



October 5, 2016 / Calendar No. 4

C 150312 ZMX

IN THE MATTER OF an application submitted by the Upper Manhattan Development Corporation, pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

1. changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, East 153rd Street, the centerline of the easterly portion of Grand Concourse, and a line 525 feet southwesterly of East 156th Street;
2. changing from a C8-3 District to an R8 District property bounded by the centerline of the easterly portion of Grand Concourse, a line 450 feet southwesterly of East 156th Street, a line 100 feet northwesterly of Concourse Village West, and a line 525 feet southwesterly of East 156th Street; and
3. establishing within the proposed R7D District a C1-4 District bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, and a line 200 feet southwesterly of East 156th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated May 23, 2016 and subject to the conditions of CEQR Declaration E-386.

This application for an amendment of the Zoning Map (C 150312 ZMX) was filed by the Upper Manhattan Development Corporation on March 26, 2015 to facilitate the development of a mixed-use complex containing approximately 213 affordable dwelling units, commercial, and community facility spaces in the Concourse Village neighborhood in the Borough of the Bronx, Community District 4.

RELATED ACTIONS

In addition to the Zoning Map amendment, which is the subject of this report (C 150312 ZMX), implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 150313 ZRX Zoning Text Amendment pursuant to Appendix F to establish a Mandatory Inclusionary Housing Designated Area.

BACKGROUND

The applicant seeks approval of amendments to the zoning map and zoning text to facilitate construction of a new, three building mixed-use development providing approximately 213 dwelling units on three zoning lots (Block 2458, Lots 13, 35, and 49) located at East 156th Street and the Grand Concourse in the Concourse Village neighborhood of Community District 4, Bronx.

To facilitate this new development, the applicant is proposing to rezone the area generally bounded by the Grand Concourse, East 156th Street, Concourse Village West and East 153rd Street (Project Area), which includes the development site (Lots 13, 35 and 49) as well as five other properties and/or parts thereof (Lots 6, 43, and part of lots 16, 25 and 26) that are not controlled by the applicant. A portion of the Project Area (Block 2458, Lot 13, and parts of Lots 6, 16, 25, 26 and 49) are located within the Residential Preservation Area Subdistrict of the Special Grand Concourse Preservation District (C). No changes are proposed to the Special Grand Concourse District. The Grand Concourse Historic District is north of the Project Area.

The Project Area is in the Concourse Village neighborhood of the Bronx. The Concourse Village planned community consists of six 25-story residential buildings. The area around Concourse Village is predominately developed with residential uses, including six-story apartment buildings on Grand Concourse, north of the Project Area within the Grand Concourse Historic District. Concourse Village West is developed with residential buildings with ground floor retail stores. Additional residential uses can also be found to the west, across Franz Siegel Park from the Project Area.

Within the Project Area, existing land uses include a house of worship, a large live poultry/livestock business, a mattress/bedding retailer, and warehouses. A Department of Sanitation-sponsored composting facility is located at the south end of the Project Area.

The facility is comprised of vacant properties acquired by the Department of Transportation as part of efforts to build a replacement bridge at East 153rd Street.

Across Concourse Village West there is a superblock occupied by the Department of Education's Mott Haven Campus. The Campus is home to two elementary schools, a middle school and three high schools. Cardinal Hayes High School is located to the south.

The development site (Block 2458, Lots 13, 35, and 49) is occupied by enclosed and open public parking businesses with related accessory operations, an auto repair shop, and a laundromat. These businesses will be removed to facilitate the new construction.

The entire Project Area is currently zoned C8-3. The applicant is proposing to change the C8-3 zone to R7D and R8 districts, so as to accommodate the development of affordable housing. Since residential uses are not allowed within C8-3 districts, the proposed zoning map change is necessary to facilitate the proposed housing. Additionally, a C1-4 commercial overlay is proposed to be mapped along East 156th Street, within the proposed R7D District, to facilitate the development of needed commercial uses.

The existing C8-3 District allows a maximum commercial floor area of 2.0 and a maximum community facility floor area ratio (FAR) of 6.5. C8 districts provide a bridge between heavy commercial and manufacturing uses. Permitted development includes Use Groups 4-14 and 16, which allows most commercial uses and some community facility uses. Residential uses are not permitted.

The proposed R7D and R8 zoning districts are mid- to high-density residential districts that permit Use Groups 1-4, inclusive of residential and community facility uses. R7D zoning districts have a maximum FAR of 5.6, if developed with the Mandatory Inclusionary Housing (MIH) requirements, and a maximum community facility FAR of 4.2. Parking is required for 50% of dwelling units, but may be waived for smaller lots or

affordable housing. There is a maximum streetwall height of 85 feet and a maximum overall height of 105 feet.

R8 zoning districts have a maximum residential FAR of 7.2, per the MIH regulations, and a maximum community facility FAR of 6.5. The maximum permitted street wall height is 95 feet and the overall building height maximum is 150 feet. Parking is required for 40% of dwelling units.

