



May 11, 2022 / Calendar No. 2

C 200228 ZMX

IN THE MATTER OF an application submitted by Markland 4551 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue, and a line 300 feet northeasterly of East 239th Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656.

This application for a zoning map amendment was filed by Markland 4551 LLC on December 23, 2019. This application, in conjunction with the related action (N 200229 ZRX), would facilitate a mixed-use development with approximately 148 units of affordable housing, approximately 7,150 square feet of retail use on the ground floor and approximately 11,100 square feet of community facility space located at 4541 Furman Avenue in the Wakefield neighborhood of the Bronx, Community District 12.

RELATED ACTION

In addition to the zoning map amendment (C 200228 ZMX) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following application, which is being considered concurrently with this application:

N 200229 ZRX	Zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area and to Appendix I to extend the boundary of Transit Zone 1.
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BACKGROUND

The applicant seeks a zoning map amendment to change an M1-1 zoning district to an R7D/C2-4 zoning district within the project area in the Wakefield neighborhood of the Bronx. The applicant also seeks a zoning text amendment to establish an MIH area coterminous with the project area and to extend an existing transit zone over the rezoning area and the southern half of Block 5084. The proposed actions would facilitate the development of a new 10-story, approximately 136,500-square foot, mixed-use building containing 148 units of 100 percent affordable housing, approximately 7,150 square feet of commercial space, and approximately 11,100 square feet of community facility space.

The project area is comprised of 19 total tax lots (Block 5084, Lots 19, 30, 35, 39-41, 49, 53-61, 63, 138, and 140). The project area includes the development site (Lot 63), as well as the other 18 tax lots that are not owned or controlled by the applicant. The project area is located on a block bounded by East 240th Street to the north, Furman Avenue to the east, White Plains Road to the west, and the elevated MTA 2 subway line leading to the NYC Transit Authority rail yard to the south.

Land uses in the surrounding area include residential, commercial, and manufacturing along White Plans Road. To the west and east of White Plans Road, a wide street, is predominantly comprised of low-rise residential uses. The White Plains Road frontage is developed with a mixture of commercial retail, residential, community facility, and service businesses with the elevated train tracks running along the street. The Furman Avenue frontage is developed with a mix of residential, light industrial, parking, and transportation uses in one- and two- story buildings. The East 240th Street frontage is developed with a two-story commercial building, and immediately east of the project area is a subway maintenance yard. The project area is located within an M1-1 zoning district that extends to the east and south of the project area. To the north of the project area is an R7D/C2-4 and an R6/C2-2 is located to the west.

M1-1 district allow light manufacturing, as well as commercial uses. Buildings are limited to a floor area ratio (FAR) of 1.0. Residential uses are not permitted in M1-1 zoning district. M1 zoning districts are designated for areas with light industrial uses and often serve as buffers between more intensive M2 or M3 districts and adjacent residential or commercial districts. M1

is a light manufacturing zoning district that allows manufacturing, general service, commercial, and community facility uses. Residential uses are not permitted. M1-1 districts have a maximum permitted FAR of 1.0 for manufacturing uses and require one accessory parking space for every 300 square feet of floor area. Within the initial setback distance of 20 feet on a narrow street and 15 feet on a wide street, the maximum height permitted in M1-1 districts is 30 feet or two stories, whichever is less. Building height above 30 feet is governed by a sky exposure plane.

R7D is a contextual medium density district designed to produce Quality Housing buildings that typically range between 10 and 11 stories in height. Often mapped along wide streets, R7D districts generally allow residential uses and community facility uses. Industrial and manufacturing uses are not permitted in R7D districts. Mandatory Quality Housing regulations produce high lot coverage buildings set at or near the street line. For buildings within 100 feet of a wide street, the maximum residential FAR is 4.2, the maximum base height before setback is 85 feet, and the maximum permitted building height is 100 feet. Accessory parking is required for 50 percent of dwelling units and for 15 percent of income-restricted housing units.

