

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
2560 BOSTON ROAD REZONING
ULURP APPLICATION NO: C 220283 ZMX
RELATED APPLICATION NO: N 220284 ZRX

DOCKET DESCRIPTION

IN THE MATTER OF AN application submitted by Boston Road Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 4a:

1. Changing from an R6 District to an R7-2 District property bounded by a line 100 feet southeasterly of Boston Road, Matthew Avenue, a line 350 feet northerly of Mace Avenue, a line midway between Barnes Avenue and Matthews Avenue, a line 250 feet northly of Mace Avenue, and Barnes Avenue;
2. Changing from a C8-1 District to an R7-2 District property bounded by Boston Road, Matthews Avenue, a line 100 feet southeasterly of Boston Road, and Barnes Avenue; and
3. Establishing within the proposed R70-2 District a C2-4 District bounded by Boston Road, Matthews Avenue, a line 350 feet northerly of Mace Avenue, a line midway between Barnes Avenue and Matthews Avenue, a line 250 feet northerly of Mace Avenue, and Barnes Avenue;

As shown on a diagram (for illustrative purposes only) dated October 24, 2022, and subject to the condition of CEQR Declaration E-694.

BACKGROUND

Approval of this application will amend the Zoning Map, Section No: 4a by eliminating a R6 District and adopt the proposed R7A-2/C2/4 District. It would also change an existing C8-1 District and adopt the proposed R7-2 District. The location of this zoning change includes Block 4440, Lots 16, 30, and 32. This area referred to as the Development Site, is bounded by Boston Road to the north, Barnes Avenue to the east, and Matthews Avenue to the west. The Development Site is located in Bronx Community District #11.

The specifics of this proposed zoning change includes:

- Eliminating an existing R6 District which allows for an FAR of up to 2.43.
- Eliminating an existing C8-1 District which allows for a mix of commercial uses (Use Groups 5-14). Development in an C8-1 District is typified by automobile showrooms and other auto related activity such as gas stations and car washes. This zoning change includes the area not currently zoned R6, including the south side of Boston Road, between Barnes Avenue and Matthew Avenue.

- Establishing a proposed R7A District for the entire Development Site. It allows for an FAR of up to 4.0 and up to an FAR of 4.6 in Mandatory Inclusionary Housing (MIH) Designated Areas. Community facility uses have a maximum FAR of 4.0. An off-street parking space is required for 50% of all dwellings except for those with income restrictions and those located within a Transit Zone.
- Establishing C2-4 overlay to include the Development Site. C2-4 overlays allow for retail and service establishments including Use Group 6, 7, 8, 9, and 14.
- A Zoning Text Amendment (N 220284 ZRX) to Appendix F of the Zoning Resolution will designate the Development Site an MIH Area. MIH will require permanent affordable housing of 25% with MIH option 1 or 30% with MIH option 2. The applicant intends to finance the project using HPD’s Mix and Match program. As such, a maximum of 60% of the units will be affordable for households earning 60% of Area Median Income (AMI) with the remaining units available for households earning up to 130% of AMI.

The Development Site includes Block 4440, Lots 16, 30, and 32, all of which are owned by the applicant. This site consists of approximately 54,770 square feet of lot area. It offers approximately 286 feet of frontage on Boston Road, approximately 221 feet on Barnes Avenue, and approximately 326 feet of frontage on Matthews Avenue. There are buildings located on the Development Site. These include:

Block 4440, Lot 16: A Fine Fare Supermarket composed of 13,800 square feet, plus an off-street parking lot accommodating 55 vehicles.

Block 4440, Lot 30: A two-story building composed of 3,972 square feet. The first floor is occupied by a daycare facility (Use Group 3). The second story offers a residential unit.

Block 4440, Lot 32: A one-story commercial building composed of approximately 1,050 square feet of floor area.

These buildings will be demolished to accommodate the proposed development.

As proposed, a Quality Housing, mixed-use building will be constructed. The building will rise a total of 110 feet with a setback at 70 feet, thereby reducing the impact of its overall height. It will consist of approximately 279,000 square feet of floor area, of which approximately 252,000 square feet of residential floor area, yielding 333 residential units. Highlights include:

<u>Unit Size:</u>	<u>Number of Units:</u>	<u>Percentage of Units:</u>	<u>Unit Square Footage:</u>
Studios:	84	25%	350-400 square feet
1 Bedroom Units:	149	45%	500-550 square feet
2 Bedroom Units	50	15%	650-725 square feet
3 Bedroom Units	50	15%	850-950 square feet
Total Units:	333		

Access to the residences will be via Barnes Avenue.

Commercial space will approximately 20,300 square feet, of which 15,000 square feet will be occupied by the existing Fine Fare supermarket. During the construction period this supermarket will be relocated to a site on Allerton Avenue, between Bronxwood Avenue and Radcliff Avenue.

Community facility floor area will approximate 6,750 square feet.

Sustainable design will include solar panel installation and/or a green roof.

Off-street parking will offer 117 spaces. From this total, 67 spaces will be located on the cellar of the proposed building for residential use. The balance of 50 spaces will be at-grade for those patronizing the supermarket and other non-residential uses. Access to the at-grade parking area for the commercial venues will be via Barnes Avenue. Residential access to the below grade garage will be via Matthews Avenue. A bicycle storage area will also be located on the cellar level.