The C1-4 commercial overlay permits Use Groups 1-6 and has a maximum commercial FAR of 2.0 within R7D zoning districts.

The proposed rezoning will facilitate the construction of three residential buildings on three separate lots (Block 2458, Lots 13, 35 and 49). All three buildings are to be built pursuant to Mandatory Inclusionary Housing (MIH) requirements.

Lot 13 is proposed to be rezoned from C8-3 to R8 to facilitate the development of a 14-story, 49,572 square-foot residential building with approximately 53 dwelling units. The proposed building would have an FAR of approximately 7.19. The cellar would be used for mechanical space, storage and accessory parking for 8 cars. Recreational space would be constructed on approximately 430 square feet on the building's first floor and approximately 2,710 square feet of outdoor recreational space would be provided in the rear yard. The applicant is eligible for a waiver of the parking requirement of 8 spaces, pursuant to ZR Section 25-26.

Lot 35 is proposed to be rezoned from C8-3 to R7D/C1-4. Located at the intersection of East 156th Street and Concourse Village West, Lot 35 would be developed as an 8-story (plus basement and cellar) mixed-use building, containing approximately 6,300 square feet of commercial retail space in the basement and approximately 8,014.5 square feet of parking space. On the second through eighth floors, there would be approximately 80,839.39 square feet of residential floor area in approximately 90 dwelling units which will all be available at or below 60% AMI. The proposed building FAR would be 5.59.

The building would have an indoor recreation room of approximately 500 square feet and an outdoor space of approximately 4,433 square feet on a first floor terrace. There would be 23 parking spaces that would be accessed from a curb cut on Concourse Village West at the southern end of the building. The curb cut would be approximately 12 feet wide.

Lot 49 would be rezoned from C8-3 to R7D, to facilitate construction of a 10-story mixed-use building, with residential and community facility uses, fronting on Concourse Village West. The building's first floor would accommodate approximately 9,500 square feet of community facility space and 2,536.21 square feet of parking. The cellar floor would have approximately 10,920.21 additional square feet of parking. Approximately 68,230.89 square feet of residential space comprising approximately 70 dwelling units would be provided on floors two through ten. Lots 13 and 49 are proposed to be constructed together as two adjoining buildings with 40% of the units for low income tenants (at or below 60% AMI) and 60% middle income (80-100% of AMI). An approximately 500 square foot recreation room would be provided and there would be an outdoor terrace of approximately 5,717 square feet on the second floor. The proposed building FAR would be 5.57. Eighteen parking spaces would be provided, which will be accessed from a 10-foot wide curb cut on Concourse Village West, at the north end of the building.

The project will have a total of approximately 213 units within the three buildings., 140 of those units would be for low income tenants (at 60% or less AMI) and 73 units would be for middle income households (80-100% AMI).

In addition, the applicant proposes a Zoning Text amendment (N 150313 ZRX) to designate the proposed rezoning area as a Mandatory Inclusionary Housing Area. This program will require a certain amount of new housing be provided as permanently affordable to low- or moderate-income households. The applicant has requested to incorporate affordability Option 2, which requires 30 percent of the residential floor area to be provided as housing affordable to households with incomes averaging 80% AMI.

ENVIRONMENTAL REVIEW

This application (C 150312 ZMX), in conjunction with the related action (N 150313 ZRX) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 16DCP146X. The lead is the City Planning Commission.

After a study of the potential impacts of the proposed actions in the Environmental Assessment Statement (EAS), a Negative Declaration was issued on May 23, 2016.

Subsequent to the issuance of an Environmental Assessment Statement (EAS) on May 20, 2016 (the “May 2016 EAS”) and Negative Declaration on May 23, 2016, a Revised EAS was issued on September 30, 2016. The Revised EAS provides supplemental information related to an existing poultry establishment located within the Affected Area (Block 2458, Lot 6, Projected Development Site 4). The Air Quality section of the Revised EAS clarifies that the poultry establishment located on Projected Development Site 4 is currently subject to the provisions of State law, under 6 NYCRR 211-1, which prohibits emission of odors that could adversely affect nearby sensitive receptors and therefore significant adverse impacts related to odor air quality are not expected to occur. The additional information provided does not alter the conclusions of the May 2016 EAS or the May 2016 Negative Declaration.

In connection with the Proposed Actions, an (E) designation (E-386) would be assigned to sites within the Affected Area (Block 2458, Lots 6, 13, 35, 43, and 49) to avoid potential significant adverse impacts related to hazardous materials, air quality and noise.

The (E) designation related to hazardous materials would apply to the following sites:

Block 2458, Lot 6

Block 2458, Lot 13

Block 2458, Lot 35

Block 2458, Lot 43

Block 2458, Lot 49

The (E) designation text related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER

determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With the assignment of the above-referenced (E) designation for hazardous materials, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to air quality would apply to the following properties:

Block 2458, Lot 6

Block 2458, Lot 13

Block 2458, Lot 35

Block 2458, Lot 43

Block 2458, Lot 49

The (E) designation related to air quality is as follows:

Block 2458, Lot 13: Any new residential and/or commercial development on Block 2458 Lot 13 (Site 1) must use exclusively natural gas for HVAC systems and ensure that the heating, ventilating and air conditioning stack is

located at the highest tier or 178 feet above grade and setback at least 10 feet from any roof lot line to avoid any potential significant adverse air quality impacts.

