



## CITY PLANNING COMMISSION

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March 3, 2021 / Calendar No. 14

C 210103 ZMX

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**IN THE MATTER OF** an application submitted by WEBSTER 1099 REALTY LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3d by:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and a line 150 feet southwesterly of East 167th Street;
2. changing from an R7-1 District to an R7X District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and East 166th Street;
3. changing from an M1-1 District to an R7X District property bounded by a line midway between Clay Avenue and Webster Avenue, East 167th Street, Webster Avenue, and East 166th Street; and
4. establishing within the proposed R7X District a C2-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, and East 166th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated October 19, 2020, and subject to the conditions of CEQR Declaration E-576.

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This application for a zoning map amendment (C 210103 ZMX) was filed by Webster 1099 Realty LLC on September 15, 2020. This application, in conjunction with the related zoning map amendment (N 210104 ZRX), would facilitate a 280,000-square-foot mixed-used development with approximately 238 residential units and 30,000 square feet of ground-floor commercial uses at 1099 Webster Avenue in the East Concourse neighborhood of Bronx Community District 4.

### RELATED ACTIONS

In addition to the zoning map amendment (C 210103 ZMX) that is the subject of this report, implementation of 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 210104 ZRX**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

## **BACKGROUND**

The applicant seeks a zoning map amendment to change existing M1-1, R7-1 and R7-1/C1-4 zoning districts to an R7X/C2-4 district, and a zoning text amendment to establish an MIH area coterminous with the rezoning area. The proposed rezoning area consists of three lots (Block 2426, Lots, 17, 21 and 25) and is located along Webster Avenue between East 166<sup>th</sup> and East 167<sup>th</sup> streets, totaling approximately 56,840 square feet of lot area.

The development site (Block 2426, Lot 25) is located at the intersection of Webster Avenue and East 166<sup>th</sup> St. Webster Avenue is a major thoroughfare and wide street (100 feet) and East 166<sup>th</sup> Street is considered a narrow street (60 feet). The development site has approximately 368 feet of frontage along Webster Avenue and 100 feet of frontage along East 166<sup>th</sup> Street and a total lot area of 36,840 square feet. The southern portion of the lot, fronting on East 166<sup>th</sup> Street and Webster Avenue, is currently used as a private parking lot and the northern portion of the lot is improved with a one-story industrial building. The remaining lots on the eastern side of the block contain one-story industrial and commercial structures.

Since 2003, the area has seen a number of land use changes. These changes include: the Morrisania Rezoning (C 030333 ZMX) in 2003 to upzone an M1-1 industrial district to a mixed-use residential and industrial district; Washington Plaza (C 030213 ZMX) to facilitate the construction of a grocery store; Boricua Village (C 070276 ZMX) upzoning in 2007 to facilitate the construction of new housing and educational space; and, most recently, Melrose Commons III (C 150153 ZMX) in February 2015 to facilitate the construction of new housing and cultural venue. Additionally, in this time frame, there were two Board of Standards and Appeals approvals for a residential/commercial building (151-00-BZ) and supportive housing (156-11-BZ).

The surrounding area is located in the East Concourse neighborhood of Bronx Community District 4, and is proximate to the Melrose and Morrisania neighborhoods, to the south and east, respectively. The proposed rezoning area is located in an area between predominantly residential land uses west of the proposed rezoning area and predominantly commercial and automotive

uses to the east towards the Metro-North rail line. Further east beyond the railroad right-of-way, the land uses are more varied, with a mix of warehouse facilities, commercial/retail establishments, houses of worship, automotive uses, smaller multifamily residential buildings and vacant lots. The built form also varies within the surrounding area, with the area west of the proposed rezoning area including a series of six-story residential walk-up buildings, smaller three-story multi-family residential buildings, as well as institutional uses, including public schools (PS 053 and MS 22), houses of worship and supportive care facilities. To the south of the proposed rezoning area is a nine-story supportive housing facility, NYCHA's Claremont Rehab development facility, which is spread across several pre-war, six-story buildings, and PS X324. The uses to the east of the proposed rezoning area and across the railroad right-of-way range in size from recently constructed six and seven-story residential buildings to one- and two-story warehouse/automotive facilities and commercial retail buildings. There are several publicly accessible open spaces near the proposed rezoning area, including the Arcilla Playground to the south and the Mott Playground to the west.

