

**BRONX BOROUGH PRSIDENT'S RECOMMENDATION**  
**ULURP APPLICATION NO: C 130064 ZMX**  
**580 Gerard Avenue**  
**February 14, 2013**

**DOCKET DESCRIPTION**

IN THE MATTER OF an application submitted by NR Property 2 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

1. changing from an M1-2 District to an R7A District property bounded by a line 360 feet northerly of East 150<sup>th</sup> Street, a line midway between Gerard Avenue and Walton Avenue, East 150<sup>th</sup> Street, and Gerard Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by a line 360 feet northerly of East 150<sup>th</sup> Street, a line midway between Gerard Avenue and Walton Avenue, East 150<sup>th</sup> Street, and Gerard Avenue;

Borough of The Bronx, Community District #4, as shown on a diagram (for illustrative purposes only) dated November 13, 2012.

**BACKGROUND**

Approving this application will eliminate an existing M1-2 District and establish an R7A District plus include a C2-4 commercial overlay on Block 2353, Lot 1 and part of Lots 16, 45, 46, 47, 48 and 49 (45-49). The applicant is also proposing an amendment to the text of the Zoning Resolution to apply the Inclusionary Housing program to the site.

The site occupies the east side of Gerard Avenue, extending north 360 feet from the northeast corner of East 150<sup>th</sup> Street. The proposed amendment extends 100 feet east from Gerard Avenue on the north side of East 150<sup>th</sup> Street. The entire site consists of 32,884 square feet, of which 32,135 square feet are located within Lot 1. The remaining 749 square feet of property are located within portions of Lots 16, 45-49. Property immediately east of these lots on Block 2353 fronting on Walton Avenue are zoned R6.

Existing development on the applicant's site include a one-story garage building constructed in 1950. Originally used for the parking of post office vehicles, the site is now used for furniture storage. Pursuant to the applicant's site-development plan this structure will be demolished. East of this site existing development of surrounding properties include three-story residences fronting on Walton Avenue. To the west, existing development is typified by low-rise industrial type buildings that include a self-storage facility, light manufacturing, auto-related uses and a Sanitation Department garage. The Bronx Terminal Market Gateway Shopping center, consisting of approximately one million square feet of retail development, is located approximately two blocks west of the applicant's property. Additional retail activity and mass

transportation (subway and bus) are found on the Grand Concourse, two blocks east of the site. Access to the Major Deegan Expressway (Interstate 87) and local Harlem River crossings into Manhattan are available within a four block radius of the site. Hostos Community College is also located on the Grand Concourse at East 149<sup>th</sup> Street.

Pending adoption of the proposed zoning amendment, the applicant will construct an 80-foot tall, seven-story residential building fronting on Gerard Avenue. This residential structure will offer 124 units, comprising 147,821 square feet of space and include:

- 12 studios
- 56 one-bedroom units
- 37 two-bedroom units
- 19 three-bedroom units

(The square footage of each of these units has not been finalized)

Twenty percent of these units will lease for 60 percent of Area Median Income (AMI). The remaining 80 percent will lease for market rate.

The proposed building features retail space consisting of 24,000 square feet. As now envisioned, this space will be subdivided into two separate storefronts, approximating 12,000 square feet each. On site underground parking accessible from Gerard Avenue will provide parking for 26 retail patron vehicles and 63 spaces for residence-vehicles. No details as to what additional amenities will be afforded residents are available. This proposed building will satisfy Enterprise Green environmental mandates.

Preliminary design features for this building's Gerard Avenue frontage include two formal lobbies and therefore two elevators banks, four sun-courts and a seventh-story setback. Additionally, a 30-foot, rear "green buffer" between this proposed 80-foot building and the existing low rise residences fronting on Walton Avenue will be included.

The applicant is also proposing that an amendment to the text of the Zoning Resolution applying the Inclusionary Housing program to this site. A key provision of this amendment would increase the base Floor Area Ratio (FAR) from 3.45 to a maximum of 4.6. The proposed C2-4 commercial overlay permits a commercial FAR of up to 2.0.

## **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

This application was reviewed pursuant to CEQR and SEQR and received a Negative Declaration, meaning that the proposed development will have no impact on the surrounding environment. The City Planning Commission certified this application as complete on November 13, 2012.

## **BRONX COMMUNITY BOARD HEARING**

Bronx Community Board #4 held a public hearing on this application on January 22, 2013. A vote recommending approval of this application with modification was 26 in favor, one against and zero abstaining. The community board's modification includes an insistence that the developer return to the community board to address concerns regarding the building development.

## **BOROUGH PRESIDENT'S PUBLIC HEARING**

The Bronx Borough President convened a public hearing on this application on February 7, 2013. Representatives of the applicant were present and spoke in favor of this application. No members of the public offered any comment on this matter and the hearing was closed.

## **BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

Ostensibly approving this application will amend the Zoning Map by eliminating an existing M1-2 District and establishing an R7A District with the inclusion of a C2-4 commercial overlay. This amendment pertains to property located on the east side of Gerard Avenue, at East 150<sup>th</sup> Street. However, the reason for this action is indeed "groundbreaking." As proposed, it would facilitate construction of a 124-unit residential building, with the inclusion of retail space approximating 24,000 square feet, in a community that today is typified by under-utilized garages and industrial buildings. In addition, pursuant to the Inclusionary Housing bonus, the applicant will allocate approximately 24 units for low-income residents, with the remaining units rented at the market rate. Again, not only would this development dramatically change the "built profile" of this community, but as envisioned by the developer it represents the first newly constructed, unsubsidized market rate mid-rise residences to be constructed in this section of Bronx Community District #4 since the 1960's. These facts, coupled with the recently adopted Lower Grand Concourse Rezoning and the Bronx Terminal Market Gateway Center along with its extraordinary mass transportation infrastructure, suggest that this entire area is poised for redevelopment.

Given that this project will be the first residential development in an area that is now decidedly non-residential, it will establish a benchmark for future development in this community. It is therefore imperative that when detailed plans for construction are finalized, my office have an opportunity to review these plans. Key considerations will be given to:

- The inclusion of foundation plantings where appropriate, street trees and a maintenance plan for the long-term care of such planted areas
- An understanding that storefront windows will remain unobstructed so as to allow interior lighting to illuminate the street and that any security gates installed be located inside the storefront.

- The installation of windows be considered a priority so as to offer additional illumination within the building’s four anticipated “sun courts.”
- Maximizing the use of natural lighting in the building’s common areas, including stairwells. Specifically, we want to encourage resident use of the public stairwells pursuant to the City’s Active Design Guidelines which both reduce energy consumption and encourage healthy and active lifestyle choices.
- Kitchens include higher quality cabinetry and granite surfaces and that appliances be as energy efficient as possible.
- The square footage of each unit be ample rather than the minimum permitted and that at least 15 percent of the units available offer three-bedrooms. The developer has agreed to increase the number of two-bedroom units.
- Exterior lighting not be intrusive-especially where such lighting is located near existing residences fronting on Walton Avenue.
- We continue to question the number of parking spaces required for buildings in areas where access to mass transit is easily available, and as in this example provides rapid transit to a host of communities across the city.

I recommend approval of this application and look forward to reviewing the finalized plans for this site.