Block 2458, Lot 35: Any new residential and/or commercial development on Block 2458 Lot 35 (Site 2) must use exclusively natural gas for HVAC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest tier or 118 feet above grade and setback at least 10 feet from any roof lot line to avoid any potential significant adverse air quality impacts.

Block 2458, Lot 49: Any new residential and/or commercial development on Block 2458 Lot 49 (Site 3) must use exclusively natural gas for HVAC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest tier or 118 feet above grade and setback at least 10 feet from any roof lot line to avoid any potential significant adverse air quality impacts.

Block 2458, Lot 6: Any new residential and/or commercial development on Block 2458 Lot 6 (Site 4) must use exclusively natural gas for HVAC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest tier or 118 feet above grade and at least 151 feet from the lot line facing Grand Concourse and 93 feet from the lot line facing East 156 Street to avoid any potential significant adverse air quality impacts.

Block 2458, Lot 43: Any new residential and/or commercial development on Block 2458 Lot 43 (Site 5) must use exclusively natural gas for HVAC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest tier or 118 feet above grade and setback at least 10 feet from any roof lot line to avoid any potential significant adverse air quality impacts.

With the assignment of the above-referenced (E) designation for air quality, the Proposed Actions would not result in significant adverse impacts.

The (E) designation related to noise would apply to the following properties:

Block 2458, Lot 6

Block 2458, Lot 13

The text for the (E) designation related to noise is as follows:

Block 2458, Lots 6 and 13: In order to ensure an acceptable interior noise environment, future residential uses must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on the façades facing the Grand Concourse in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

With the assignment of the above-referenced (E) designation for noise, the Proposed Actions would not result in significant adverse impacts.

The City Planning Commission has determined that the proposed action will have no significant effect on the environment.

UNIFORM LAND USE REVIEW

This application (C 150312 ZMX) was certified as complete by the Department of City Planning on May 23, 2016, and was duly referred to Bronx Community Board 4 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N

150313 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 4 held a public hearing on the application (C 150312 ZMX) on June 28, 2016 and, on that date, by a vote of 20 to 0 with 1 abstention, adopted a resolution recommending approval of the application with the following modifications:

1. Requirement that preference for all jobs related to the project (union and non-union) be given to residents of Community District Four and secondarily to residents of the Borough of the Bronx. The developer will work with Community Board Four, the Bronx Borough President's Office and local organizations to advertise for all jobs and upon selection of a general contractor will provide a quarterly report on employment related to the project and all marketing and recruitment efforts through all phases of construction.
2. On-street parking is a critical quality of life issue here in the district and the displacement of over 100 parking spaces will exacerbate an on-going issue for area residents. Prior to construction the developer should supply the Board with a proposed parking plan for the project. This plan should include alternative arrangements with existing garages in the area with capacity. The developer should give ample notice to monthly and daily users of Lots 13 and 35 which has combined capacity of over 100 spaces. The developer should make every effort to replace those spaces in kind and they must be offered at rates that are affordable to area residents and are comparable to the rates currently offered. The developer should provide the option for monthly patrons with proposed rates to return to the garage upon completion of construction in writing.
3. While outside of the purview of the proposed actions, the Board respectfully requests that the developer refine the design of 702 Grand Concourse to better match the predominant Art Deco character along the Grand Concourse. It should be noted that most there are few developable parcels along the Grand Concourse and it is critically important that any new development reflect the built character of this area. The developer should present proposed designs to the Community prior to final submission of plans to the Department of buildings.

4. The developer should work closely with the community to find a commercial use that serves the needs of area residents and diversifies the existing retail environment. The developer should consult with area residents and the Department of Small Business Services (SBS) to target local business owners and entrepreneurs in Community District Four for the proposed retail spaces.
5. Requirement that all retail tenants be given long-term affordable lease terms.
6. Approximately 140 units (65%) of the 213 units are targeted for tenants making less than 60% of the Area Median Income (AMI), therefore we request that the community facility designated for Lot 49 be developed as a Universal Pre-K.

Subsequent to the City Planning Commission Public Hearing, the applicant addressed in a letter the Community Board's requests for modifications as follows:

The applicant agreed to relocate the lobby/entrance of the building away from the live poultry retail business to its south; the team redesigned the façade of the building to incorporate an art deco character, including metal work on the windows and parapet railings; and they will enliven the blank, south-facing, building wall with mimicked window graphics.

Borough President Recommendation

The application (C 150312 ZMX) was considered by the Bronx Borough President, who issued a recommendation approving the application on August 19, 2016.

