

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 170413 ZMX
Special Harlem River Waterfront District Expansion**

DOCKET DESCRIPTION

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

1. Eliminating a Special Mixed Use District (MX-1) from property bounded by Park Avenue and its southwesterly centerline prolongation, East 135th Street, (southwesterly portion), the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, and the U.S. Pierhead and Bulkhead line; and
2. Establishing a Special Harlem River Waterfront District (SHRWD) bounded by Park Avenue and its southwesterly centerline prolongation, East 135th Street (southwesterly portion), the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, and the U.S. Pierhead and Bulkhead line;

As shown on a diagram (for illustrative purposes only) dated June 5, 2017.

BACKGROUND

In 2009 the City Planning Commission established the Harlem River Waterfront District (SHRWD) in conjunction with the adoption of the Lower Concourse rezoning matter, (C 090303 ZMX). This area is located in Bronx Community District #1, The SHRWD is zoned R7-2/C2-4 & C4-4. Referred to as the "Core Subdistrict," the SHRWD includes the eastern shore of the Harlem River; East 149th Street on the north, Park Avenue on the south, Exterior Street and the Major Deegan Expressway on the east. The objectives sought by creating this district included:

- Creating new mixed use and new residential use districts
- Mapping a new voluntary Inclusionary Housing area
- Mapping new waterfront parkland
- Establishing a Waterfront Access Plan (WAP)
- Ensuring that future development guarantees waterfront views
- Encouraging streetscape elements that are compatible with the surrounding community
- Encouraging public access to the waterfront.

Approving this application will facilitate the expansion of the SHRWD to include blocks bounded by Park Avenue, East 135th Street (Exterior Street), the Third Avenue Bridge and the Harlem River, and the block bounded by Bruckner Boulevard, and Lincoln Avenue.

As per sections 62-80, the Waterfront Access Plan (WAP) would also be modified within the boundaries of this area to facilitate the general public access requirements of waterfront zoning; including the identification of locations and parameters for the configuration of shore public walkways, upland connections, supplemental public access areas and visual corridors. This expansion will be known as the South Subdistrict.

Key to establishing the South Subdistrict is to acknowledge the numerous site developments that will or may occur. In 2016, the city committed \$200 million for the improvement of infrastructure in the Lower Concourse neighborhood. Therefore, the Department of City Planning (the applicant) is proposing the expansion of the SHRWD in order that any development within the South Subdistrict be in compliance with the SHRWD. The specific objectives include:

- Three mapped Visual Corridors:
 - Connecting centerline of East 134th Street to the Shore Public Walkway's Supplemental Public Access Area
 - Connecting centerline of Canal Street West to the Shore Public Walkway's Supplemental Public Access Area
 - Connecting Park Avenue to the shoreline
- Mapped Upland Connections
 - Inside the South Subdistrict along the centerline of Canal Street West and the southwestern boundary of Parcel 12 (Block 2319, Lot 60)
- Supplement Public Access Areas
 - Inside South Subdistrict on Parcel 11 (Block 2319, Lot 55)
- Active Use Corridors
 - On specific building frontages active retail or community facility uses shall be provided only on corners at a required 50 feet minimum distance, on the intersection of buildings
 - To provide flexibility for manufacturing uses in the South Subdistrict, 50 percent of ground floor level street wall shall be exempt from underlying minimum transparency requirements.
- Resiliency Measures
 - To allow more flexibility and variety in resiliency measures, the aggregate width of street walls rule shall be realized and located within eight feet of the street line.
 - Building height may be measured from a reference plane 12 feet above curb level in building is raised more than four feet (ZR 64-336)

- Where no transparent materials or entrances or exits are provided on the ground floor level below a height of four feet, for a continuous width of at least 25 feet, one or more visual mitigation elements shall be provided on at least 50 percent of the blank wall where an active use or floor area is provided.