The development site is well served by public transit and located within the Transit Zone. The East 167<sup>th</sup> Street subway station is located slightly over one-half mile to the west of the development site and provides service to the B and D trains. The Melrose station for Metro-North's Harlem Line is located one-quarter mile to the south of the development site. The Bx41 bus runs north-south along Webster Avenue and connects the area to Belmont and Fordham to the north and to 149<sup>th</sup> Street to the south. The B35 bus runs east-west along East 167<sup>th</sup> Street and connects Southern Boulevard to Washington Heights in Manhattan. Both bus lines have stops near the proposed rezoning area. Additionally, the Bx19 runs east-west along East 161<sup>st</sup> Street and connects Hunts Point to Harlem and has stops accessible one-quarter mile to the south of the proposed rezoning area.

The proposed rezoning area is located in an existing M1-1 zoning district that spans the area between Park Avenue, East 163<sup>rd</sup> Street and East 168<sup>th</sup> Street. The M1-1 zoning district permits commercial or light-to-medium manufacturing/industrial uses. Commercial and industrial/manufacturing uses are permitted up to a floor area ratio (FAR) of 1.0, while limited community facility uses are permitted up to an FAR of 2.4. The maximum base height of

buildings within M1-1 zoning districts is 30 feet (two stories), with the sky exposure plane governing maximum building height.

The proposed actions would facilitate the development of two residential buildings: one nine-story building (Building A) and one –11-story building (Building B). Building A would total 109,062 gross square feet of floor area and Building B would total 171,238 gross square feet. This would include 81,452 square feet of residential space in Building A and 134,763 square feet of residential space in Building B. Both buildings would be located within a single lot (lot 25) of the proposed rezoning area. Together, the new buildings would contain 238 residential units, 60 of which would be permanently affordable pursuant to Option 1 of the MIH program. Building A would have a maximum base height of 83 feet and a maximum building height of 93 feet. Building B would have a maximum base height and building height of 102 feet and 111 feet, respectively. The ground-floor commercial space would consist of 30,000 square feet of space dedicated to local retail or community facility uses. Between the two buildings, there would be 73 enclosed parking spaces within a shared underground garage. The curb cut for the parking garage would be located at the southernmost portion of the development site on East 166th Street, and a curb cut for a loading area would be located at the northernmost portion of the site on Webster Avenue.

To facilitate the proposed development, the applicant is seeking a zoning map amendment and a zoning text amendment. The applicant seeks a zoning map amendment to change an M1-1, R7-1 and R7-1/C1-4 zoning district to an R7X/C2-4 zoning district. R7X zoning districts are contextual mixed-use districts that allow residential and commercial uses. R7X zoning districts allow a maximum FAR of 6.0 for residential uses and a maximum FAR of 2.0 for commercial uses. MIH buildings are required to comply with Quality Housing requirements, which allow a maximum base height of 105 feet (10 stories) and a total building height of 145 feet (14 stories). For Quality Housing developments, parking is required for 50 percent of market rate residential units and no parking is required for affordable units located within the Transit Zone.

C2-4 commercial overlays are mapped within underlying residential zoning districts along streets that serve local retail needs. C2-4 commercial overlays allow a maximum FAR of 2.0 for a range

of local retail and service-related uses, such as grocery stores, restaurants, beauty salons and laundromats. C2-4 commercial overlays require one parking space per 1,000 square feet of floor area. When mapped with residential zoning districts, commercial uses are limited to the first floor in mixed-use buildings.