C2-4 and C2-2 districts are commercial overlays mapped within residential districts along streets that serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses (Use Groups 5-9) such as funeral homes and repair services. In mixed use buildings, commercial uses are limited to one or two floors and must always be located below the residential use. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. When a commercial overlay is mapped in an R7D zoning district, non-residential ground floor use is required.

R6 is a widely mapped, non-contextual medium density residential zoning district that allows a wide variety of building types. R6 districts generally allow residential uses and community facility uses. Industrial and manufacturing uses are not permitted within R6 districts. Developments in R6 districts can be constructed pursuant to height factor or Quality Housing regulations. Under height factor regulations, a maximum residential FAR of 2.43 is permitted. There are no height limits for height factor buildings, and building height and setback are governed by a sky exposure plane, which begins at 60 feet above the street line. Accessory

parking is required for 70 percent of dwelling units and for 25 percent of income-restricted housing units. The optional Quality Housing regulations produce high lot coverage buildings set at or near the street line. For buildings within 100 feet of a wide street, the maximum residential FAR is 3.6, the maximum base height before setback is 65 feet, and the maximum permitted building height is 70 feet. On a narrow street, the maximum residential FAR is 2.2, the maximum base height before setback is 45 feet, and the maximum permitted building height is 55 feet. Accessory parking is required for 50 percent of dwelling units and for 25 percent of income-restricted housing units.

Public transportation in the area includes the 2 subway line at the 241st Street subway station one block to the north, the Nereid Ave 2/5 station is located one block to the south. The BxM11 express bus runs along White Plains Road, providing service between Wakefield and Midtown Manhattan. The Bx39 bus runs along White Plains Road, providing service between Wakefield and Clason Point. The Bx16 bus runs along East 233rd Street/Nereid Avenue, providing service between Pelham and Norwood. The Metro-North Wakefield station is located 0.6 miles northwest of the project area, providing service between Grand Central Terminal and Wassaic, New York. Additionally, there are several Westchester County Bee Line bus routes in the immediate area.

In 2007, the approximately 134-block area of the northern Bronx was rezoned as part of the Wakefield/Eastchester Rezoning (C 070409 ZMX). The rezoning included changes in existing zoning to contextual R5A, R4A, and R4-1 zoning districts and rezoned much of the White Plains Road corridor to an R6 zoning district with a commercial overlay to encourage higher-density residential and mixed-use development. In 2018, the 241st Street Rezoning (C 180083 ZMX and N 180084 ZRX) was approved one block north of the project area which rezoned the M1-1 area to an R7D/C2-4 zoning district and established a Mandatory Inclusionary Housing (MIH) area and Transit Zone. The rezoning was intended to facilitate the development of a new mixed-use residential and commercial building fronting on East 241st Street and Furman Avenue. In 2019, new building permits were filed for an 11-story building with 251 dwelling units and approximately 24,100-square feet of commercial use.

Lot 19, an approximately 7,700-square-foot lot, is occupied by a two-story utility building used as a substation by the New York City Transit Authority. Lot 30, an approximately 11,500-square-foot lot, is occupied by a two-story warehouse building with a church use on the second floor. Lot 138 has an area of approximately 3,900 square feet and is vacant. Lots 30 and 138 are owned by Triumphant Life Church. Lot 35, an approximately 4,970-square-foot lot is occupied by a two-story two-family building. Lot 39, an approximately 1,625-square-foot lot, is occupied by vehicle storage and has 12 parking spaces. Lot 40, an approximately 1,550-square-foot lot, is occupied by a two-story mixed residential/ commercial building with ground floor retail and three dwelling units. Lot 140, an approximately 375-square-foot lot, is undeveloped and an interior lot without street frontage. Lot 41, an approximately 7,650-square-foot lot, is occupied by a two-story auto repair building. Lot 49, an approximately 4,230-square-foot lot is occupied by a two-story a auto repair building. Lot 53, an approximately 2,889-square-foot lot, is occupied by a two-story one-family residential building. Lot 54, an approximately 2,602-square-foot lot, is occupied by a two-story two-family building. Lot 55, an approximately 2,600-square-foot lot, is occupied by a two-story two-family building. Lot 56, an approximately 2,325-square-foot lot, is occupied by a two-story two-family building. Lot 57, an approximately 2,325-square-foot lot is occupied by a two-story two-family residential building. Lot 58, an approximately 2,025-squarefoot lot, is undeveloped and used for vehicle storage and parking. Lot 59, an approximately 1,875-square-foot lot, is undeveloped and used for vehicle storage and parking. Lot 60, an approximately 1,750-square-foot lot, is occupied by a two-story two-family residential building. Lot 61, an approximately 3,975-square-foot lot, is occupied by a two-story auto repair building.