In addition to establishing an extension to the Core Subdistrict, approving this application will also amend the Harlem River Waterfront District (SHRWD)-Core Subdistrict. The objective is to:

- Promote new opportunities for residential and commercial development
- Encourage construction of affordable housing

Highlights of specific amendments will:

- Provide design flexibility on Parcel 1 (Block 2349, Lot 112) and allow a buildable floor plate by:
 - Relocating the required Supplemental Public Access Area on Parcel 1 (Block 2349, Lot 112) to align with the sewer easement
 - Change loading requirements on Parcel 1
 - Visual Corridor realignment
- Waterfront Access Plan
 - Changing the Shore Public Walkway (SPW) regulations by removing the two feet change of elevation allowing flexibility in design and resiliency measures. The SPW would still have to be constructed above the height of the Oak Point Rail Link track bed.
 - Changing the lowest level allowed for a Visual Corridor Plane
 - FDNY Turnaround encroachment on the SPW-increasing the number of such encroachments in to meet FDNY standards
- Changes to streetscape regulations to provide design flexibility
 - Alleviate strict wrapped use requirements on SHRWD parcels excepting Parcels 1 and 2 (Block 2349, Lot 112, 100 –that portion not mapped as parkland
 - Require active uses only on corners
 - Resiliency measures allowing more flexibility and variety in resiliency measures
- Provide for design flexibility and variety of building form to support construction of affordable housing and maximize view of the water from upland residences and upland areas.

A majority of the development within the proposed expansion of the SHRWD is typified by one and two story as well as mid-rise industrial buildings, the presence of an elevated viaduct of the Major Deegan Expressway and truss bridges linking Manhattan and The Bronx (the Third Avenue and 145th Street bridges), including an additional bridge over which the three divisions of Metro North Commuter Railroad operates. A dominant feature of this area is the 104-acre Harlem River Yard Transportation and Distribution Center. An additional feature of this area includes the Oak Point Rail Link. This single track-bed is located within the Harlem River, running parallel to the shoreline of The Bronx, from East 132nd Street, north to approximately East 167th Street. As such, this railroad infrastructure entirely cuts off access to the Harlem River, with the only exception being various “inlets” along the shoreline of Bronx County. So too, the Major Deegan Expressway serves as a “barrier” between the industrial scale development to its west and the residential communities of Port Morris and Mott Haven to the east.

Current construction and future development anticipated to impact this area and surrounding communities include:

- 101 Lincoln Avenue & 2401 Third Avenue: This market-rate development which has not yet commenced, if constructed would represent the most significant private sector investment in market-rate housing to be constructed anywhere in The Bronx, south of 149th Street in over 60 years. As planned, this development will be situated on the banks of the Harlem River and offer 1,300 units of rental housing. The projected investment for this project will approximate \$600 million.
- 425 Grand Concourse-285 affordable housing units: A high rise residential building (28 stories) which will also include space for a possible school, medical offices, a supermarket and cultural venues. Construction has not yet commenced.
- Development of Pier 5, a five acre vacant parcel of property located adjacent to East 149th Street on the south, between the Harlem River on the west and Exterior Street and the Major Deegan Expressway on the east, and Mill Pond Park to the North. This site may accommodate residential development which will offer approximately 1,000 units of affordable housing as well as destination venues for cultural and retail development. Finalized plans for construction on Pier 5 have not yet been formally adopted.
- Numerous residential buildings now under construction are located south of East 149th Street. These include sites on Gerard Avenue and on Exterior Streets. A major hotel originally planned to be constructed on the south side of East 149th Street and Exterior Street has been dropped.
- Non-residential development includes:
 - Expansion of Hostos Community College facilities in the vicinity of East 149th Street, between the Grand Concourse on the east and Exterior Street on the west

- The market place-retail and dining venues to be installed in the former post office building located on the northeast corner of the Grand Concourse at East 149th Street. Construction is now taking place in this landmarked building.