The applicant also proposes a zoning text amendment to designate an MIH area coterminous with the proposed rezoning area. The MIH area would be mapped with Option 1, which requires at least 25 percent of the residential floor area to be reserved for households with an average of 60 percent of the area median income (AMI) and provides that no unit can be targeted to households exceeding 130 percent of the AMI. As the applicant is seeking HPD financing under its ELLA term sheet, all of the proposed 238 residential units would be affordable to incomes below 80 percent of the AMI, subject to HPD's ELLA terms. This would include 2 superintendent units, 36 units reserved for the homeless, 24 units for incomes at 27 percent of the AMI, 24 units at 37 percent of the AMI, 24 units at 47 percent of the AMI, 24 units at 57 percent of the AMI, 46 units at 67 percent of the AMI and 58 units at 77 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 210103 ZMX), in conjunction with the application for the related action (N 210104 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 19DCP115X.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on October 19, 2020.

The Negative Declaration includes an (E) designation (E-576) related to air quality and noise to avoid the potential for significant adverse impacts. The requirements of the (E) designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

This application (C 210103 ZMX) was certified as complete by the Department of City Planning on October 19, 2020 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 action (N 210104 ZRX), which was referred in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Community Board 4 held a public hearing on this application (C 210103 ZMX) on November 24, 2020 and, on November 24, 2020, by a vote of 29 in favor, one opposed and none abstaining, recommended approval with the following conditions:

- “1. That the proposed project utilizes Area Median Income (AMI) Income Averaging to ensure that the units constructed encompass a wide range and mix of incomes to support economic diversity
2. The contractor and subcontractor to the greatest extent possible should work with Community Board Four and local non-profit organizations to provide paid apprenticeships for Bronx residents (preference for Community District 4) to obtain viable pathways to skilled trades and high paying job opportunities within the construction field
3. Commitment to Local Hiring/Outreach Plan focused on hiring talent from Community District 4 for construction and post-construction
  - 9-12 months prior to construction the developer should present their Local Hiring/Outreach Plan to the Board
  - Developer and contractor should hire a 100% Bronx-based workforce to the greatest extent possible (Priority given to Community District Four residents)
  - The Developer and all subcontractors commit to partnering with the Jerome Avenue Workforce Collaborative (JARC) a cross-sector placed-based economic and workforce development partnership. While the collaborative's focus is on the Jerome Avenue corridor, creating economic development opportunities for Community District 4 residents is a priority.

4. Request for quarterly report/update on local hiring plan that includes the demographics on all those considered and those hired pre-construction and construction
5. Report should include percentages for Community District 4, Bronx and outside the Borough
  - Contractor and sub-contractor should document barriers/rationale as to why those considered were not hired
6. Commitment to hiring Bronx-based MWBE's for construction and other needs related to site development
  - A report listing all the contractors and subcontractors for the project should be submitted to the Board
7. Collaboration with DHS and HPD to increase the current set aside for individuals and families currently in shelter in Community District Four (15% currently) and migrate them to permanent housing
  - There should be a concerted effort to target individuals and families whose previous address was in Community District 4 and wish to relocate back to the district
8. Commitment to host a series of trainings to prepare Community District 4 residents to submit Housing Connect Lottery applications”

### **Bronx President Recommendation**

The Bronx Borough President held a public hearing on this application (C 210103 ZMX) on January 7, 2021, and on January 18, 2021, recommended approval with two conditions, as follows:

“1. There are two issues I wish to address regarding unit distribution. The first is with the income bands. Originally, the project spawning this rezoning had six income bands ranging from 27-77% AMI. HPD has requested these bands be reduced to four given marketing concerns. As our residents lose or need to change jobs due to the pandemic, we need to offer them as diverse options as possible. I am comfortable with rearranging some of the

percentage distribution of income bands that support lower incomes, but the number of income bands need to remain.

2. Also, the percentage of two and three-bedroom units fall below my minimum requirements of 10% three-bedroom units and 40% combination of two and three-bedroom units for ULURP or budgetary support. As it stands now, there are only 9.2% three-bedrooms and 38.6% two and three-bedrooms. My approval of this application is contingent on this, and easily rectified.”

