



IN THE MATTER OF an application submitted by Second Farms Neighborhood, HFDC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive the required off-street parking spaces for the existing developments on zoning lots Parcel 6 (Block 3131, Lot 20), Parcel 7 (Block 3136, Lot 1) and Parcel 8a (Block 3130, Lot 20), in connection with a proposed mixed-use development on property located at 1932 Bryant Avenue (Block 3005, Lot 65), in R8 and R8/C2-4 Districts, within the Transit Zone, in an existing Large-Scale Residential Development generally bounded by Bryant Avenue, a line approximately 80 feet southwesterly of East Tremont Avenue, a line approximately 135 feet southeasterly of Bryant Avenue, East Tremont Avenue, a line approximately 260 feet southeasterly of Vyse Avenue, East 178th Street, a line approximately 270 feet southeasterly of Vyse Avenue, East 179th Street, and Boston Road (Block 3005 Lot 65, Block 3130 Lot 20, Block 3130 Lot 100, Block 3131 Lot 20, Block 3136 Lot 1, and Block 3136 Lot 101), in R7-1, R8 and R8/C2-4 Districts, Borough of the Bronx, Community District 6.

This application (C 160367 ZSX) for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive the required off-street parking spaces for the existing developments on zoning lots Parcel 6 (Block 3131, Lot 20), Parcel 7 (Block 3136, Lot 1) and Parcel 8a (Block 3130, Lot 20) was filed by Second Farms Neighborhood HFDC on June 1, 2016. The proposed special permit, along with its related actions, would be used to facilitate the 1932 Bryant Avenue residential development, a mixed-use, affordable housing development within an existing large scale residential development in the West Farms neighborhood of Community District 6, Borough of the Bronx.

RELATED ACTIONS

In addition to the special permit (C 160367 ZSX), which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- C 160365 ZMX Zoning Map Amendment changing Parcel 9 from an R7-1 district to an R8 district with a 100 foot deep C2-4 overlay along Boston Road and 125 foot long C2-4 overlay along East Tremont Avenue;
- C 160368 ZSX Special Permit pursuant to ZR 78-312 to allow within a Large Scale Residential Development the location of buildings without regard for rear yards and height and setback waivers for the portion of the proposed building's street wall frontage along the periphery of the Bronx Park South Large Scale Plan (BPSLSP);
- N 160366 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing Area;
- N 160369 ZAX Authorization pursuant to ZR 78-311 to allow within a Large Scale Residential Development the location of buildings without regard for rear yard requirements and height and setback waivers for the Proposed Building's street wall frontage wholly within the BPSLSP; and
- M 160291(A) ZSX Modification to the Large Scale Plan to update the previously approved plans and zoning calculations to reflect the proposed development on Parcel 9 and the proposed on-grade parking areas on Parcels 7 and 8a.

BACKGROUND

A full background discussion and description of this application appears in the report for the related Zoning Map amendment (C 160365 ZMX).

ENVIRONMENTAL REVIEW

This application (N 160367 ZSX), in conjunction with the related actions (C 160365 ZMX, C 160368 ZSX, N 160366 ZRX, N 160369 ZAX, M 160291(A) ZSX), 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 16DCP155X. The lead is the City Planning Commission.

A summary of the environmental review appears in the report for the related Zoning Map amendment (C 160365 ZMX).

UNIFORM LAND USE REVIEW

This application (C 160367 ZSX), in conjunction with the related actions (C 160365 ZMX and C 160368 ZSX), was certified as complete by the Department of City Planning on June 6, 2016, and was duly referred to Community Board 6 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 applications for a minor modification (M 160291(A) ZSX), zoning text amendment (N 160366 ZRX), and authorization (N 160369 ZAX) which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 6 held a public hearing on the application (N 160367 ZAX), on June 22, 2016, and on that date, by a vote of 17 in favor, 3 in opposition, and 3 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (N 160367 ZRX) was considered by the Bronx Borough President, who issued a recommendation approving the application on August 15, 2016.

City Planning Commission Public Hearing

On August 24, 2016 (Calendar No. 6), the City Planning Commission scheduled September 7, 2016 for a public hearing on this application (C 160367 ZSX) and related actions. The hearing was duly held on September 7, 2016 (Calendar No. 27), in conjunction with the application for the

related actions. There were a number of appearances, as described in the report for the related action (C 160365 ZMX), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a special permit (C 160367 ZSX) is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appear in the related report (C 160365 ZMX).