The development site, located at 4541 Furman Avenue, is comprised of Lot 63, a 24,850-square-foot lot. The development site is an irregularly shaped through lot with 102 feet of frontage on White Plains Road and approximately 193 feet of frontage on Furman Avenue. The development site is improved with a one-story 24,810-square foot light industrial warehouse/factory building which is currently unoccupied.

The applicant proposes to develop a mixed-use, 100 percent-affordable building totaling 148 residential units, 37 of which would be permanently affordable, as well as approximately 7,150

square feet of ground floor commercial, and 11,100 square feet of community facility space. The building would contain approximately 136,500 square feet of floor area at a total FAR of 5.5. The building would be a single building and contain Segment A and Segment B. Segment A would have frontage along White Plains Road and would be nine stories and approximately 99 feet tall and contain the approximately 7,150 square feet of ground floor commercial space. Segment B would have frontage on Furman Avenue and would be 10 stories and approximately 102 feet tall and contain the approximately 11,100 square feet of community facility space.

The residential units would be comprised of 24 studio apartments (16 percent of units), 73 one-bedroom apartments (49 percent of units), 32 two-bedroom apartments (22 percent of units), and 19 three-bedroom apartments (13 percent of units). Of the 148 proposed total units, 37 would be permanently affordable pursuant to MIH Option 1. The applicant proposes targeting income bands between 30 and 80 percent of Area Median Income (AMI) for all 148 units.

The applicant is proposing to provide 52 parking spaces in the cellar, with the parking entrance located on Furman Avenue. Other building amenities include private outdoor recreation space located above the first floor and the cellar in-between the building segments for tenants.

To facilitate this project, the applicant requests a zoning map amendment to change the zoning of the project area from an M1-1 zoning district to an R7D zoning district with a C2-4 commercial overlay. The proposed R7D district has a maximum residential and community facility FAR of 4.2, or 5.6 when MIH is provided. Buildings must have a base height of 60-85 feet (95 with affordable housing) and the maximum overall height is 100 feet (105 with affordable housing). Parking for 50 percent of dwelling units is required, while no parking is required for affordable units in a Transit Zone. C2-4 districts are commercial overlays mapped within residential zoning districts to allow local retail uses. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

In addition to the proposed zoning map amendment, the applicant also seeks a zoning text amendment to Appendix F to designate the project area as an MIH area mapped with Options 1 and 2. Option 1 requires that at least 25 percent of the residential floor area be provided as

housing permanently affordable to households with incomes at an average of 60 percent of the AMI. Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI, with no unit targeted to households with incomes exceeding 130 percent of the AMI. Option 2 requires that 30 percent of residential floor area be devoted to housing units affordable to residents with household incomes at an average of 80 percent of the AMI. Option 1 which would require 37 permanently affordable dwelling units.

The proposed zoning text amendment would also extend Transit Zone 1 to include the project area and the southern half of Block 5084 (Lots 1, 4, 6, 8, 9, 13, 18), which are not located within the project area. Block 5084 was excluded from the original Transit Zone, as it was located within a M1 zoning district. Under the Transit Zone, no parking would be required for units that are providing affordable housing.