### **City Planning Commission Public Hearing**

On January 20, 2021 (Calendar No. 6), the CPC scheduled February 3, 2021 for a public hearing on this application (C 210103 ZMX), in conjunction with the related action (N 210104 ZRX). The hearing was duly held on February 3, 2021 (Calendar No. 19). There were four speakers in favor of the application and none in opposition.

The applicant’s representative, land use attorney, architect, and property owner spoke in favor of the application. The applicant’s representative described the requested actions, the proposed development, and the surrounding area. The project architect described the design of the proposed building and private open space. The land use attorney described the proposed mix of units and affordability levels. The property owner described the existing property and his relationship to it.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 210103 ZMX), in conjunction with the related application for a zoning text amendment (N 210104 ZRX), is appropriate.

Together, the requested actions will facilitate two mixed-use buildings with 238 residential units, 60 of which would be permanently affordable, as well as commercial uses on the first floor.

The project area is located at the intersection of Webster Ave and East 166<sup>th</sup> Street, the former a major thoroughfare built to a width of 100 feet, and the latter a narrow street. The Commission notes that the existing zoning and land uses at the intersection of Webster Avenue and East 166<sup>th</sup> Street, largely comprised of mid-rise residential uses to the west and industrial uses to the east, are compatible with the proposed zoning district. The Commission believes that the proposed density is appropriate at the development site, as it is located along a major corridor and is well served by public transit. The proposed zoning district lines, encompassing the full block front from the center line of East 167<sup>th</sup> Street to the center line of East 166<sup>th</sup> street at a depth of 100 feet, are a rational land use plan.

The proposed rezoning will allow the development of new housing, including permanently affordable housing, and commercial uses. The proposed development will include medical, commercial, or local retail uses on the ground floor. The Commission believes that a mixed-use building is appropriate for this location and encourages the applicant to explore potential tenants for the commercial space that would serve the needs of building residents and the surrounding community.

The proposed zoning text amendment (N 210104 ZRX) is appropriate. The action will designate a new MIH area coterminous with the rezoning area, supporting the creation of new affordable housing in a community district where the median household income is \$32,599. It is consistent with the goals of *Housing New York* to promote the development of affordable housing across the city, particularly in areas well served by transit. The text amendment will map an MIH area with Option 1, which the applicant intends to use for the proposed development in order to create 60 permanently affordable housing units.

The Commission recognizes Community Board 4's and the Bronx Borough President's conditions to use income averaging to maintain the proposed array of affordability income bands, increase the percentage of two- and three-bedroom units, and increase the set aside for individuals and families currently residing in shelters in the Community District but notes that these recommendations are outside the scope of the proposed actions.

The Commission also recognizes Community Board 4's conditions to work with contractors and subcontractors from Community Board 4, commit to a local hiring and outreach plan, provide quarterly reports on local hiring, commit to hiring Bronx-based MWBEs, and host a series of trainings for Community Board 4 on submitting to the City's housing lottery system, but notes that these recommendations are outside the scope of the proposed actions.

## **RESOLUTION**

**RESOLVED**, that having considered the Environmental Assessment Statement, for which Negative Declaration was issued on October 19, 2020 with respect to this application (CEQR No. 19DCP115X), 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 Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and 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. 3d,

1. eliminating from within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and a line 150 feet southwesterly of East 167th Street;
2. changing from an R7-1 District to an R7X District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and East 166th Street;
3. changing from an M1-1 District to an R7X District property bounded by a line midway between Clay Avenue and Webster Avenue, East 167th Street, Webster Avenue, and East 166th Street; and
4. establishing within the proposed R7X District a C2-4 property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, Webster Avenue and East 166th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated October 19, 2020, and subject to the conditions of CEQR Declaration E-576.

The above resolution (C 210103 ZMX), duly adopted by the City Planning Commission on March 3, 2021 (Calendar No. 14), 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.