Access to the proposed supermarket will be located at the intersection of Boston Road and Matthews Avenue. The loading berth of the supermarket will be accessible from Matthews Avenue. A landscaped entryway will provide access to the retail multiple retail locations that will front on Boston Road. The community facility space will be located on the mezzanine level of the proposed building, with an entrance located on Matthews Avenue.

Development of the surrounding area is typified by low-rise, one- and two-story commercial venues fronting on Boston Road, which is a wide street approximating 100 feet in width. These locations include auto-related uses. Residential development is a mix of two-story buildings and mid-density, six-story, multi-family buildings. This proposal is within a Transit Zone. Subway access via the #2 and #5 trains is located at Allerton Avenue, approximately four blocks from the Development Site. The Bx26 operates on Allerton Avenue, approximately one block from the Development Site.

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 October 24, 2022.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #11 held a public hearing on December 21, 2022. On December 22, 2022, a motion by the full board was voted on to support the proposal, provided that: “The City of New York meets and increases school, police, sanitation infrastructure” and “overnight parking is available for building residents.” The recommendation was then voted down at the full board meeting. Concerns were raised that the area median income (AMI) was too high for the local

community and that the surrounding infrastructure would not be able to minimize the negative impacts of the proposed building were two of the main concerns. The Community Board intends to submit a non-complying recommendation in February.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on January 26, 2023 at approximately 10am EST. The applicant was present and spoke in favor of the application. There were 12 speakers, with 4 speaking in favor of the proposal and 8 opposed. The public hearing was then closed. In addition to the speakers, there was written testimony that was received.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Sites in The Bronx where residential development can take place “as-of-right” are becoming less available. As such, I am pleased to consider this application, where a proposed rezoning would facilitate the development of much needed affordable housing.

Reviewing the details of the 2560 Boston Road application, I am pleased that the 333 proposed units will be considered 100% affordable. I recognize the concerns raised by the local community that this project will have AMI's that are too high for the existing area. The applicant is proposing to use the Mix-and-Match HPD term sheet, where they are proposing a 60% weighted AMI, which is generally in-line with the existing community. This project will also provide a permanent housing requirement through MIH, which would not occur if the rezoning did not happen. I do not believe this project will lead to displacement as it will provide additional affordable housing options within the local community. I would also note that there is a 50% Community District 11 requirement, which will ensure many of the units will go to existing community residents.

My main concern with this project is the same concern I raise with virtually every affordable residential development: the lack of family size units (two- and three-bedrooms) and the proposed size of these units. I recognize the project is proposing 30% of units to be two- and three-bedroom which is the minimum range for my support, but I will continue to push developers to increase this number. I also recognize that the unit sizes are based on HPD ranges, but I will continue to advocate for larger units to both HPD and all developers. I consider this to be especially important if our objective is to not only to build places to live but also build a community where families reside for many years.

I will echo the initial recommendation that was voted on by Community Board 11 which was for the local infrastructure, such as sanitation, needs to be upgraded or maintained so it can handle the new development. Additionally, supportive services, such as police, emergency medical services, and school capacity, should all be expanded or increased based on any new needs that occur.

An initial concern I had was regarding the potential displacement of the existing Fine Fare supermarket which is a community asset. The owner of the existing supermarket has agreed to temporarily relocate to a nearby location, two blocks northeast along Boston Road, that will

continue to provide a supermarket for the community as well as retain all existing supermarket employees. When the proposed new building and the new supermarket is opened, all employees will then be able to return to the new supermarket, thus avoiding displacement of the 50-60 existing employees. With the agreement to keep the supermarket in the community during the new construction as well as by retaining the existing employees, my concerns were addressed. In addition to the grocery store jobs that will be retained, the development would create four to six 32BJ union jobs, create jobs with the community facility space, as well as create temporary construction jobs.

During the public hearing, the applicant team stated they are open to ideas for the 6,750 sf of community facility space. I would like to propose several ideas for the space that would have my support. While the space is modest in size, it could provide for youth-oriented programming, tailored toward school-age children or a community health center, specifically a health center for women.

Parking and traffic congestion were two additional concerns that were raised during public testimony. I will note that Boston Road is a wide street at 100 feet in width and, in the EAS analysis, it states there will be no impacts or mitigation needed; though re-striping may occur. Additionally, the proposal will provide a total of 117 parking spaces, split between 67 residential parking spaces and 50 commercial parking spaces. The 50 commercial spaces is nearly the same number of spaces the supermarket has today, resulting in a minimal loss of existing parking for the supermarket. With a total of 117 parking spaces and the proposal being within four blocks of the Allerton Avenue 2 and 5 trains, I believe there is adequate parking proposed.

Finally, I must offer an observation that this new building will be taller than the majority of the existing housing. This development provides an opportunity to set a “gold standard” for the neighborhood as it will be this building that the local community will identify as a defining landmark. This takes on even more relevance given that Boston Road has seen minimal new investment due to the limitations of the existing zoning. As I noted in my Strategic Policy Statement, which lays out my vision for the next four years as Borough President, I would like to see DCP undertake a neighborhood study along Boston Road to understand what development potential there could be along this underutilized, yet, very important corridor.

For the reasons noted above, I recommend approval of this application.