ENVIRONMENTAL REVIEW

This application (C 200228 ZMX), in conjunction with the application for the related application for a zoning text amendment (N 200229 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 lead is the City Planning Commission. The designated CEQR number is 20DCP159X.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on January 3, 2022, which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-656). The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

UNIFORM LAND USE REVIEW

The application (C 200228 ZMX) was certified as completed by the Department of City Planning on January 3, 2022, and duly referred to Bronx Community Board 12 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 200229 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Bronx Community Board 12 held a public hearing on this application (C 200228 ZMX) and the related application for a zoning text amendment (N 200229 ZRX) on January 27, 2022, and on February 18, 2022, by a vote seven in favor, 21 opposed and five abstaining, adopted a resolution recommending disapproval of the application.

Borough President Recommendation

The Bronx Borough President held a public hearing on this application (C 200228 ZMX) and the related application for a zoning text amendment (N 200229 ZRX) on February 23, 2022, and on March 21, 2022, issued a recommendation to approve the application.

City Planning Commission Public Hearing

On March 30, 2022 (Calendar No. 1), the City Planning Commission scheduled April 13, 2022, for a public hearing on this application (C 200228 ZMX) and the related application for a zoning map amendment (N 200229 ZRX). The hearing was duly held on April 13, 2022 (Calendar No. 28). Three speakers testified in favor of the application and none in opposition.

The applicant team, comprised of the applicant's primary representative and architects, testified in favor of the application and provided an overview of the application, describing the existing conditions on the proposed development site, the proposed unit breakdown and rent ranges, and the proposed design of the building.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 200228 ZMX), in conjunction with the related application for a zoning text amendment (N 200229 ZRX), is appropriate.

The proposed zoning map and text amendment would change the existing M1-1 district to an R7D/C2-4 district and amend Appendix I to extend the Transit Zone 1 to be extended over the entirety of Block 5084. In addition, it would establish an MIH area conterminous with the proposed R7D/C2-4 district, requiring permanently affordable housing for a portion of the units within the rezoning area.

The requested actions would facilitate the development of a new 10-story, approximately 136,500-square-foot mixed-use building containing 148 dwelling units of 100 percent affordable housing, approximately 7,150 square feet of commercial space, and approximately 11,100 square feet of community facility space.

The Commission notes that nine lots within the project area contain nonconforming residential uses that predate the M1-1 zoning district that has been in place since 1961. The proposed rezoning would bring these properties into conformance, allowing property owners the ability to obtain financing for renovations of these buildings. The development site currently contains a one-story light industrial warehouse/factory building and represents underutilization of a lot located proximate to public transit.

The Commission believes the residential density and building heights expected in the proposed R7D/C2-4 district is appropriate at this location. Many of the existing buildings in the immediate vicinity and the surrounding area, primarily along White Plains Road, are multi-family residential apartment buildings, including many mixed-use buildings with ground floor retail, which would be consistent with the developments that would result from the proposed R7D/C2-4 zoning district. The proposed C2-4 district allows for mixed-use buildings with

ground floor retail, consistent with existing buildings in the project area and the character of the surrounding area. The Commission also recognizes that the R7D/C2-4 district was mapped in 2018 one block to the north as part of the 241st Street Rezoning, providing an appropriate continuation of the existing zoning districts.

The Commission believes the proposed zoning text amendment is appropriate. Designating the project area as an MIH area is consistent with citywide objectives promoting production of affordable housing outlined in *Housing New York*. The Commission recognizes with the addition of MIH Options 1 and 2, that new projects within the project area would be required to permanently dedicate between 25 percent and 30 percent of new residential floor area to permanently much-needed affordable housing.

The Commission believes extending the Transit Zone is appropriate. The Commission notes this area has strong public transportation, as it is located only one block south from the 2 subway line at the 241st Street subway station and one block north of the Nereid Ave 2/5 station. The Commission recognizes the project area would have been included in the original 2016 Transit Zone had the project area not had a M1 zoning designation.

The Commission notes that Community Board 12 did not support the proposal, as they requested that the applicant provide additional parking. The Commission notes the applicant has added additional parking from the originally proposed 22 spaces to 52 spaces by providing stacker parking and expanding the cellar in response to Community Board 12 feedback during public review. The Commission encourages the applicant to consult with HPD to determine a balance of parking and housing that meets the needs of the surrounding community.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on January 3, 2022, with respect to this application (CEQR No. 20DCP159X), the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

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. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue and a line 300 feet northeasterly of East 239th Street; and
- 2 . Establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656.