City Planning Commission Public Hearing

On August 24, 2016 (Calendar No. 2), the City Planning Commission scheduled September 7, 2016 for a public hearing on this application (C 150312 ZMX). The hearing was duly held on September 7, 2016 (Calendar No. 23), in conjunction with the application for the related action. There were two speakers in favor and none opposed.

Two members of the applicant team spoke in support of the project. They summarized the proposal, and commented on the Community Board 4 recommendations. They indicated that involvement and consultations with the Community Board, Borough President's Office, and community stakeholders would continue as the project moves forward. The applicant team also stated that Art Deco-style elements reflecting the character of the area would be incorporated into the building's facade. They also agreed to seriously consider all of the proposed changes requested by the community as stated in the Community Board recommendation letter.

There were no other speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 150312 ZMX) for an amendment of the Zoning Map, in conjunction with the related application for the proposed Zoning Text Amendment (N 150313 ZRX), is appropriate.

The proposed project would create approximately 213 residences including 41 studio units, 84 one-bedroom, 71 two-bedroom, and 32 three-bedroom units. One hundred percent of the units would be affordable to households making 30 – 100% of the Area Median Income (AMI). As required by the Mandatory Inclusionary Housing policy, 30% of the units would be permanently affordable. These units would help address the need for more housing in the Bronx and the City as a whole.

The proposed rezoning would facilitate the construction of one of the first residential developments on the Grand Concourse in more than 50 years. The Commission believes that it will significantly improve the condition of these underutilized properties located along the borough's most prestigious boulevard.

The Commission also believes that the proposed zoning and associated development are consistent with the intent of the Grand Concourse Special District, the goal of which is to preserve and enhance the residential character of the concourse. It will reinforce existing

residential land uses to the north and west of the action area, including the Concourse Village planned community.

The City's need for affordable housing provides an impetus to create new capacity for residential development through rezonings where such development is deemed appropriate. The proposed rezoning area is instantly accessible to mass transit, within easy walking distance of the IRT #4 and the IND "D" subway lines. Both the Metro North Park Avenue and Harlem River lines have nearby stops on East 161st Street.

The Commission believes the proposed rezoning reflects sound planning and will encourage a complementary mix of uses to serve the growing neighborhood. In addition, the request to designate the proposed rezoning area as a Mandatory Inclusionary Housing Area will ensure permanent affordability for a portion of the units on the site. Option 2 requires at least 30 percent of the residential floor area to be provided at an average of 80 percent AMI.

The Commission acknowledges the concerns outlined in Community Board 4's conditional support for the proposed actions. Employment is a major concern in all neighborhoods, and the Commission is confident that HPD, the Borough President, and the Community Board will, through periodic reports and communications with the developer, work to maximize the employment opportunities for area residents.

The Commission is pleased that, at the public hearing, the applicant's representative committed to identifying nearby public parking garages and facilitating the relocation of current users of the on-site garages to alleviate the loss of on-site parking spaces. In addition, the applicant team stated that they will work to address the particular street congestion problems related to the morning drop off at the adjacent educational complex.

The Commission also supports the applicant's stated willingness to reconsider the façade design of 702 Grand Concourse. In addition to the incorporation of a more Art Deco sensibility to the exterior design, the developer has agreed to relocate the building

lobby/entrance away from the adjacent poultry processing establishment. The Commission applauds this commitment from the applicant, but recognizes that it is not a condition of this action.

The Commission is also hopeful that both the type of commercial use or uses associated with the project and the specific tenants will be consistent with the needs of the market and the demand created by area residents. The developer has also agreed to consider a pre-kindergarten tenant for the planned community facility space.

The Commission finds that the proposed zoning text change is appropriate in that it will facilitate the development of permanently affordable housing and additional housing for a wide range of families at different income levels. Such housing is greatly needed in the Concourse Village area and in other parts of New York City.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment.

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6a:

1. changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, East 153rd Street, the centerline of the easterly portion of Grand Concourse, and a line 525 feet southwestly of East 156th Street;
2. changing from a C8-3 District to an R8 District property bounded by the centerline of the easterly portion of Grand Concourse, a line 450 feet southwestly of East 156th Street, a line 100 feet northwesterly of Concourse

