of approving this application. There were a total of 25 speakers with 6 speakers in favor of the proposal and 19 speakers opposed. After every speaker had an opportunity to testify, the hearing was closed at approximately 6:30pm EST.

There were a total of 61 speakers with 21 in favor and 40 opposed to the proposal. In addition the speakers, there was written testimony that was received.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

When considering the specifics of the proposal, approving this application would facilitate that the merits of what is being proposed exceed the project's liabilities.

All four proposed development sites are located along the Bruckner Boulevard, which then abuts the Bruckner Expressway, which is a major highway. The Bruckner Boulevard as well as Tremont Avenue and Crosby Avenues are all wide streets and designed to accommodate more traffic than narrow streets. Much of the currently built profile along Bruckner Boulevard includes low- and mid-rise residential and commercial buildings. I am therefore not persuaded that the existing R4A or R4-1 designation for the sites this application is considering is essential in order to preserve the overall low-rise, home-ownership profile that defines the greater Throggs Neck and Schuylerville neighborhoods.

The next point is related to the Lower Density Growth Management Area (LDGMA) that is located in all of Community District 10. LDGMA was expanded to this area with the intent of adding additional protections to the underlying zoning regulations to ensure certain additional protections would be granted where appropriate, such as requiring additional parking and open space. LDGMA was not intended to directly limit housing or to replace the underlying zoning, and it is intended to add an additional layer of balance based to the underlying zoning district requirements.

The LDGMA regulations will continue to apply to these sites and would continue to require a higher parking requirement.

The building scale is then defined by the underlying zoning district and leads to the question of what should the zoning be and should a rezoning be approved.

The Throggs Neck rezoning that occurred along these sites in 2004 changed the zoning district from R4 to R4-1 and R4A. It's worth noting that this zoning change was not a downzoning, but a change in the housing types that were permitted. It also added the LDGMA designation to all of CD 10 to add the additional zoning requirements.

The R4-1 and R4A zoning districts both have a .75 FAR and 35 foot maximum building height. The applicant is seeking the R6A for buildings A, B, and C, which would allow a 3.6 FAR and maximum of 85 feet with MIH. For building D, the R5B would have a 1.35 FAR and a maximum 33-foot building height. All four sites would have a C2-4 commercial overlay to permit ground floor commercial uses. It's also worth noting that any sites where an R6A is abutting an R4-1 or R4A district would have a maximum height of 45 feet as a stepdown requirement within 25 feet of these R4 districts.

While considering this project, I am mindful that what is so urgently needed across our great borough and city is affordable housing and that every community needs to take on some responsibility to achieving this cause. This project has started a discussion on communities that have had relatively little affordable housing and I recognize this includes the neighborhoods of Throggs Neck and Schuylerville. One of the reasons is due to the current zoning not allowing for the density needed to provide affordable housing. This statement does not necessarily skew my opinion on the proposal, it is stated to recognize what is currently built within the community.

When considering the merits of a project, it is very important that a project works not just for the future residents of a community, but it also needs to work for the current residents. When considering this proposal, I will discuss the merits of the four proposed sites individually as well as the proposal as a whole.

I have no direct objection to the proposal for Site C and Site D, based on changes that were made during public review to make the entirety of Site C an affordable senior housing building and Site D being fully dedicated to veteran housing. The Bronx is in crucial need of affordable housing for seniors and veterans and this project helps accommodate those needs. Furthermore, those residing in these buildings will not significantly burden the area's schools, are not likely to prompt additional traffic congestion, and will have minimal impact on the area's essential services such as fire and police. In fact, I would state that the accommodations these two buildings will offer will provide an opportunity for local residents to remain within their community and near their families and friends. The Tunnel to Towers Foundation, which will be the service provider for the veteran's housing, anticipates that all the housing recipients would be from the Bronx with an emphasis on those veterans from the Throggs Neck community. It is my understanding that the veterans housing would be able to advance their mission while asking for no city subsidies.

As I consider the proposed development of Site B, I am mindful that the planned building would rise a maximum of five stories, offering 102 total units, 31 of which will provide permanent affordable housing. This site is located at the corner of Bruckner Boulevard and Tremont Avenue with most of the site split by Meyers Street to the north. There will be an approximately 23,000-square-foot community center and recreational facility that would provide services to the local community, giving youth in the area a much needed recreational option and would include an after-school tutoring center for local youth. I am sympathetic to the issues associated with scale and density, but I find the proposed five-story building along two wide streets appropriate.

When considering Site A, I am inclined to agree that the proposed eight-story residential building in an area where such scale is not found, warrants additional attention. As such, I offer as a condition for my support that this project changes the proposed R6A to an R6B zoning district. This designation allows for the benefits realized through the MIH designation, but has a more modest maximum height from eight-stories (85 feet) to five-stories (55 feet). The FAR would also be reduced from 3.6 to 2.2. I do understand both the applicant and the community will not be satisfied with this compromise, but I believe the reduction of height from eight-stories to five-stories provides a compromise that is essential for both interests.