**MARISA LAGO**, *Chair*

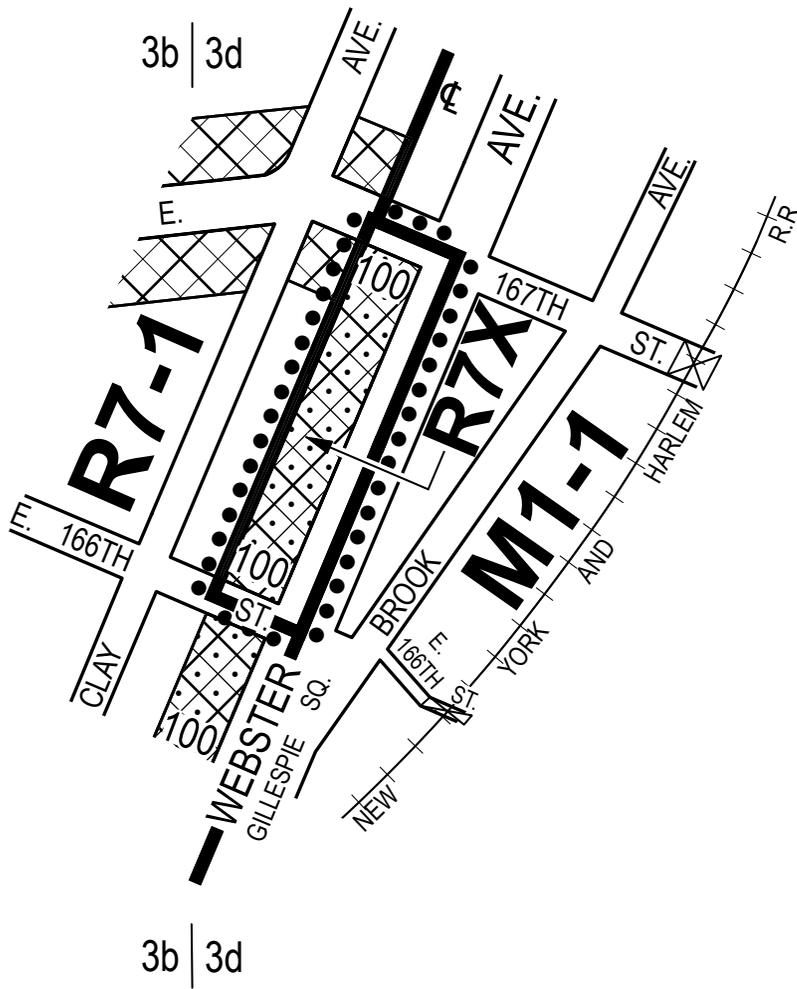
**KENNETH J. KNUCKLES, ESQ.**, *Vice Chairman*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO III,**

**JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT,**

**ANNA HAYES LEVIN, ORLANDO MARIN,**

**LARISA ORTIZ, RAJ RAMPERSHAD** *Commissioners*



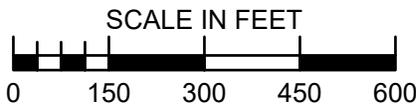
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**3d**  
 BOROUGH OF  
**BRONX**

S. Lenard, Director  
 Technical Review Division



New York, Certification Date:  
 October 19, 2020



**NOTE:**

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is rezoned by eliminating a C1-4 District from within an existing R7-1 District, by changing existing R7-1 and M1-1 Districts to an R7X District, and by establishing a C2-4 District within the proposed R7X District.



Indicates a C1-4 District



Indicates a C2-4 District



# Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

Application #:	Project Name:
CEQR Number:	Borough(s):
	Community District Number(s):

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

## SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ" ~~XXXXXXXXXX~~
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES <input type="checkbox"/> NO <input type="checkbox"/>		<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>	
Date of Vote:		Location:	
<b>RECOMMENDATION</b>			
<input type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>			
<b>Voting</b>			
# In Favor:	# Against:	# Abstaining:	Total members appointed to the board:
Name of CB/BB officer completing this form		Title	Date



# COMMUNITY/BOROUGH BOARD RECOMMENDATION

<b>Project Name:</b> 1099 Webster Avenue - Rezoning	
<b>Applicant:</b> Webster 1099 Realty LLC	<b>Applicant's Primary Contact:</b> NA NA
<b>Application #</b>	<b>Borough:</b>
<b>CEQR Number:</b> 19DCP115X	<b>Validated Community Districts:</b> X04