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-532 (Reduction or waiver of parking requirements for accessory group parking facilities) of the Zoning Resolution:

- (a) where the applicant is seeking a reduction of parking spaces required by Section 25-23 (Requirements Where Group Parking Facilities Are Provided), such reduction will facilitate the creation or preservation of #income-restricted housing units# in such #large-scale residential development# or #large-scale general development#. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;
- (b) the anticipated rates of automobile ownership for residents of such #large-scale residential development# or #large-scale general development# are minimal and that such reduction or waiver is warranted;
- (c) such reduction of parking spaces will not have undue adverse impacts on the residents, businesses or #community facilities# in the surrounding area, including the availability of parking spaces for such #uses#; and
- (d) such reduction of parking spaces will result in a better site plan.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration and

findings described in this report, the application submitted by Second Farms Neighborhood, HFDC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive the required off-street parking spaces for the existing developments on zoning lots Parcel 6 (Block 3131, Lot 20), Parcel 7 (Block 3136, Lot 1) and Parcel 8a (Block 3130, Lot 20), in connection with a proposed mixed-use development on property located at 1932 Bryant Avenue (Block 3005, Lot 65), in an R8 and R8/C2-4 Districts, within the Transit Zone, in an existing Large-Scale Residential Development generally bounded by Bryant Avenue, a line approximately 80 feet southwesterly of East Tremont Avenue, a line approximately 135 feet southeasterly of Bryant Avenue, East Tremont Avenue, a line approximately 260 feet southeasterly of Vyse Avenue, East 178th Street, a line approximately 270 feet southeasterly of Vyse Avenue, East 179th Street, and Boston Road (Block 3005 Lot 65, Block 3130 Lot 20, Block 3130 Lot 100, Block 3131 Lot 20, Block 3136 Lot 1, and Block 3136 Lot 101),) in R7-1, R8 and R8/C2-4 Districts, Borough of the Bronx, Community District 6, is approved, subject to the following conditions:

- 1) The property that is the subject of this application (C 160367 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Dattner Architects, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
Z-01.00	Large Scale Residential Site Plan	09/30/2016
Z-02.00	Updated LSRD Zoning Data	09/30/2016
Z-03.00	Average Curb Level Calculations and Open Space Diagram	09/30/2016

- 2) Such development shall confirm to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plan listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

- 3) Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
- 4) All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
- 5) Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
- 6) Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 160367 ZSX), duly adopted by the City Planning Commission on October 5, 2016 (Calendar No. 8) is filed with the Office of the Speaker, City Council, and the 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 DE LA UZ, RICHARD W. EADDY,

**CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARÍN, LARISA ORTIZ, Commissioners**

**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 160365 ZMX, C 160367 ZSX, C 160368 ZSX
RELATED APPLICATIONS: N 160366 ZRX, N 160369 ZAX, M 160291 (A) ZSX**

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

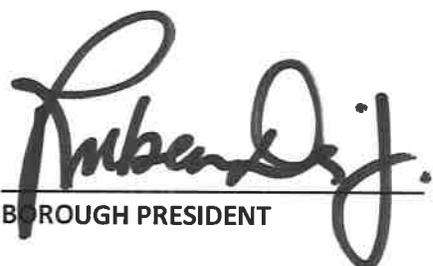
COMMUNITY BOARD NO. 6 BOROUGH: BRONX

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


BOROUGH PRESIDENT


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

ULURP APPLICATION NOS:

C 160365 ZMX, C 160367 ZSX, C 160368 ZSX

Related Applications:

N 160366 ZRX, N 160369 ZAX, M 160291 (A) ZSX

1932 Bryant Avenue

August 11, 2016

DOCKET DESCRIPTIONS

C 160365 ZMX

IN THE MATTER OF an application submitted by the Second Farms Neighborhood, HFDC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3d:

1. Changing from an R7-1 District to an R8 District property bounded by Bryant Avenue, a line 80 feet southwesterly of East Tremont Avenue, a line perpendicular to the southwesterly street line of East Tremont Avenue distant 125 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East Tremont Avenue and the northwesterly street line of Boston Road, East Tremont Avenue, and Boston Road.
2. Establishing within the proposed R8 District a C2-4 District bounded by a line 100 feet northwesterly of Boston Road, a line 80 feet southwesterly of East Tremont Avenue, a line perpendicular to the southwesterly street line of East Tremont Avenue distant 125 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East Tremont Avenue and the northwesterly street line of Boston Road, East Tremont Avenue, Boston Road, and Bryant Avenue;

Borough of The Bronx, Community District 6 as shown on a diagram (for illustrative purposes only) dated June 6, 2016.

