

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP NO: C 210201 MMX
BRUCKNER SITES REZONING CITY MAP**

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Throggs Neck LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment of the City Map involving:

- 1) The elimination, discontinuance and closing of a portion of Meyers Street between East Tremont Avenue and Edison Avenue;
- 2) The adjustment of grades and block dimensions necessitated thereby;

Including authorization for any acquisition or disposition of real property related thereto, in Community District 10, Borough of The Bronx, I accordance with Map No. 13146 dated June 24, 2022, and signed by the Borough President.

BACKGROUND

Approving this application will amend the City Map by demapping an unbuilt portion of Meyers Street, between East Tremont Avenue on the west and Edison Avenue on the east, The Project Area. This area includes a portion of Block 5309, Lot 35 to the boundary of Lot 60. The Project Area approximates a total of 5,497 square feet. This portion of Meyers Street was never vested by the City of New York. It is vested in Louis Zuccarello per that certain Deed between Rose Cavallo and Louis Zuccarello dated July 20, 2007. Approval of this application will not change this ownership. So too, given that this portion of Meyers Street has never been built this demapping will have no impact on traffic circulation.

Approval of this application will also facilitate construction of a new five story mixed residential and commercial Quality Housing building. This building will include 101,640 feet of floor area (FAR 3.6). As proposed, the building will include 24,000 square feet of commercial floor area, as well as 116 units, of which 35 units will remain permanently affordable. Underground parking will accommodate 44 spaces.

This application is associated with ULURP Applications C 220007 ZMX and N 220008 ZRX, known as the Bruckner Sites Rezoning. These applications were heard at public hearings by the Bronx Borough President and a recommendation was issued on June 24, 2022. The City Planning Commission voted to approve the related applications on August 24, 2022. The City Council voted to approve the related applications on October 12, 2022.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQR and received a Negative Declaration. The City Planning Commission certified this application as complete on June 27, 2022.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board 10 convened a public hearing on this application on September 28, 2022. A unanimous vote recommending this application be denied was, 24 in favor of denying approval of this application, zero opposed, zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President did not convene a new public hearing on this application. This application was considered as part of the Bruckner Sites Rezoning application (ULURP Nos: C 220007 ZMX and N 220008 ZRX).

The Bronx Borough President convened the original 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 to the speakers, there was written testimony that was received.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The recommendation for this application (C 210201 MMX) pertains to the recently approved Bruckner Sites Rezoning (ULURP Nos: C 220007 ZMX and N 220008 ZRX) which I issued a conditional recommendation on June 24, 2022, based on a scope of work that included the demapping of Meyers Street on Site B. I continue to stand by the original conditional recommendation.

Therefore, the following recommendation is the same conditional recommendation and does not take into consideration any changes that were subsequently made during public review.

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.