The above resolution (C 200228 ZMX) duly adopted by the City Planning Commission on May 11, 2022 (Calendar No. 2), 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.

DANIEL R. GARODNICK, Esq. *Chair*
DAVID J. BURNEY, ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY,
ANNA HAYES LEVIN, ORLANDO MARIN,
LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 4541 Furman Avenue Rezoning			
Applicant:	Markland 4551 LLC	Applicant's Primary Contact:	Eleanore Martins
Application #	200228ZMX	Borough:	
CEQR Number:	20DCP159X	Validated Community Districts:	X12

Docket Description:

IN THE MATTER OF an application submitted by Markland 4551 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue, and a line 300 feet northeasterly of East 239th Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Unfavorable			
# In Favor: 7	# Against: 21	# Abstaining: 5	Total members appointed to the board: 33
Date of Vote: 1/27/2022 12:00 AM		Vote Location: Webex	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 1/27/2022 6:30 PM	
Was a quorum present? Yes	<i>A public hearing requires a quorum of 20% of the appointed members of the board but in no event fewer than seven such members</i>
Public Hearing Location:	https://nyccb.webex.com/nyccb/j.php?MTID=m7cd90cb9b404af29e23ebc346eed25bb

CONSIDERATION: The Community Board voted against the proposed development although the Development Team raised the parking to 46 spaces from 22 spaces in the initial plans. The Membership of the Board felt the 46 parking spaces were insufficient. It should be noted that there was no recommendation of what number of additional parking spaces that would make this project satisfactory.

Recommendation submitted by	BX CB12	Date: 2/18/2022 10:26 AM
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BOROUGH PRESIDENT RECOMMENDATION

Project Name: 4541 Furman Avenue Rezoning	
Applicant: Markland 4551 LLC	Applicant's Administrator: Eleanore Martins
Application # 200228ZMX	Borough: Bronx
CEQR Number: 20DCP159X	Validated Community Districts: X12

Docket Description:

IN THE MATTER OF an application submitted by Markland 4551 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue, and a line 300 feet northeasterly of East 239th Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656

Please use the above application number on all correspondence concerning this application

RECOMMENDATION: Favorable

Please attach any further explanation of the recommendation on additional sheets as necessary

CONSIDERATION: Approved

Recommendation submitted by	BX BP	Date: 3/21/2022 4:57 PM
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BRONX BOROUGH PRESIDENT'S
RECOMMENDATION

CITY PLANNING COMMISSION
120 Broadway, 31st Floor
New York, New York 10271-0001

APPLICATION NO: C 200228 ZMX-4541 FURMAN REZONING

DOCKET DESRCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 12 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 THE BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 200228 ZMX
4541 Furman Avenue Rezoning

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Markland 4551 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

- 1) Changing from an M1-1 District property bounded by White Plains Road, East 240th Street, Furman Avenue, and a line 300 feet northeasterly of East 239th Street; and
- 2) Establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street.

Borough of The Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656.

BACKGROUND

Approval of this application will eliminate an existing M1-1 District which permits light manufacturing, but excludes residential use. Homeless shelters however, are permitted in M1-1 districts. It would subsequently adopt a R7D District which allows for mid-rise residential development, approximating 10-11 stories. This designation is contextual, designed to produce Quality Housing buildings. This application would also establish a C2-4 commercial overlay which allows for grocery stores, restaurants, and beauty parlors, funeral homes and repair services.

The scope of this Zoning Map amendment includes seventeen tax lots which define the Project Area: Block 5084, Lots 19, 30, 35, 39, 40, 41, 49, 53-61, 63, 138, and 140. The Project Area approximates 90,000 square feet, bounded by East 240th Street on the north, the elevated subway line to the south, White Plains Road to the west and Furman Avenue on the east. This area offers 520 feet of frontage on White Plains Road, 199 feet of frontage on East 240th Street, and approximately 483 feet of frontage on Furman Avenue.

