

1. PROJECT DESCRIPTION

INTRODUCTION

The NYC Department of City Planning proposes to rezone portions of approximately 12 blocks along East Fordham Road in the Belmont neighborhood of the Bronx, Community District 6. The rezoning area is generally bounded by East 191st street, East 187th street, Southern Boulevard and Bathgate Avenue. Figure 1 illustrates the areas affected by the proposed actions.

The East Fordham Road rezoning was undertaken in response to concerns raised by Community Board 6, local elected officials and property owners that the existing zoning does not reflect or support prevailing land use trends in the area. The proposed actions, detailed further in the “Purpose and Need for the Proposed Actions” section of this chapter, seek to create new opportunities for growth and investment while reinforcing the established commercial character and preserving the existing built context in targeted locations.

The East Fordham Road rezoning area primarily consists of two existing zoning districts: C8-1 and R6. The C8-1 district is located along East Fordham Road between Bathgate Avenue and Southern Boulevard. While some of the auto-related uses remain, there has been a shift in focus to commercial and community facility uses. New uses include a bank, barber shop, a dermatologist office and most recently a 3-story 22,000 sf full service medical facility with ground floor retail. The R6 district encompasses a portion of the study area bounded by Bathgate Avenue and Crotona Avenue north of East Fordham Road and another portion along Arthur Avenue between East Fordham Road and East 187th Street. The area bounded by the Bathgate Avenue and Crotona Avenue is characterized predominantly by 2-3 story row houses. The area along Arthur Avenue between East Fordham Road and East 187th Street is characterized by multifamily walkup buildings many with ground floor retail as well as single-story retail establishments.

The proposal reflects the department’s on-going consultation with Community Board 6, local elected officials and local property owners seeks to achieve the following objectives:

- Create a new gateway to the Central Bronx
- Establish height and bulk limits to establish a unified look and feel of the corridor
- Stimulate revitalization through private investment
- Incentivize permanently affordable housing
- Protect neighborhood character and ensure predictable future development
- Reinforce existing commercial character

A Revised Environmental Assessment Statement (EAS), which superseded the EAS issued on March 22, 2013, was issued on May 17, 2013, and incorporated additional analyses conducted in the areas of Open Space, Shadows, Air Quality, Noise, Public Health and Neighborhood Character. The Revised EAS concluded that there would be no potential for significant, adverse impacts in these areas. In summary,

the Revised EAS concluded that there would be no significant adverse impacts in the following analysis areas and conditions:

- Land Use, Zoning, and Public Policy
- Socioeconomic Conditions
- Community Facilities and Services
- Open Space
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Hazardous Materials
- Water and Sewer Infrastructure
- Solid Waste and Sanitation Services
- Energy
- Air Quality
- Greenhouse Gas Emissions
- Noise
- Public Health
- Neighborhood Character
- Construction Impacts

A public hearing on the DEIS was held on Wednesday, July 24, 2013, at 10:00 AM in Spector Hall, at the Department of City Planning located at 22 Reade Street, New York, New York 10007. Written comments were accepted through the public comment period, which ended on August 5, 2013. Written comments received on the DEIS are included in Appendix B.

This FEIS has been prepared in conformance with applicable laws and regulations, including Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, and follows the guidance of the CEQR Technical Manual. This EIS contains analyses of topics for which the screening methodologies contained in the CEQR Technical Manual indicated that the potential for significant adverse environmental impacts exists, thus warranting additional detailed studies. A targeted FEIS was prepared on Transportation, because all other impact categories were screened out from further analysis in the Revised

BACKGROUND

Belmont is a diverse and vibrant community in the central Bronx, generally surrounded by Fordham University to the north, East Tremont to the south, the Bronx Zoo, Bronx Park and the Bronx Botanical Gardens to the east and Bathgate neighborhood to the west. Belmont was once home to the Lorillard family, for whom a street is named. In the late 18th century after relocating their tobacco operations from Lower Manhattan to the Central Bronx, the family greatly expanded their property holdings in the area and its land came to be known as the Belmont estate. After the Lorillards left for New Jersey in 1870, the city acquired part of their land for Bronx Park; another section was divided into the streets that form Belmont today.

Belmont is today known as the Little Italy of the Bronx and in the early part of the 20th century home to a large Italian population and Arthur Avenue; the neighborhood's main commercial area continues to thrive with eateries and markets some of which have been in business for decades. Presently, the population of Belmont continues to grow, with an influx of Albanian immigrants and Puerto Ricans. From 2000-2010 the population grew by more than 5%. Comparatively the population in the Bronx as a whole only grew by 3.9% and City of New York grew by 2.1%.¹ Students from Fordham University just north of Belmont across East Fordham Road make up a sizeable part of the population. A majority of the off-campus housing for students is located in the Belmont neighborhood. University students live, eat,

¹ Source: 2000 and 2010 Census

work and shop in Belmont and the surrounding area. As the university student body and the neighborhood population grows so does the need for housing and new retail.

