

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 220306 ZMX
NON-ULURP APPLICATION NO: N 220307 ZRX
521 East Tremont Avenue Rezoning

DOCKET DESCRIPTION

IN THE MATTER OF AN application submitted by M521 Tremont LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3d:

1. Eliminating a Special Mix Use District (MX-14) bounded by a line 195 feet southwesterly of East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue;
2. Changing from an R6A District to a C4-4D District property bounded by a line 195 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street and Bathgate Avenue;
3. Changing from an C4-5X District to a C4-4D District property bounded by a line 220 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, East Tremont Avenue, and Bathgate Avenue; and
4. Changing from an M1-4/R7A District to a C4-4D District property bounded by a line of 195 feet southwesterly of East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue;

Borough of The Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated September 19, 2022, and subject to the conditions of CEQR Declaration E-687.

BACKGROUND

The Project Area this application is considering is bounded by East 178th Street to the north, Bathgate Avenue to the west, East Tremont Avenue to the south and Third Avenue to the east. It includes Block 3043, Lots 43, 46, 47, 48, 72, 77, 80, 84 and part of 50 and 67. This area is currently zoned C4-5X, M1-4/R7A and R6A. It is also an Inclusionary Housing Designated Area offering a maximum 5.0 Floor Area Ratio (FAR) residential use (Use Group 1 and 2), and a 4.0 FAR for commercial (Use Group 5, 6, 8,9, 10, and 12). A 5.0 FAR for community facilities (Use Group 3 and 4) uses is included. The Project Area is located within a Transit Zone, exempting parking requirements for income restricted residential housing units.

Pending approval of this application, Block 3043, Lots 43, 46, 47, 48, 72, 77, 80, 84 and part of 50 and 67, would be rezoned C4-4D (an R8A equivalent). This would allow for an increase residential FAR from 5.0 to 7.20, and an increase for community facility from 5.0 to 6.5 FAR. Commercial FAR would decrease from 4.0 to 3.4. New residential construction must be pursuant to Quality Housing regulations and cannot exceed a building height of 145 feet.

Located within the Project Area, the Development Site consists of 24,834 square feet, Block 3043, (Lots 46, 72, 77, and 80). This site includes property located at:

- 1904 Bathgate Avenue with 24 feet of frontage
- 4215 & 4223 Third Avenue with 175 feet of frontage
- 509-521 East Tremont Avenue with 133 feet of frontage

The current status of these sites include:

- 1904 Bathgate Avenue: Vacant
- 4215 & 4223 Third Avenue: Off street commercial parking lot
- 513 East Tremont Avenue: A one-story commercial building
- 521 East Tremont Avenue: A three story commercial and community facility

The scope of development will require the demolition of all existing buildings located within the Development Site. The total development cost for the propose building will approximate \$140 million.

Pursuant to the amended Zoning Map, the applicant proposes to construct a new 14-story, mixed use building. This new building will include a total floor area of approximately 178,537 zoning square feet, with an FAR of 7.19. A total of 204 residential dwelling units, plus one superintendent's unit will be included, all of which will be affordable. The scope of development provides:

- Studio units: 66 - averaging 370 square feet
- 1-Bedroom units: 69 - averaging 549 square feet
- 2-Bedroom units: 43 - averaging 735 square feet
- 3-Bedroom units; 26 - averaging 930 square feet

Affordability Unit Count includes:

- 61 units (30%): Supportive Housing
- 50 units (25%): 30% of Area Median Income (AMI)
- 29 units (14%): 40% of AMI
- 23 units (11%): 50% of AMI
- 28 units (14%): 70% of AMI
- 13 units (6%): 80% of AMI
- 1 Superintendent Unit

Environmental features include:

- Installation of solar panels on the building's main roof
- Naturally luminated common areas
- All electric appliances
- Green roof features on setback roof areas

On site amenities include:

Cellar Level:

- Exercise room-approximating 700 square feet
- Bicycle storage for 103 bicycles
- Laundry room

Ground Level:

- Residential units
- Commercial space-approximating 12,895 square feet
- Lobby area for residences
- Lobby area for community facilities
- Parking for 17 vehicles

Second Level:

- Residential units
- Community facility space for health care provider-approximating 10,000 square feet
- Reading room-approximating 520 square feet
- Computer room-approximating 450 square feet
- Community room-approximating 810 square feet
- Activities room-approximating 800 square feet

Third to Twelfth Level:

- Residential units

Thirteenth to Fourteenth Level:

- Residential Units
- Outdoor terraces for passive recreation- approximating 1,050 square feet

The Community Healthcare Network, (CHN) will lease the second story of the proposed building as the community facility use. It is currently located on the second story of the 4215 Third Avenue building, which pursuant to this application will be demolished. As anticipated, CHN will occupy the second story of the newly constructed building, approximating 10,000 square feet.

Development of the adjacent community is typified by medium-density buildings providing for a mix of residential, retail, and commercial uses; in addition to the Bathgate IBZ two blocks southwest which permits some industrial/manufacturing uses. Both Tremont Avenue and Third

Avenue are wide, streets with heavy pedestrian usage and providing for two-way traffic. Situated catty-corner to the proposed building site is Walter Gladwin Park (formally known as Tremont Park). This park occupies the southeast corner of the Tremont Avenue-Third Avenue intersection, providing 15 acres of mapped parkland and is the former site of Borough Hall. It defines the south side of East Tremont Avenue, between Third Avenue on the west and Arthur Avenue to the east.