The applicant is also requesting a zoning text amendment to Appendix F, to designate this Project Area as a Mandatory Inclusionary Housing (MIH) area. This designation requires that affordable housing be permanently provided and that either Option 1 or Option 2 be provided. The applicant intends to develop this project pursuant to Option 1. This will mandate that approximately 38 units (25% of all units) in this development would be provided at an average of 60% of Area Median Income (AMI) permanently.

As part of this application, an amendment to the Zoning Resolution would expand an existing Transit Zone to include the southern half of Block 5084, which is not included in the Project Area. This proposal is founded on the close proximity of the Project Area to the Wakefield-241st Street subway station (Number 2-train)

Existing development within the Project Area includes auto repair facilities, one and two family residences that predate the M1-1 designation and therefore are grandfathered, undeveloped lots used for off-street parking and vehicular storage and a warehouse with a church occupying the building's second story. A substation maintained by the New York City Transit Authority is also within the Project Area. The specific status of each Lot subject to the proposed Zoning Map amendment includes:

Block 5084:

- 4530 White Plains Road (Lot 19): 2-story substation for the Transit Authority
- 4550 White Plains Road (Lot 30 & 138): Lots owned by Triumphant Church
- 4556 White Plains Road (Lot 35): 2-story, two family residence*
- 4560 White Plains Road (Lot 39): Off street parking lot for 12 vehicles
- 4562 White Plains Road (Lot 40 & 140): Three family residence with retail*
- 4564 White Plains Road (Lot 41): 2-story auto-repair location
- 712 East 240th Street (Lot 49): 2-story auto-repair location
- 4562 Gordon Place (Lot 53): 2-story, one family residence*
- 4575 Furman Avenue (Lot 54): 2-story, two family residence*
- 4573 Furman Avenue (Lot 55): 2-story, two family residence*
- 4571 Furman Avenue (Lot 56): 2-story, two family residence*
- 4569 Furman Avenue (Lot 57): 2-story, two family residence*
- 4567 Furman Avenue (Lot 58): Undeveloped, used for vehicular storage, parking
- 4565 Furman Avenue (Lot 59): Undeveloped, used for vehicular storage, parking
- 4563 Furman Avenue (Lot 60): 2-story, two family residence*
- 4557 Furman Avenue (Lot 61): 2-story building used for auto repair location

*Currently non-complying use which, among other factors denies loans for improving sites for residential purposes.

The Development Site pertains to 4541 Furman Avenue (Block 5084, Lot 63). This site approximates 24,729 square feet, offering 102 feet of frontage on White Plains Road and 193 feet of frontage on Furman Avenue. A one-story industrial building occupies this property. This building, consisting of 24,810 square feet is currently vacant.

Pending approval of this application, the applicant proposes to construct a residential building consisting of two wings:

The West Wing: Fronting on White Plains Road, this wing will rise 8-stories (approximately 89 feet). Above the 8th story a setback of ten feet from the building's street line allow for an additional story topping off the building at 9 stories. The entrance to this residence will be on White Plains Road. Commercial venues will also front on White Plains Road.

The East Wing: Fronting on Furman Avenue, this wing will rise 9-stories (approximately 95 feet). Above the 9th story a setback of ten feet from the building's street line will allow for an additional story topping off the building at 10 stories. The entrance to this residence will be on Furman Avenue. So too, access to community facility uses would be via Furman Avenue. A curb-cut on Furman Avenue will be installed to service the underground parking facility.