The study area contains approximately 19 full or partial blocks and 471 lots. The area is well served by mass transit. Fordham Plaza located just west of the study area is the multi-modal transit nexus at the heart of the Bronx and is the terminal destination for three local bus routes, three regional bus lines, and New York City's first bus rapid transit line, the Bx12 Select Bus Service and also provides connections to the B, D, 2, 4 and 5 subway lines and the Fordham Metro-North regional rail station. The Fordham Metro North station with 11,000 daily riders is the third busiest station system-wide for Metro-North Railroad and has the highest ridership of any station in the Bronx with 4,509 outbound riders daily.

Historically East Fordham Road was characterized by auto-related uses including car dealerships, gas stations and auto repair shops. The section of East Fordham Road from Bathgate Avenue to Southern Boulevard, which is the focal point of the rezoning study, differs greatly from Fordham Road to the west. The western section of Fordham Road is lined with commercial businesses and bustles with activity on a day-to-day basis. In comparison there is a lack of activity at the street level on East Fordham Road and while commercial enterprises exist, they are not at the same scale as the western section. In addition, these businesses produce a vastly different pedestrian experience and in the evenings and weekends the area feels somewhat desolate.

The surrounding area has seen significant improvements and economic investment in recent years. In 2009, a new 14-story commercial/office building was completed at the intersection of Webster Avenue and East Fordham Road just west of the study area. Fordham Plaza is scheduled to undergo a \$26 million redesign and reconstruction later this year. The redesign will significantly improve traffic circulation in and around the plaza and access to mass transit, while creating new space for events and bringing in new retailers and amenities. Fordham Road is one of the busiest shopping centers seeing an average of more than 80,000-plus pedestrians walk the corridor between Jerome Avenue and Webster Avenue.

EXISTING ZONING

The East Fordham Road rezoning area is predominantly zoned with either C8-1 or R6 districts. The zoning in this area has virtually remained unchanged since its inception in 1961.

The **C8-1 district** is located along East Fordham Road between Bathgate Avenue and Southern Boulevard. C8-1 districts are general service districts that allow commercial and community facility uses in Use Groups 4 through 14 and 16. The most prevalent uses in C8 districts are automotive and heavy commercial uses such as auto repair and showrooms, warehouses, gas stations and car washes. Residential uses are not permitted. The maximum commercial (FAR) is 1.0. The maximum building height is determined by its sky exposure plane, which begins 30 feet above the street line. Community facilities are permitted at an FAR of 2.4. Off-street parking requirements vary with the use, but generally most uses require one accessory parking space per 300 square feet of commercial space.

An **R6 district** currently encompasses a portion of the study area bounded by Bathgate Avenue and Crotona Avenue north of East Fordham Road and another portion along Arthur Avenue between East Fordham Road and East 187th Street. R6 is a height factor district where residential and community facility uses are regulated by a sky exposure plane. R6 districts result in developments usually between three and twelve stories. Residential FAR ranges from 0.78 to 2.43, with the higher ratio applicable to buildings that provide more open space. Community facility FAR is 4.8 and the parking requirement is

set at 70% of dwelling units. Residential development under the Quality Housing Program within an R6 District has a maximum FAR of 2.2 on narrow streets (defined as less than 75 feet wide) with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets (defined as 75 feet wide or greater) with a height limit of 70 feet. Off-street parking is required for 70% of the dwelling units. This requirement is lowered to 50% of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used. If fewer than five spaces are required, then the off-street parking requirement is waived.

C2-3 and C2-4 commercial overlay districts permit Use Groups 1 through 9 and 14; this includes a wide range of commercial uses frequently used by neighborhood residents including grocery stores, dry cleaners and restaurants with a maximum FAR is 2.0. Commercial uses are limited to the first two floors in a mixed use building and always located below residential uses. C2-3 districts require one accessory parking space per 400 square feet of commercial floor space. C2-4 districts require one parking space per 1,000 square feet of floor area.

PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The East Fordham Road rezoning seeks to create a new gateway for the Bronx by stimulating growth, protecting neighborhood character and reinforcing the existing commercial character. Existing zoning does not reflect the current land use patterns. The area has transitioned from auto-related uses to commercial and community facility uses; however existing capacity is limited for these uses. There is also no fixed height limit and no street wall requirement under the existing zoning. Recent development has been limited to 1-3 stories.

The proposed rezoning will facilitate new development opportunities through the use of a medium density commercial district (C4-5D). The C4-5D zoning district will maximize development potential along the corridor, promote an active, vibrant streetscape and support the existing commercial character. The proposed commercial district will increase the capacity for commercial and community facility development; introduce residential development which is not permitted today and incentivize permanently affordable housing. It will also mandate a fixed street wall and building height while promoting active ground floor uses which will provide a unified look and feel to the corridor.

The proposed rezoning also protects neighborhood character. The proposed R6B district along East 191st Street reflects the predominant built context of the area and provides predictability for future development on narrow streets.

The proposed R6 zoning district between Cambreleng Avenue and Crotona Boulevard reflects the residential character of the area.

In addition, new commercial overlay districts will reinforce the existing commercial character and create retail continuity along Arthur Avenue between the commercial core of Belmont and East Fordham Road.