This site is well served by public transportation. Subway service is available approximately 0.6 miles distance on the Grand Concourse at Tremont Avenue via the “B” and “D” trains. Metro North access is located on Park Avenue via the Tremont station located 0.2 miles from the Project Area. Bus service is provided via the Bx15 which operates on Third Avenue and the Bx 40 and Bx42 bus which operates on Tremont Avenue.

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 on September 19, 2022.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #6 held a public hearing on this application on November 9, 2022. A vote recommending approval of this application was 16 in favor, zero against, and four abstaining.

BOROUGH PRESIDENT’S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on November 22, 2022. Representatives of the applicant were present and spoke in favor of this application. The District Manager of Community District #6 offered comments on the need for homeownership buildings within the district while also recommending approval of this application. There were no other speakers, and the hearing was closed.

BRONX BOROUGH PRESIDENT’S RECOMMENDATION

The need for affordable housing in The Bronx has never been more acute. At the same time, the availability of vacant sites has all but been exhausted. Consequently, as we move forward, I believe it will become increasingly necessary to consider how sites where underutilized buildings are standing can be redeveloped to accommodate the need for good quality housing.

Reviewing the specifics of this application, I endorse the proposed Zoning Map and Zoning Text amendment which will facilitate the demolition of an antiquated, non-residential building and subsequently the construction of a new mixed-use, 205-unit residence.

My administration is committed to supporting residential development that will address the overwhelming demand for multi-bedroom units in The Bronx. These larger “family size units” are important to allow for families to grow and stay within their community. While it is my position to always advocate for more bedrooms in units, I am satisfied that this proposed

development allocates over 30% of the units to two- and three-bedroom units. While this development is proposing to build these units on the larger size of the HPD range, I would like to see HPD adjust their unit sizes to accommodate larger units. These unit size constraints limit design flexibility as the tradeoff for more units is superseding the need for larger units. As housing costs increase and families are pressured into multiple children sleeping in a single bedroom, accommodating these families with larger bedrooms would help families grow without having to move.

I acknowledge the comments offered by Community Board #6 as it pertains to home ownership. The fact remains that The Bronx has one of the lowest rates of home ownership of any county in New York State. Working with HPD, this is a distinction that my administration is looking forward to addressing. I am however mindful that it is not feasible for a newly constructed multi-unit building of this scale to set aside a percentage of the units for purchase. A homeownership building should either provide all homeownership or provide no homeownership at all. The main reason being that a mix of homeownership and rentals would create two distinctly different resident-profiles within one building, prompting irreconcilable differences and challenges to the long-term finances of the building. I would also anticipate the challenges of getting financing from private banks or lines of credit to do future repairs when there is a mix of residential typologies. Nonetheless, I do endorse the position of Community Board #6 as it calls for future affordable housing developments to provide homeownership options within the community. It is through home ownership that intergenerational wealth is realized and, as such, families can best earn their way to a prosperous future.

This new development will be located on the prominent Third Avenue and Tremont Avenue intersection that will help to reshape a community that has long needed new investment. It is important that this development then supports the local community by hiring local workers for both the short-term construction jobs as well as for the longer-term permanent jobs that will be located in the building. I ask the applicant team to be a good neighbor and work with the local community to provide outreach and support that will ensure that local residents have the opportunity to work in a neighborhood they have long supported, this includes providing OSHA 40 Training, committing to MWBE hiring, and 1199 union hiring for the ten new health care workers that are planned.

The Tremont Avenue corridor is an important active retail and commercial district that provides for the local community. It is therefore critical that the retail venues that will lease this new space will offer the surrounding community a diverse array of good quality stores. My office and The Bronx Overall Economic Development Corporation (BOEDC) are in place to assist in addressing this challenge.

In regard to the health care facility that currently serves this underserved community, I want to state that I am very pleased that Community Health Network (CHN) will be able to continue providing services during construction. CHN noted that they will relocate to a temporary location approximately a block south which will allow existing patients to continue their healthcare services. I want to commend CHN for committing to retaining their existing staff while the new building is being built and am pleased that the new building will allow for an expansion of their much-needed services to the local community.

In addition to the Zoning Map Amendment, the Zoning Text Amendment is incredibly important. The current inclusionary housing program is voluntary, whereas, under the mandatory inclusionary housing program, there will be a permanent affordable housing component tied to this site. While this may not be significant in the short-term, as this project is proposed to be 100% affordable, I am thinking about how the Bronx will continue to stay affordable for residents in the future, and this permanent program will ensure that happens. It is also important for the non-applicant owned lots that may develop in the future.

I am very pleased that this development is proposing to add several “green” elements, such as solar panels and a green roof. As DCP has recently released information on the “City of Yes” text amendments that include the upcoming *Carbon Neutrality Text Amendment*, I believe projects like this will benefit from the added flexibility that is being proposed, such as allowing rooftop solar for more than 25% of the rooftop. Removing some of these existing restrictions will allow for much more renewable energy to be created and any short-term costs of the solar panels will be offset by the energy savings to the building. I would also ask that the applicant team consider adding electric vehicle (EV) charging stations to some of the 17 parking spaces that will be provided. While these EV stations would not be permitted under today’s zoning, I’m optimistic that the Carbon Neutrality Text Amendment will provide that flexibility in the near future.

Taking all considerations into account, I believe that the proposed project, that is subject to this application, will be a benefit to The Bronx. The rezoning to a C4-4D will be a relatively modest upzoning that will yield 204 units of new affordable housing, expanding medical care services to the local community, and promote sustainable building practices through the use of renewable energy. I therefore recommend approval of this application.