C 160367 ZSX

IN THE MATTER OF an application submitted by Second Farms Neighborhood , HFDC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to waive the required off-street parking spaces for the existing developments on zoning lots Parcel 6 (Block 3131, Lot 20) Parcel 7, (Block 3136, Lot 1) and Parcel 8a (Block 3130, Lot 20), connection with a proposed mixed –use development on property located at 1932 Bryant Avenue (Block 3005, Lot 65), in an R8* District and R8/C2-4* Districts, within the Transit Zone, in an existing Large Scale Residential Development generally bounded by Bryant Avenue, a line approximately 80 feet southwesterly of East Tremont Avenue, a line approximately 135 feet southeasterly of Bryant Avenue, East

Tremont Avenue, a line approximately 260 feet southeasterly of Vyse Avenue, East 178th Street, a line approximately 270 feet southeasterly of Vyse Avenue, East 179th Street, and Boston Road (Block 3005, Lot 65, Block 3130 Lot 20, Block 3130 Lot 100, Block 3131, Lot 20 Block 3136, Lot 1, and Block 3136 Lot 101,) in R7-1, R8* and R8/C2-4* Districts, Borough of The Bronx, Community District 6.

*Note: The site is proposed to be rezoned by changing an existing R7-1 District to a R8 and R8/C2-4 Districts under a concurrent related application (C 160 ZMX).

Plans for this proposal are on file with the City Planning Commission and 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

C 160368 ZSX

IN THE MATTER OF an application submitted by Second Farms Neighborhood, HFDC pursuant to Sections 197 –c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

1. 78-312(c) to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yards), to allow minor variations in required rear yards on the periphery; and
2. 78-312 (d) to modify height and setback requirements of Section 23-64 (Basic Height and Setback Requirements) to allow minor variations in the front height and setback regulations on the periphery;

Of a proposed mixed-use development on property located at 1932 Bryant Avenue (Block 3005, Lot 65), in an R8* and R8/C2-4* Districts, within an existing Large-Scale Residential Development generally bounded by Bryant Avenue, a line approximately 80 feet southwesterly of East Tremont Avenue, a line approximately 135 feet southeasterly of Bryant Avenue, East Tremont Avenue, a line approximately 260 feet southeasterly of Vyse Avenue, East 178th Street, a line approximately 270 feet southeasterly of Vyse Avenue, East 179th Street, and Boston Road (Block 3005, Lot 65, Block 3130 Lot 20, Block 3130 Lot 100, Block 3131 Lot 20, Block 3136, Lot 1 and Block 3136 Lot 101), in R7-1, R8(* and R8/C2-4* Districts, Borough of The Bronx, Community District 6.

*Note: The site is proposed to be rezoned by changing an existing R7-1 to R8 and R8/C2-4 Districts under a concurrent related application (C 160365 ZMX).

Plans for this proposal are on file with the City Planning Commission, 120 Broadway 31st Floor, New York, N.Y. 10271-0001.

BACKGROUND

Approving these applications will facilitate construction of a new mixed use building as being proposed by Second Farms Neighborhood HDFC, the applicant. The proposed building will be in the West Farms community of The Bronx, located on Block 3005, Lot 65, and referred to as 1932 Bryant Avenue. This site is composed of 49,621 square feet. It is bounded by East Tremont Avenue on the north, Boston Road on the south, Bryant Avenue to the west. A garage that due to safety concerns was closed in 2012 and retail building offering 10,000 square feet currently occupies the site and as such, will be demolished. The development site is identified as Parcel 9 within the Bronx Park South Large Scale Residential Development (BPSLSRD)

As proposed by the applicant, the scope of development for this site includes construction of a 12-story mixed use building rising 145 feet, composed of 309,500 square feet of interior space, including:

- 285,000 square feet of residential floor area (5.7 FAR)
- 10,000 square feet of community facility (0.20 FAR)
- 14,500 square feet of commercial floor area (0.29 FAR)

More specifically, 1932 Bryant Avenue will offer:

- 277 residential units, ranging in size from studios to 3-bedroom units.
 - Studio units approximating 400-450 square feet: 13%
 - 1-bedroom units approximating 560-580 square feet: 45%
 - 2-bedroom units approximating 750-860 square feet: 21%
 - 3-bedroom units approximately 1,000-1,100 square feet: 21%

Features of this new building include naturally lit common areas, a community facility designed to accommodate a pre-kindergarten program.

Important to note is the presence of a rock outcropping located at the southern end of Parcel 9. Pending the analysis of this outcropping; this will determine the precise design of the proposed new building.

This project will offer permanently affordable housing for those earning between 20% to 60% AMI and possibly 80% of AMI.

In addition to the Development Site (Parcel 9) the Project Area includes Parcels 6, 7, 8a, and 8b. These are located north of the Development Site, the boundaries of which are Boston Road, East Tremont Avenue, Vyse Avenue, and East 179th Street. This Project Area includes 1950 Bryant Avenue, (Block 3005, Lot 77) and 1010 East Tremont Avenue (Block 3005 Lot 82). These properties are not part of the BPSLSRD.