Highlights of this proposed development include:

- A residential/commercial complex offering a total of 136,544 square feet floor area
- Residential space will offer 129,398 square feet of floor area
- Commercial space will offer 7,146 square feet of floor area on White Plains Road
- Community facility space offer 11,098 square feet of floor area on Furman Avenue
- Income restricted units will offer a total of 148 units
 - The West wing on White Plains Road will offer 46 Units
 - The East Wing on Furman Avenue will offer 102 Units
- These include
 - 24 studio units: @ 440 gross square feet 16% of total unit count
 - ✓ West Wing: 7 units (15% of total units)
 - ✓ East Wing: 17 units (17% of total units)
 - 73 1-bedroom units @ 580 gross square feet 49% of total unit count
 - ✓ West Wing: 18 units (39% of total units)
 - ✓ East Wing: 55 units (54% of total units)
 - 32 2-bedroom units @ 798 gross square feet 22% of total unit count
 - ✓ West Wing: 14 units (30% of total units)
 - ✓ East Wing: 18 units (18% of total units)
 - 19 3-bedroom units @ 1,050 gross square feet 13% of total unit count
 - ✓ West Wing: 7 units (15% of total units)
 - ✓ East Wing: 12 units (12% of total units)

The grand total of 2 and 3 bedroom units: 51 units out of 148 units

Monthly rent charges include:

- Studio units: AMI @ 30%: \$419 up to AMI @ 80%: \$1,314
- 1 Bedroom units: AMI @ 30%: \$532 up to AMI @ 80%: \$1,651
- 2 Bedroom units: AMI @ 30%: \$631 up to AMI @ 80%: \$1,974
- 3 Bedroom units: AMI @ 30%: \$722 up to AMI @ 80%: \$2,273

Amenities include:

- 52 underground attended parking spaces plus bicycle parking
- On site gym, community room, afterschool study room,
- Storage and package room
- Exterior garden and recreation space approximating a total of 8,121 square feet. This area will located between the two residential wings of the proposed development. Owing to the site's hilly topography, this area is divided into two sections:
 - Furman Avenue: 5,321 square feet, passive & recreational areas
 - White Plains Road:: 2,800 square feet, passive only

Sustainable features include:

- Energy efficient appliances
- Composite wood products
- Cool roof using Energy Star certified roofing products to reduce heat island impacts
- Smoke free building

Total estimated development cost: \$116 million. The applicant is requesting public financing from the Department of Housing Preservation and Development's (HPD's) ELLA program

Development in this area is typified by low-rise industrial buildings. A multi-acre subway storage and service yard is located on the east side of Furman Avenue, opposite the site this application is considering. Residential development in this community is composed of one and two family, wood-frame homes. Commercial activity is found on White Plains Road. Subway service via the #2 train is available at the 241st Street station, within a two block radius of the Development Site. Metro North Railroad is accessible from the Woodlawn Station.

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 January 3, 2022.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #12 held a public hearing on this application on January 27, 2022. A vote recommending this application be denied was 21 in favor of denying approval of this application, 7 in favor of approving this application and 5 abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on February 23, 2022. Representatives of this applicant were present and spoke in favor of this application. There being no others wishing to offer testimony, the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