PROPOSED ACTION

The proposed actions would affect approximately 157 lots on 12 blocks. The rezoning area covers a portion of zoning map 3c. The proposed rezoning replaces all or portions of existing C8-1 and R6 zoning districts with C4-5D, R6 and R6B zoning districts, eliminates an existing C2-4 overlay, eliminates a portion of an existing C2-3 overlay and establishes new C2-4 overlays.

Proposed C4-5D (from C8-1, R6, R6/C2-3, R6/C2-4)

A C4-5D zoning district is proposed for portions of 12 blocks along East Fordham Road from Bathgate Avenue to Southern Boulevard. This area is characterized by a variety of building types and uses including single-story auto-related uses, two-story commercial and community facility buildings and gas stations. There is currently no street wall requirement and the streetscape is haphazard. The proposed C4-5D district would allow residential, community facility and commercial uses. It will also impose mandatory street wall requirements, active ground floor uses and glazing requirements.

C4-5D zoning permits residential, commercial and community facility development with a maximum FAR of 4.2. The proposed C4-5D would be subject to the Inclusionary Housing program, where developer could receive a 33% floor area bonus permitting a maximum FAR of 5.6 in exchange for a minimum of 20% of the floor area being developed as affordable housing. . New development require a 60 to 85 foot street wall before an allowable setback of 10 feet on a wide street and 15 feet on a narrow street before rising to the maximum building height of 100 feet. The proposed C4-5D requires mandatory active ground floor uses and glazing for fifty percent of the building frontage on the ground floor between a height of 2 and 12 feet above curb level with transparent materials. Parking must be provided for fifty percent of the dwelling units. Affordable dwelling units require parking for twenty percent of the units. One parking space is required for every 1,000 square feet of commercial floor area.

Proposed R6B (from R6)

An R6B district is proposed for 4 partial blocks along 191st Street between Bathgate Avenue and Belmont Avenue. This area is predominantly characterized by 2-3 story row houses.

R6B is a typical row house district that includes height limits and street wall lineup provisions to ensure that new buildings are consistent with the scale of the existing built context. R6B permits residential and community facility uses to a maximum FAR of 2.0. Building base heights must be between 30 and 40 feet, with a 50 foot maximum building height after a setback (10 feet on a wide street, 15 feet on a narrow street). New development in the proposed R6B district would be required to line up with adjacent structures to maintain the continuous street wall character. New multifamily residences must provide one off-street parking space for 50% of dwelling units, which may be waived if 5 or fewer spaces would be required.

Proposed R6 (from C8-1)

An R6 district is proposed for a partial block on East 189th Street between Cambreleng Avenue and Beaumont Avenue. This area is characterized by a mix of 4-6 story apartment buildings and row houses.

R6 is a height factor district where residential and community facility uses are regulated by the sky exposure plane. R6 districts typically result in developments between three and twelve stories. Residential FAR ranges from 0.78 to 2.43, with the higher ratio applicable to buildings that provide more open space. Community facility FAR is 4.8. . Residential development under the Quality Housing Program within an R6 District has a maximum FAR of 2.2 on narrow streets (defined as less than 75 feet wide) with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets (defined as 75 feet wide or greater) with a height limit of 70 feet. Off-street parking is required for 70% of the dwelling units. This requirement is lowered to 50% of the units if the lot area is less than 10,000 square feet or if Quality Housing provisions are used. If fewer than five spaces are required, then the off-street parking requirement is waived.

Proposed Commercial Overlays

New C2-4 commercial overlays are proposed along Arthur Avenue East 187th Street to East Fordham Road. No commercial overlays are mapped along at this location. The commercial overlays will recognize the existing commercial character, facilitate expansion of existing businesses where appropriate and provide retail continuity from the Belmont neighborhood to East Fordham Road.

Parking requirements vary by use, however most retail uses require one accessory parking space per 1,000 square feet of commercial floor area.

Zoning Text Amendment

The zoning text amendment would establish the Inclusionary Housing program in the C4-5D districts within the proposed rezoning area in Community District 6, the Bronx.

The Inclusionary Housing Program (IHP) would be made applicable to the entire proposed C4-5D zoning district to encourage and to establish incentives for the creation and preservation of affordable housing in conjunction with new development.

In the proposed C4-5D where the IHP would be applicable, new residential developments that provide on- or off- site housing that will remain permanently affordable for low- and moderate-income families would receive increased floor area. The IHP provides 33% bonus in exchange for 20% of floor area set aside as affordable units. The additional floor area must be accommodated within the bulk regulations of the underlying zoning district. Affordable units could be financed through city, state, and federal affordable housing subsidy programs. Within the proposed rezoning area, portions of approximately five blocks would be subject to the IHP.

The affordable housing requirement of the Inclusionary Housing zoning bonus could be met through the development of affordable units, on-site, or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same community district, within a half-mile of the bonused development or anywhere within Community District 6. The availability of on-site and off-site options provides maximum flexibility to ensure the broadest possible utilization of the program under various market conditions.