In addition to these projects, both planned and in construction, the State of New York's Department of Transportation has identified an exit of the Major Deegan Expressway located at East 138th Street as in need of reconstruction.

Residential development in this general area is typified by high-rise buildings as maintained by the New York City Housing Authority (NYCHA), mid-rise residences as well as one and two family homes.

Mass transit options are easily accessible and provide numerous options. These include the 2, 4, 5 and 6 trains and bus services that serve The Bronx and Manhattan. Access to the Major Deegan and Bruckner Expressways is available. Retail activity is situated on East 138th Street, East 149th Street, Willis Avenue, Lincoln Avenue, Third Avenue, Exterior Street and on the Grand Concourse at East 153rd Street, south to its terminus at East 138th Street.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The City Planning Commission certified this application as complete on June 5, 2017.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #1 held a public hearing on this application on June 29, 2017. A vote recommending approval of this application was 10 in favor, four opposed and four abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this matter on August 3, 2017. Representatives of the applicant were present in spoke in favor of this application. There being no other members of the public wishing to speak, the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Throughout the history of New York City, its many miles of shoreline have always been an asset. During the first half of the 20th century much of this area was lined by all forms of industrial development. From slaughterhouses to ports of call for ocean liners, New York's waterfront was a necessary source of employment offering living wage jobs to thousands of people. Capitalizing on this use, Robert Moses considered the waterfront as ideal locations for the vast miles of highway and interstates that serve our city and the surrounding region. He built his roads to follow the shore thereby effectively "roping off" the waterfront from upland communities, but also minimizing the impact such infrastructure has on those communities.

By the second half of the 20th century, much of what defined our city's waterfront fell into disrepair and in some cases was simply abandoned. Piers rotted while residents shunned these areas due to their inaccessibility. Today, New Yorkers have reclaimed the waterfront as riverside parks boarded by gleaming towers and recreational venues are common in Manhattan, Brooklyn and Queens. Therefore it is certainly past-time for The Bronx to reclaim its waterfront, and approving this application is one additional step towards that end.

The expansion of the Special Harlem River Waterfront District (SHRWD) guarantees development is flood resilient, but it also provides for visual corridors. Through the installation of coordinated street furniture, it will invite people to explore their shoreline. Having said this, it is imperative that the visual and psychological impact of how the elevated sections of Major Deegan Expressway influence how people view the Harlem River shoreline, be given appropriate attention. As for example, Mill Pond Park located directly on the Harlem River is perhaps one of our borough's least utilized facilities. I attribute observation to the presence of the Major Deegan's viaduct. This dark and foreboding structure discourages folks from simply crossing Exterior Street to reach Mill Pond Park, because to do so means passing under the expressway. I hope with the eventual opening of the Bronx Children's Museum and the proposed development on the Lower Concourse North site, this blockade will be vanquished. Nonetheless, if the SHRWD expansion is to fulfill its goals, mitigating the impact of both the Major Deegan and Bruckner Expressways must be part of all future plans for the SHRWD. My first recommendation is the installation of proper LED lighting under the viaducts and consider how these areas can be transformed into destinations of their own.

I am also very pleased to note how development within the SHRWD will allow for highrise construction, while at the same time minimize the impact such construction will have within the adjacent area. This is accomplished by mandating setbacks that vary, based on both the height of the building as well as its distance from the waterfront and public pathways. Consequently, while the actual building height can rise as much as 400 feet, the impact of such a massive structure is mitigated by such setbacks. This assures that waterfront views are maximized and because affordable housing development often relies on "block and plank" construction, these setbacks make such construction possible.

I also suggest that commercial development within the SHRWD be such that people will seek out this area in significant numbers throughout most of the day and evening. A destination such as a museum that attracts visitors from throughout the region is ideal. So too, making certain that bicycle and pedestrian areas are properly designed rather than simply installed, will not only enhance their use, but will become an dispensable way by which people will commute.

I am very pleased to recommend approval of this application.