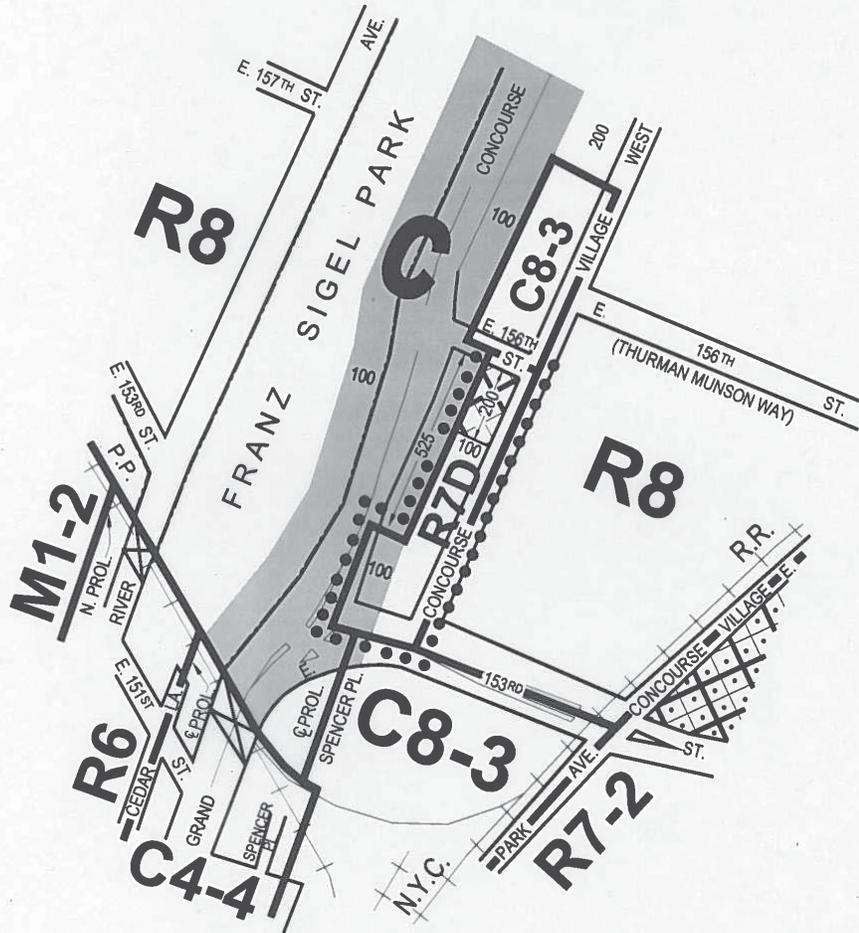
Village West, and a line 525 feet southwesterly of East 156th Street; and

3. establishing within the proposed R7D District a C1-4 District bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, and a line 200 feet southwesterly of East 156th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated May 23, 2016, and subject to the conditions of CEQR Declaration E-386.

The above resolution (C 150312 ZMX), duly adopted, by the City Planning Commission on October 5, 2016 (Calendar No. 4), is filed with the Office of the Speaker, City Council, and Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

CARL WEISBROD, Chairman
KENNETH J. KNUCKLES, Esq., Vice Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
MICHELLE R. DE LA UZ, RICHARD W. EADDY,
CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, Commissioners



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

6a

BOROUGH OF
BRONX



New York, Certification Date
MAY 23, 2016

J. Miraglia

J. Miraglia, Director
Technical Review Division



NOTE:

-  Indicates Zoning District Boundary.
-  The area enclosed by the dotted line is proposed to be rezoned by changing a C8-3 District to R7D and R8 Districts and by establishing within the proposed R7D District a C1-4 District.
-  Indicates a C1-4 District.
-  Indicates a C2-4 District.
-  Indicates a Special Grand Concourse District.

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



The City of New York
COMMUNITY BOARD 4
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The Bronx, New York 10457
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Email: bx04@cb.nyc.gov

Honorable Ruben Diaz, Jr.
Bronx Borough President

Ms. KATHLEEN SAUNDERS
Board Chair

MR. PAUL PHILIPS
District Manager

July 11, 2016

Hon. Carl Weisbrod, Chairman
NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

**RE: Concourse Village West Rezoning
Proposed Zoning Map Amendment and Proposed Zoning Text Amendment
ULURP No: C 150312 ZMX & N 150313
Block 2458, Lots 6, 13, 35, 43, 49, p/o 25, p/o 16, p/o 26**

Dear Chairman Weisbrod,

Please be advised at the General Board meeting of Community Board 4 held on June 28, 2016, Community Board Four voted to approve the zoning map amendment to change from C8-3 to R7D and R7D/C1-4 and R8 zoning districts and an amendment to the zoning resolution to establish the Mandatory Inclusionary Housing Program for the proposed rezoning area: (20) in favor, (0) opposed and (1) abstention for Concourse Village West Rezoning with the following conditions:

1. Requirement that preference for all jobs related to the project (union and non-union) be given to residents of Community District Four and secondarily to residents of the Borough of the Bronx. The developer will work with Community Board Four, the Bronx Borough President's Office and local organizations to advertise for all jobs and upon selection of a general contractor will provide a quarterly report on employment related to the project and all marketing and recruitment efforts through all phases of construction.
2. On-street parking is a critical quality of life issue here in the district and the displacement of over 100 parking spaces will exacerbate an on-going issue for area residents. Prior to construction the developer should supply the Board with a proposed parking plan for the project. This plan should include alternative arrangements with existing garages in the area with capacity.

The developer should give ample notice to monthly and daily users of Lots 13 and 35 which has combined capacity of over 100 spaces. The developer should make every effort to replace those spaces in kind and they must be offered at rates that are affordable to area residents and are comparable to the rates currently offered. The developer should provide the option for monthly patrons with proposed rates to return to the garage upon completion of construction in writing.