**Docket Description:**

IN THE MATTER OF an application submitted by Webster 1099 Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, by:

- eliminating from within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and a line 150 feet southwesterly of East 167th Street;
- changing from an R7-1 District to an R7X District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and East 166th Street;
- changing from an M1-1 District to an R7X District property bounded by a line midway between Clay Avenue and Webster Avenue, East 167th Street, Webster Avenue, and East 166th Street; and
- establishing within the proposed R7X District a C2-4 property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, Webster Avenue and East 166th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated October 19, 2020, and subject to the conditions of CEQR Declaration E-576.

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

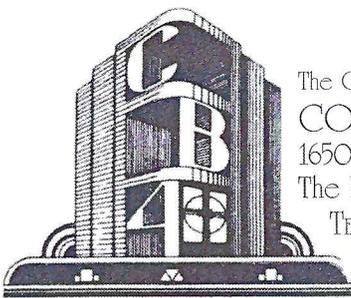
<b>RECOMMENDATION: Conditional Favorable</b>			
<b># In Favor:</b> 29	<b># Against:</b> 1	<b># Abstaining:</b> 0	<b>Total members appointed to the board:</b> 45
<b>Date of Vote:</b> 11/24/2020 6:00 PM		<b>Vote Location:</b> Via Zoom Platform	

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

<b>Date of Public Hearing:</b> 11/24/2020 6:00 PM	
<b>Was a quorum present?</b> 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>
<b>Public Hearing Location:</b>	VIA ZOOM VIDEO

**CONSIDERATION:**

Recommendation submitted by	BX CB4	Date: 12/17/2020 11:44 AM
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The City of New York  
**COMMUNITY BOARD 4**  
1650 Selwyn Avenue, Suite 11A  
The Bronx, New York 10457  
TEL: 718-299-0800 FAX: 718-294-7870  
Email: bx04@cb.nyc.gov

HONORABLE RUBEN DIAZ, JR.  
Bronx Borough President

MRS. KATHLEEN SAUNDERS  
Board Chair

MR. PAUL A. PHILDS  
District Manager

Marisa Lago, Chairperson  
NYC Department of City Planning  
120 Broadway  
31st Floor  
New York, NY 10271

December 16, 2020

Dear Chairperson Lago:

Please be advised that on November 24, 2020, at its regularly scheduled General Board Meeting, Bronx Community Board Four voted in the affirmative to issue a letter of support with conditions for 1099 Webster Avenue. The proposed actions consist of a zoning map amendment from M1-1, R7-1 and R7-1/C1-4 to R7X/C2-4 and a zoning text amendment to Appendix F of the New York City Zoning Resolution ("ZR") designating the Rezoning Area as a Mandatory Inclusionary Housing Area (MIHA). These actions will facilitate the redevelopment of the Development Site with two (2) mixed-use buildings containing ground floor commercial space and 238 residential units on the upper floors.

Community Board Four approves the land use actions with the following conditions:

- That the proposed project utilizes Area Median Income (AMI) Income Averaging to ensure that the units constructed encompass a wide range and mix of incomes to support economic diversity
- The contractor and subcontractor to the greatest extent possible should work with Community Board Four and local non-profit organizations to provide paid apprenticeships for Bronx residents (preference for Community District Four) to obtain viable pathways to skilled trades and high paying job opportunities within the construction field
- Commitment to Local Hiring/Outreach Plan focused on hiring talent from Community District Four for construction and post-construction
  - 9-12 months prior to construction the developer should present their Local Hiring/Outreach Plan to the Board
  - Developer and contractor should hire a 100% Bronx-based workforce to the greatest extent possible (Priority given to Community District Four residents)
  - The Developer and all subcontractors commit to partnering with the Jerome Avenue Workforce Collaborative (JARC) a cross-sector placed-based economic and workforce development partnership. While the collaborative's focus is on the Jerome Avenue corridor, creating economic development opportunities for Community District Four residents is a priority.
- Request for quarterly report/update on local hiring plan that includes the demographics on all those considered and those hired pre-construction and construction
  - Report should include percentages for Community District Four, Bronx and outside the Borough