Facilitating construction of 1932 Bryant Avenue numerous actions are now proposed. These include:

- C 160365 ZMX-Zoning Map Change: Rezone Parcel 9, the Development Site, from an R7-1 to an R8 and R8/C2-4 Commercial Overlay on a portion of Parcel 9 fronting on Boston Road
- C 160367 ZSX-Special Permit: Waive the required accessory off-street parking for existing affordable dwelling units located on Parcels 6, 7, and 8a, pursuant to Section 74-532
- C 160368 ZSX-Special Permit-on the periphery of Large Scale Redevelopments (ZR 78-312) to allow:
 - Location of buildings without regard for rear yards; and
 - Proposed height and setback waivers for portions of the building to be constructed at 1932 Bryant Avenue's street wall frontages on Boston Road and Bryant Avenue
- N 160369 ZAX-Authorizations-within large Scale Residential Developments (ZR 78-311) allowing
 - Proposed height and setback waiver for portion of 1932 Bryant Avenue's street wall frontage along East Tremont Avenue
- N 160366 ZRX-Amendment-amend Appendix F to map a MIH area on the Development Site
- M 160291 (A) ZSX-Modification-to the Bronx Park South Large Scale Redevelopment District (BPSLSRD)

In addition to the proposed actions outlined herein, the Lambert Houses Redevelopment Company (Phipps) filed an application to subdivide the former BPSLSRD's Parcels 1, 3, 5 and 10 from that large scale plan.

Existing development surrounding Parcel 9 is typified by mid-rise residential buildings, some of which offer ground-floor retail access. Other residential development includes one and two family houses. Mass transit options, including bus services on Boston Road and on East Tremont Avenue, along with subway (via the Nos 2 & 5 trains) access are readily available within a one block radius of Parcel 9. Lambert Houses, a residential complex offering 731 units of affordable housing is located directly north of the Development Site (Parcel 9). Plans to redevelop Lambert Houses, thereby increasing the number of units to approximately 1,700 have been proposed and currently under review pursuant to ULURP. \

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These applications have been reviewed pursuant to SEQR and CEQR and received a Negative Declaration meaning the proposed actions will have no impact on the environment. The City Planning Commission certified these applications as complete on June 6, 2016.

BRONX COMMUNITY BOARD PUBLIC HEARING

A public hearing was called to order on June 22, 2016 by Bronx Community Board #6. A vote recommending approval of these applications was 17 in favor, three opposed and three abstaining.

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 these applications. No other members of the public spoke to these matters and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

All across The Bronx residents, elected officials, and social service agencies are partnering with a distinguished group of developers to design and construct the city's most impressive array of affordable housing in New York. Indeed, this project known at 1932 Bryant Avenue, coupled with the long range redevelopment plan for Lambert Houses, will offer some of our city's most needy residents approximately 1,977 units of housing for extremely low, low and moderate income families. (Lambert Houses 1,777 units + 1932 Bryant Avenue: 277 units). Likewise, as Lambert Houses will remain a Section 8 community, 1932 Bryant Avenue will remain affordable housing in perpetuity. In addition I am gratified to see that the scope of this project will eradicate a long-term blight in this community; that being the deconstruction of a garage that has been vacant since 2012 due to structural deficiencies. I am also supportive of the plan to vary building height in order to achieve the appearance of multiple residential buildings.

As I consider this application I am mindful of how vital affordable housing is for our city and the overwhelming need there is for such housing. Therefore I am supportive of what is being proposed for construction.

At my public hearing I asked those affiliated with this proposal that this project will include housing for those earning over sixty percent of Area Median Income (AMI). I offer this observation because I firmly believe that if a community is to be vibrant and appealing for both resident and local businesses, constructing new housing should also include accommodations for those earning up to eighty percent of AMI. Relevant to this specific project and its impact on the broader West Farms community, is the long range redevelopment proposal for Lambert Houses. The fact that these two developments are in such close proximity to each other, I believe warrants the consideration of raising the AMI for 1932 Bryant Avenue to eighty percent. I am gratified to know that the applicant did indicate their willingness to adopt this recommendation.

My administration is committed to all those calling The Bronx their home and to those families and businesses who are considering “moving up.” As such, I have also advocated for larger dwelling units, specifically for 3-bedroom accommodations that are appropriately sized for families. The fact that 1932 Bryant Avenue will allocate 21% of all units as 3-bedrooms is notable.

I believe that if The Bronx is to remain a place where families can thrive together, it also must be able to offer housing for the sons and daughters of those whose incomes are low, as well as for those with moderate income. It is ironic, that so many of our young and successful residents are not able to remain in their home-town community because their earnings exceed that permitted in many of the projects in which their parents reside. At the same time, market rate housing is too costly an option. Hence, my advocating for the eighty percent AMI here.

I recommend approval of this application.