3. While outside of the purview of the proposed actions, the Board respectfully request that the developer refine the design of 702 Grand Concourse to better match the predominate Art Deco character along the Grand Concourse. It should be noted that most there are few developable parcels along the Grand Concourse and it is critically important that any new development reflect the built character of this area. The developer should present proposed designs to the Community prior to final submission of plans to the Department of buildings.
4. The developer should work closely with the community to find a commercial use that serves the needs of area residents and diversifies the existing retail environment. The developer should consult with area residents and the Department of Small Business Services (SBS) to target local business owners and entrepreneurs in Community District Four for the proposed retail spaces.
5. Requirement that all retail tenants be given long-term affordable lease terms.
6. Approximately 140 units (65%) of the 213 units are targeted for tenants making less than 60% of the Area Median Income (AMI), therefore we request that the community facility designated for Lot 49 be developed as a Universal Pre-K.

We thank you for your time and consideration. Please do not hesitate to contact me if you have questions or need further clarification.

Sincerely,



Paul A. Philps
District Manager
Community Board 4

Cc: Kathleen Saunders, Board Chair
Rev. Earl McKay, Chair Housing & Land Use Committee

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|--------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Application #: C 150312 ZMX | Project Name: Concourse Village West Rezoning |
| CEQR Number: 16DCP146X | Borough(s): Bronx Community District Number(s): 4 |
| <i>Please use the above application number on all correspondence concerning this application</i> | |

SUBMISSION INSTRUCTIONS

- Return this completed page at least fourteen (14) days before the scheduled hearing date by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C10000ZSQ"
 - MAIL:** Calendar Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

IN THE MATTER OF an application submitted by Upper Manhattan Development Corp. pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, East 153rd Street, the centerline of the easterly portion of Grand Concourse, and a line 525 feet southwesterly of East 156th Street;
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- establishing within the proposed R7D District a C1-4 District bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, and a line 200 feet southwesterly of East 156th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Applicant(s): Upper Manhattan Development Corp. 1677 Lexington Avenue, 2C New York, New York 10029 | Applicant's Representative: Steven M. Sinacori Akerman LLP 666 Fifth Avenue, 20th Floor New York, NY 10103 |
| Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Bronx Office Address: One Fordham Plaza, 5th Fl., Bronx, NY 10458-5891 Phone: 718-220-8500 Fax: 718-584-8628 | |
| Notification submitted by: PAUL A. PHILPS, DISTRICT MANAGER | |
| Date of Public Hearing: JUNE 28, 2016 | Time: 6:00 PM |
| Hearing Location: BRONX MUSEUM OF THE ARTS - 1040 GRAND CONCOURSE, BX. NY 10456 | |
| Name of CB/BB officer completing this form  | Title DISTRICT MANAGER |
| Date JUNE 3, 2016 | |

**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
Fax # (212)720-3356**

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

APPLICATION # C 150312 ZMX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 4

BOROUGH: BRONX

RECOMMENDATION



APPROVE



APPROVE WITH MODIFICATIONS/CONDITIONS (List below)



DISAPPROVE

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION

Ruben Diaz, Jr.

BOROUGH PRESIDENT

8/19/2016

DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 150312 ZMX
Concourse Village West Rezoning
August 15, 2016

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Upper Manhattan Development Corp. pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

1. Changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street, Concourse Village West, East 153rd Street, the centerline of the easterly portion of Grand Concourse, and a line 525 feet southwesterly of East 156th Street;
2. Changing from a C8-3 District to an R8 District property bounded by the centerline of the easterly portion of Grand Concourse, a line 450 feet southwesterly of East 156th Street, a line 100 feet northwesterly of Concourse Village West, and a line 525 feet southwesterly of East 156th Street; and
3. Establishing within the proposed R7D District a C1-4 District bounded by a line 100 feet northwesterly of Concourse Village West, East 156th Street;

Borough of The Bronx, Community District #4, as shown on a diagram (for illustrative purposes only) dated May 23, 2016.

BACKGROUND

Approving this application will facilitate the rezoning of property located on Block 2458, Lots 13, 35, and 49. These lots are bounded by East 156th Street on the north, East 153rd Street on the South, the Grand Concourse on the West, and Concourse Village West, on the East. Currently these lots are zoned C8-3 and are all utilized as open-air, privately owned off street parking lots which service the surrounding community.

There are two actions required to facilitate the full completion of this project:

1. A Zoning Map amendment to Map 6a, changing a C8-3 zoning to an R7D, R7D/C1-4 and an R8 District.
2. A zoning resolution text amendment to Appendix F to designate the proposed zoning districts as Mandatory Inclusionary Housing Designated Areas (MIH).