- Contractor and sub-contractor should document barriers/rationale as to why those considered were not hired
- Commitment to hiring Bronx-based MWBE's for construction and other needs related to site development
  - A report listing all the contractors and subcontractors for the project should be submitted to the Board
- Collaboration with DHS and HPD to increase the current set aside for individuals and families currently in shelter in Community District Four (15% currently) and migrate them to permanent housing
  - There should be a concerted effort to target individuals and families whose previous address was in Community District Four and wish to relocate back to the district
- Commitment to host a series of trainings to prepare Community District Four residents to submit Housing Connect Lottery applications

While not a condition for this project, we respectfully request that HPD develop a report(s) that tracks set asides for Community District preference and formerly homeless for all affordable housing projects moving forward.

We appreciate your attention to these matters.

Sincerely,



Paul A. Philps  
District Manager  
Community Board Four

Cc: Jackson Strong, Housing & Land Use Committee Chair  
Mr. Robert Garmendiz, Board Chairperson

**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 2-210103 ZMX-1099 Webster Avenue**

**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**



\_\_\_\_\_  
BOROUGH PRESIDENT

\_\_1/18/21\_\_\_\_\_  
DATE



# BOROUGH PRESIDENT RECOMMENDATION

<b>Project Name:</b> 1099 Webster Avenue - Rezoning	
<b>Applicant:</b> Webster 1099 Realty LLC	<b>Applicant's Administrator:</b> Adam Rothkrug
<b>Application #</b> 210103ZMX	<b>Borough:</b> Bronx
<b>CEQR Number:</b> 19DCP115X	<b>Validated Community Districts:</b> X04

**Docket Description:**

IN THE MATTER OF an application submitted by Webster 1099 Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, by:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and a line 150 feet southwesterly of East 167th Street;
2. changing from an R7-1 District to an R7X District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, a line midway between Clay Avenue and Webster Avenue, and East 166th Street;
3. changing from an M1-1 District to an R7X District property bounded by a line midway between Clay Avenue and Webster Avenue, East 167th Street, Webster Avenue, and East 166th Street; and
4. establishing within the proposed R7X District a C2-4 property bounded by a line 100 feet northwesterly of Webster Avenue, East 167th Street, Webster Avenue and East 166th Street;

Borough of the Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated October 19, 2020, and subject to the conditions of CEQR Declaration E-576.

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

**RECOMMENDATION:** Conditional Favorable

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

**CONSIDERATION:**

Recommendation submitted by	BX BP	Date: 1/25/2021 12:00 AM
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**BRONX BOROUGH PRESIDENT'S RECOMMEDATION  
ULURP APPLICATION NOS: C 2-210103 ZMX  
1099 Webster Avenue**

**DOCKET DESCRIPTION**

**CD #4-ULURP APPLICATION NO: C 2-210103 ZMX-1099 Webster Avenue:**

**IN THE MATTER OF AN** application submitted by Webster 1099 Realty, LLC. Pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map Section No. 3d, by:

1. Eliminating form within an existing R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Webster Avenue, East 167<sup>th</sup> Street, a line midway between Clay Avenue and Webster Avenue, and a line 150 feet southwesterly of East 167<sup>th</sup> Street.
2. Changing from an R7-1 District to an R7X District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167<sup>th</sup> Street, a line midway between Clay Avenue and Webster Avenue, and East 166<sup>th</sup> Street.
3. Changing from an M1-1 District to an R7X District property bounded by a line midway between Clay Avenue and Webster Avenue, East 167<sup>th</sup> Street, Webster Avenue, and East 166<sup>th</sup> Street; and
4. Establishing within the proposed R7X District a C2-4 District property bounded by a line 100 feet northwesterly of Webster Avenue, East 167<sup>th</sup> Street, Webster Avenue and East 166<sup>th</sup> Street;

Borough of The Bronx, Community District #4, as shown on a diagram (for illustrative purposes only) dated October 19, 2020 and subject to the conditions of CEQR Declaration E-576.