When further evaluating Site A, I am concerned at the applicant's claims that the rezoning is needed in order for the existing grocery store to remain in the community. While I have not seen the financials to back this statement up, I do believe this grocery store provides an important service to the existing surrounding community, both as a place to purchase groceries and as a source of local employment. Currently the grocery store employs 85-employees and serves approximately 700-2,000 customers per day (~840,000 customers per year) and its departure would be a loss for everyone within the existing local community. The applicant has stated they will continue to provide the 40 on-grade parking spaces for the supermarket, which would also provide a step-down and screening from the proposed building to the single-family homeowners to the north. Assuming the rezoning gets approved and the new building is built, it is a concern that the 85-employees currently working at the grocery store would be displaced for the approximately two-years the store would be closed and rebuilt.

Those are my thoughts on the sites individually. I will now address the proposed rezoning as a whole and provide recommendations for what should be done to address concerns that I heard from the existing local community.

Recognizing the community's concerns that this project is located within a LDGMA and that LDGMA has a higher parking requirement, the applicant is proposing to provide significantly more parking than is required. For the 339 total units between all four buildings, the proposal would provide 309 parking spaces which is nearly one space per unit and far greater than the approximately 50 percent requirement, or 173 spaces that are required. This removes my direct concern that the project isn't providing enough parking, even within a LDGMA.

I am quite pleased that this proposal would generate 476 jobs, more specifically, the 126 permanent jobs, most of which will be located along the Tremont Avenue and Bruckner Boulevard street frontages and will help to further enrich these commercial corridors.

To ensure the jobs would help the local and existing community, I would also need the following commitments to labor in order to provide a recommendation of support. That all 350 temporary construction jobs as well as the 14 permanent building service worker jobs would be union jobs that would use skilled workers from the Bronx with an emphasis on workers living within Community District 10 and that a Bronx based organization is used as the administering agent for the affordable housing. Additionally, that during the approximately two-years the grocery store would be closed for construction, that every current employee would be offered a temporary relocation option until they can be offered a new position when the new grocery store reopens.

In order to get my support for any project, I require that all residential buildings have at least 30 percent of all non-senior units have at least 2-bedrooms and that all units, including senior housing, are built larger than HPD minimums. These two recommendations will help ensure families can grow and not have to move from the community they've established themselves in. Ensuring a higher quality of housing gets built at the tradeoff of fewer units is more important than focusing just on the quantity of housing. This project has 31 percent of all non-senior units as 2-bedroom or 3-bedroom units (79 of the 250 units). I do have a concern with the sizes of some units and would like the architects to reevaluate the sizes to see if they can be larger. While I recommend that all of the buildings be reevaluated, I am particularly concerned for the studio units in the senior building.

I would like to add that the city should reevaluate the minimum size requirements of housing and increase these minimum unit sizes. While there is a trade-off on the size of units versus the number of units that can be built, it is a personal concern and belief that units as small as 360 square feet would start to seriously negatively impact people's quality of life.

To those concerned about the neighborhood context, I believe both the Bruckner and St Raymond's Cemetery creates a break from the larger neighborhood context, and that the proposed scale will be similar to the nearby PS 14. I also believe having these slightly taller buildings abutting the Bruckner may provide a benefit as it would block vehicle emissions and noise from the surrounding local community.

Another recommendation I have is not directed at the applicant team, but for the city. I heard a number of residents speak to concerns surrounding local infrastructure and that there are already existing infrastructure problems, specifically regarding, sanitation, traffic, schools, that there are flooding problems, concerns of a lack of emergency services, and that the adjacent PS 14 has buses that back up traffic during school hours. While I do not believe that the proposed 349 units spread out across four buildings will dramatically impact the local infrastructure, there is clearly an existing problem that needs to be addressed so the existing community can be improved. If the city is going to be the "City of Yes" we need to ensure the infrastructure is capable of handling any increase of density. My recommendation is to ask the Mayor to dedicate resources to fixing the infrastructure problems within the community to ensure that this new development can be built and still provide services at an even better rate than there are today.

Additionally, I would like the Mayor to commit to investing in establishing a multi-agency task force that would work with Community Boards, local stakeholders, and community organizations where they would focus on creating a plan for how to fix existing infrastructure issues so new

developments can occur without impacting current residents. This would allow the city to resolve existing problems before exacerbating them with additional development.

One final recommendation, and one I feel very passionately about, is creating homeownership opportunities within neighborhoods. Homeownership helps to stabilize neighborhoods, helps build generational wealth, creates a pathway to “middle class”, and generally leads to economic prosperity. I heard a number of people state at the public hearing how they have been able to buy a home within the local community for these very reasons and providing additional homeownership options is important. This recommendation is directed both to the applicant team as well as the city who can provide additional support options and pathways to home ownership.

I believe this project can be a model for what a comprehensive neighborhood could look like. A neighborhood that has traditionally been lower density, but can strategically add density when infrastructure improvements are made to accommodate it. A neighborhood that can allow families to have different housing options, from apartments, to homeownership, to senior housing while community services are provided through the youth recreation center and grocery store, all while creating a number of local jobs.

I want to further state that this recommendation is in no way precedent setting and any future applications would be held to the same scrutiny as this one. There are several very important reasons this project has my general support, as it would provide housing for both veterans and seniors, both of which are needed within this existing community. It would create permanent affordable housing for families while not having a significant impact on the local parks, schools, or traffic once infrastructure improvements are made. It would create a youth recreation center that would provide an important local service. The proposal would also create approximately 126 permanent local jobs and 350 temporary construction jobs while ensuring the existing grocery store would be able to be rebuilt and remain in the community.

I have weighed the positive outcomes with the concerns I heard at the two-day public hearing and have concluded that I recommend this application with the modifications I have noted.