The Upper Manhattan Development Corporation (the applicant) proposes to construct three residential buildings, which therefore requires an amendment of the Zoning Map:

- Site 1: 702 Grand Concourse: (Block 2458, Lot 13): C8-3, to R8
- Site 2: 180 East 156th Street: (Block 2458, Lot 35): C8-3, to R7D/C1-4
- Site 3: 741 Concourse Village West: (Block 2458, Lot 49): C8-3, to R7D

Taken as one comprehensive development, the three buildings will offer:

- Studio units: 37
- 1-Bedroom: 85
- 2-Bedrooms: 85
- 3-Bedrooms: 37

The total of all units to be constructed will offer:

- 50% at or below 60% of Area Median Household Income (AMI)
- 5% at or below 80% of AMI
- 15% at or below 90% of AMI
- 30% at or below 100% of AMI

702 Grand Concourse-14 Stories
Currently Zoned C8-3, Proposed Zone: R8
Block 2458, Lot 13

As proposed this residential building will be constructed on the east side of the Grand Concourse (Block 2458, Lot 13), approximately 144 feet north of the East 153rd Street intersection of the Grand Concourse. This site approximates 58,979 square feet and currently is used an off-street parking lot. The proposed new building will provide 52,088.98 gross residential square feet of offering 47 dwelling units.

A preliminary breakout of residential units include:

- Studio units: 10
- 1-Bedroom units: 14
- 2-Bedroom units: 14
- 3-Bedroom units: 9

Additional amenities include:

- A “community room” composed of 430 square feet
- An exterior garden area for passive recreation composed of 2,710 square feet.

This site is located within the Grand Concourse Preservation District, which was adopted by the City Planning Commission on September 29, 1989. Among numerous objectives of this special zoning district’s goals, is to preserve the residential character of the Grand Concourse. As

proposed, 702 Grand Concourse will satisfy all the objectives of the Grand Concourse Special Zoning District. Also noted is that no residential construction has taken place on the Grand Concourse south of East Tremont Avenue (approximately two miles to the north of this site) since 1963.

**180 East 156th Street-8 Stories plus basement and cellar
Currently Zoned C8-3, Proposed Zone: R7D/C1-4
Block 2458, Lot 35**

As proposed this residential building which will also include space for retail activity, will be constructed on the southwest corner of East 156th Street at Concourse Village West, (Block 2458, Lot 35). The site approximates 15,600 square feet of property which is occupied. A one-story building commercial building and a garage building approximating 20 feet in height are situated on this site. An outdoor parking lot which includes vehicle stackers is also on this site. Approximately 99 spaces are available at the outdoor lot. The proposed new building will provide 80,839 square feet of residential floor area divided into 96 units.

A preliminary breakout of residential units include:

- Studio units: 14
- 1 Bedroom units: 36
- 2 Bedroom units: 32
- 3 Bedroom units; 14

Additional amenities include:

- A “community room” composed of 500 square feet.
- An outdoor terrace accessible from the 1st floor composed of 4,433 square feet.
- An indoor garage providing 23 spaces would be accessible from Concourse Village West.

Pursuant to the R7D/C1-4 District, commercial development included in this proposal will offer 6,300 square feet of space. Access to the retail locations will be provided on East 156th Street. Cellar space will approximate 13,862 square feet.

**741 Concourse Village West-10 Stories
Currently Zoned C8-3, Proposed Zone: R7D
Block 2458, Lot 49**

As proposed this residential building will be constructed on the west side of Concourse Village West, (Block 2458, Lot 49). This interior lot approximates 14,000 square feet and is situated approximately 310 feet north of East 153rd Street. An exterior parking lot composed of 150 spaces occupies this site. The proposed new building will provide approximately 63,230 square feet of residential floor area divided into 70 dwelling units.

A preliminary breakout of residential units include:

- Studio units: 17
- 1 Bedroom units: 34
- 2 Bedroom units: 25
- 3 Bedroom units: 9

Additional amenities include:

- 9,500 square feet of community facility space
- A community room composed of 500 square feet
- An outdoor terrace accessible from the 2nd floor composed of 5,717 square feet
- An indoor garage providing 18 spaces would be accessible from Concourse Village West

Existing development of the surrounding community includes mid-rise residential buildings on the Grand Concourse and on East 156th Street. As allowed in a C8 zone, a live animal slaughter house is located on the Grand Concourse, adjacent to the southern property line of the proposed 702 Grand Concourse residence. Situated on the east side of Concourse Village West, adjacent to the northern property line of the proposed 741 Concourse Village West residence, is the Calvary Deliverance Church, (Block 2458, Lot 43). Concourse Village a Mitchell Lama development, which includes 5-high rise residential buildings is situated on the east side of Concourse Village West, between East 156th Street (Thurmond Munson Way) and East 158th Street. Also located north of East 156th Street is an elementary school and middle school. The Mott Haven High School campus located south of East 156th Street includes three high schools. Cardinal Hayes High School is located at the intersection of the east side of the Grand Concourse at East 153rd Street. Franz Sigel Park, consisting of seventeen acres is located on the west side of the Grand Concourse, between East 153rd and East 158th Streets. Retail activity is situated on East 161st Street, approximately three blocks north of the proposed development, and on East 156th Street, between the Grand Concourse on the West and Concourse Village West, on the East. Mass transit via subway (the #2, 4, & 5, as well as the “B”& “D” trains) is found within a four block radius of the site. Bus transportation operates on the Grand Concourse, East 149th Street and on East 161st Streets.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQR and received a Negative Declaration. The City Planning Commission certified this application as complete on May 23, 2016.