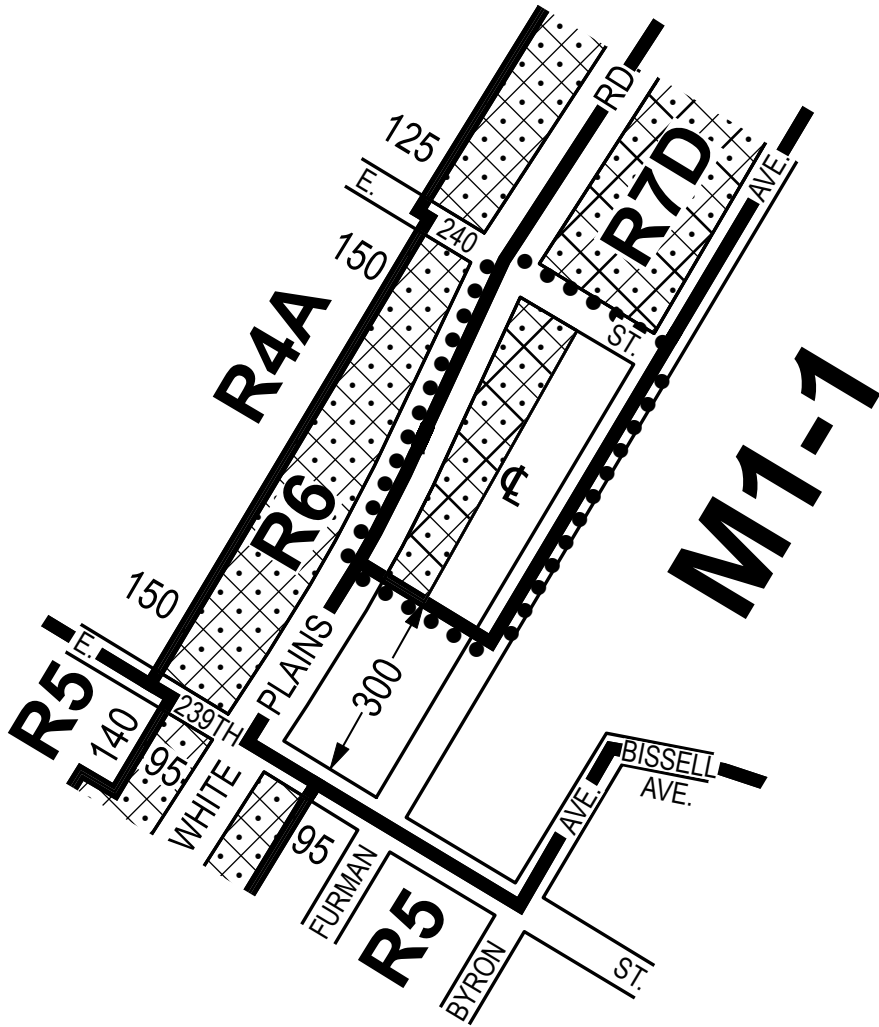
As the demand for affordable housing continues to grow and the availability of underutilized sites diminishes across The Bronx, it is appropriate to consider Zoning Map amendments that address areas where unused or underutilized manufacturing facilities are in place. This application does just that, as its approval would facilitate construction of a 148 unit affordable housing residence on a site now occupied by a vacant industrial building.

If Bronx communities are to thrive, families with children must be accommodated. Reviewing the specifics of this proposed development, the number of 2 and 3 bedroom units totals 51, or approximately 35% out of 148 units. The number of studios and 1-bedroom flats total 97, or approximately 65% out of 148 units. I object to this disparity as studio and 1-bedroom apartments virtually block out a family's need for housing. As such, while the overall unit count may be admirable, my administration will vigorously object and may not approve affordable housing developments where less than forty percent of the units planned are able to safely accommodate families with even one youngster. To force people to relocate once a child joins the family is to deny the community of those who otherwise would remain and contribute to the long term success of their neighborhood.

I do applaud the overall profile this development. It will bring to a community where no comparable residential development is in place. The inclusion of a study room, gym, as well as ample space for both passive and limited active outdoor recreation, will surely appeal to those families. I am also satisfied that as Bronx Community Board #12 voted to deny approval of this application owing to a lack of on-site parking, the inclusion of an underground facility able to accommodate 52 vehicles, is an appropriate response to the Board's objection. Finally, and critical to my endorsement of this application, is a community facility space that will offer both residents and neighbors the potential of a daycare center which is in high demand. The inclusion of a commercial space will also offer both a retail accommodation to the neighborhood and an opportunity for employment.

Mindful of my objection to the unit size ratio, I find that to deny this application's approval is to also eliminate the potential of additional affordable housing development in the surrounding community. This to be sure, is not acceptable.

I again want to commend the applicant for responding to the need for on-site parking, as this was of primary concern to Community Board 12 and to my administration. I will also remain vigilant as to the number of multi bedroom units to be included in all future affordable housing proposals.

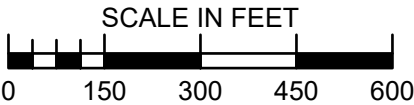


CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
2a
BOROUGH OF
BRONX




S. Lenard, Director
Technical Review Division





New York, Certification Date:
January 3rd, 2022



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is rezoned by changing an existing M1-1 District to an R7D District and by establishing a C2-4 District within the proposed R7D District.

-  Indicates a C2-2 District
-  Indicates a C2-4 District