**BACKGROUND**

The proposed rezoning along the west side of Webster Avenue between East 166<sup>th</sup> and 167<sup>th</sup> Streets will contain a two-building project that would contain 238 units of affordable housing in 9 and 11-story buildings, on the southernmost and center block parcels, with two parcels at the north end of the block for future development. The 9-story corner building will contain 90 units with 10,690 square feet of ground floor commercial space. The 11-story center block building will contain 148 units with 19,298 square feet of ground floor commercial space. There will also be 30 parking spaces for commercial use and 43 parking spaces for residential use. Under the New York City Department of Housing Preservation and Development (HPD) ELLA term sheet, the entire project will be under 80% of Area Median Income (AMI). The final income breakdown is still being negotiated with HPD, but the project will contain the minimum 15% of units set aside or formerly homeless individuals at 27% of AMI. The proposed bedroom distribution among the units is as follows:

- Studios- 12
- One-Bedroom- 132
- Two-Bedroom- 70
- Three-Bedroom- 22

This project is uniquely served by public transportation. While there is no subway within 2/3 mile, with the closest station being the IND B/D 167<sup>th</sup> Street station, the rezoned area is directly served by the BX41/BX41SBS along Webster Avenue and less than ½ mile from the Melrose Metro-North station. The project is also served by the BX35 along East 167<sup>th</sup> Street, BX32 along Morris Avenue, and BX15 along Third Avenue. The BX6/BX6SBS is also under a half mile south along East 161<sup>st</sup> Street.

### **ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION**

These applications have been reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. The City Planning Commission certified these applications as complete on October 16, 2020.

### **BRONX COMMUNITY BOARD PUBLIC HEARING**

A public hearing was called by Bronx Community Board #4 on November 24, 2020. A vote recommending approval of these applications was 29 in favor, one against, and zero abstaining.

### **BOROUGH PRESIDENT'S PUBLIC HEARING**

The Bronx Borough President convened a public hearing on these applications on January 7, 2021. Representatives of the applicant were present and spoke in favor of these applications. There was one member of the public who attended, but did not speak. The hearing was closed.

### **BRONX BOROUGH PRESIDENT'S RECOMMENDATION**

This is a welcome project along a drab stretch of corridor that is undergoing transformation. This portion of Webster Avenue has had a hodge podge of uses for generations. Situated south of Claremont Village and north of the East 161<sup>st</sup> Street corridor, this mix of underutilized automotive and manufacturing zones have prevented a connection between the Claremont Village and Melrose communities. The introduction of the BX41 SBS has tempered this disconnection, but now is the time to offer affordable opportunities that will help a wide range of our citizens during this health crisis.

The design of the buildings is in context with the lone residential building across the street. The buildings are attractive and vary in form along the street frontage, while remaining consistent in aesthetics. The curvature of the corner provides an elegant feel to the structure. I am also pleased about the ample amount of open space provided here. Morrisania, Melrose, and the southern portion of Claremont Village lack significant open space opportunities. Providing multiple forms of both passive and active recreation for residents supports healthy living, especially during the pandemic, where outside access is often limited in certain neighborhoods.

There are two issues I wish to address regarding unit distribution. The first is with the income bands. Originally, the project spawning this rezoning had six income bands ranging from 27-77% AMI. HPD has requested these bands be reduced to four given marketing concerns. As our

residents lose or need to change jobs due to the pandemic, we need to offer them as diverse options as possible. I am comfortable with rearranging some of the percentage distribution of income bands that support lower-incomes, but the number of income bands need to remain. Also, the percentage of two and three-bedroom units fall below my minimum requirements of 10% three-bedroom units and 40% combination of two and three-bedroom units for ULURP or budgetary support. As it stands now, there are only 9.2% three-bedrooms and 38.6% two and three-bedrooms. My approval of this application is contingent on this, and easily rectified.

If the two aforementioned stipulations are met, I recommend approval of this application.