BRONX COMMUNITY DISTRICT PUBLIC HEARING

Bronx Community Board #4 held a public hearing on this application on June 28, 2016. A vote recommending approval of this application with conditions was 20 in favor, zero opposed and one abstaining. The conditions as approved by the Community Board was addressed to the Chairman of the Planning Commission in correspondence dated July 11, 2016. Highlights of those conditions include:

1. Requirement that preference for all jobs related to the project (union and non-union) be given to residents of Community District #4 and secondarily to the residents of the Borough of The Bronx. The developer will work with Community Board #4, the Bronx Borough President's Office and local organizations to advertise for all jobs and upon selection of a general contractor will provide a quarterly report on employment related to the project and all marketing and recruitment efforts through all phases of construction.
2. On-street parking is a critical quality of life issue here in the district and the displacement of over 100 parking spaces will exacerbate an on-going issue for area residents. Prior to construction the developer should supply the Board with a proposed parking plan for the project. This plan should include alternative arrangements with existing garages in the area with capacity. The developer should give ample notice to monthly and daily users of Lots 13 and 35, which has combined capacity of over 100 spaces. The developer should make every effort to replace those spaces in kind and they must be offered at rates that are affordable to area residents and are comparable to the rates currently offered. The developer should provide the option for monthly patrons with proposed rates to return to the garage upon completion of construction in writing.
3. While outside the purview of the proposed actions, the Board respectfully requests that the developer refine the design of 702 Grand Concourse to better match the considerable Art Deco character along the Grand Concourse. It should be noted that at most there are few developable parcels along the Grand Concourse and it is critically important that any new development reflect the built character of this area. The developer should present proposed designs to the community prior to submission of plans to the Department of Buildings.
4. The developer should work closely with the community to find a commercial use that serves the needs of area residents and diversifies the existing retail environment. The developer should consult with area residents and the Department of Small Business Services (SBS) to target local business owners and entrepreneurs in Community District #4 for the proposed retail spaces.
5. Requirements that all retail tenants be given long-term affordable lease terms.

6. Approximately 140 units (65 percent) of the 213 units are targeted for tenants making less the 60 percent of Area Median Income (AMI), therefore we request that the community facility designated for Lot 49 be developed as a Universal Pre-K.

BOROUGH PRESIDENT'S PUBLIC HEARING

A public hearing was convened by the Bronx Borough President on July 26, 2016. Representatives of the applicant were present and spoke in favor of this application. No members of the public present spoke to this matter. The hearing on this matter was therefore closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

This comprehensive residential development proposal represents one of the most high-profile projects to be initiated in Bronx Community District #4. If for no other reason, this is so, because it includes construction of the first residential building to be built on the Grand Concourse south of East Tremont Avenue in over 50 years. Likewise, this project will redefine Concourse Village West as a residential avenue rather than one noted more for its parking lots. Therefore I believe it is essential that the developer recognize that in many ways this project will serve as a flagship for all future development of the surrounding community.

This said, it is essential that the following matters be considered both by the applicant and all relevant city departments and agencies:

1. The City of New York must aggressively approve construction of the East 153rd Street Bridge that is mapped between the Grand Concourse on the West and Morris Avenue on the East. This bridge remains a top priority of my administration and has been a top priority of Bronx Community District #4 since the 1980's when the original bridge was deconstructed.
2. The applicant must consider relocating the main entrance to 702 Grand Concourse, from its current location situated on the south end of this proposed building, to the north end. As now planned, the entrance to this building will be less than 30 feet from an existing slaughterhouse where noxious odors are a persistent problem.
3. The applicant must be cognizant of how their construction equipment will impact traffic movement on Concourse Village West. This observation is especially relevant given the narrowness of Concourse Village West and the demands placed on this street by the presence of eight schools, garages and nearby retail activity.
4. I am pleased to know that when construction of these three buildings is complete the total number of off-street parking spaces will actually increase from the current count of 170, to 198. During construction I would anticipate that the applicant will do all that is necessary to minimize the impact of this project on parking availability.

5. I am gratified to understand that not less than 15 percent of the total number of units planned, will offer three-bedroom accommodations.

6. This project will satisfy Enterprise Green Communities mandates.

I am mindful of just how vital affordable housing is to all New Yorkers. I am therefore pleased to note that this project does consider a wide range of affordability that will meet the needs of low and moderate income families. I am also pleased that approximately 30 percent of those units being planned will be allocated to the 100 percent of Area Median Income (AMI) families.

I recommend approval of this application.