



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

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

Borough of the Bronx, Community District 11, as shown on a diagram (for illustrative purposes only) dated October 24, 2022, and subject to the conditions of CEQR Declaration E-694.

This application for a zoning map amendment was filed by Boston Road Associates on February 8, 2022. This application, in conjunction with the related zoning text amendment application, would facilitate the development of a new 10-story mixed-use building with approximately 333 affordable residential units, as well as commercial and community facility uses, at 2560 Boston Road in the Allerton section of the Bronx, Community District 11.

RELATED ACTIONS

In addition to the zoning map amendment (C 220283 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 220284 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area.

BACKGROUND

This application for a zoning map amendment, in conjunction with the related application, would facilitate the development of a new 10-story mixed-use building, including approximately 333 affordable units, and ground floor commercial and community facility space at 2560 Boston Road, in the Allerton neighborhood of Bronx, Community District 11.

The project area comprises the northernmost portion of Block 4440, which is bounded by Boston Road, Barnes Avenue, Matthews Avenue, and Mace Avenue. The project area, coterminous with the development site, encompasses approximately 55,000 square feet consisting of Block 4440, Lots 16, 30, and 32. Lot 16 is an irregularly shaped, approximately 47,000-square-foot through lot with approximately 160 feet of frontage on Boston Road, 221 feet on Barnes Avenue and 200 feet on Matthews Avenue. Lot 30 is an approximately 4,100-square-foot irregular through lot with approximately 50 feet of frontage on both Boston Road and Matthews Avenue. Lot 32 is an approximately 2,370-square-foot irregular corner lot with approximately 76 feet of frontage on both Boston Road and Matthews Avenue. Boston Road is 100 feet wide (a wide street), Barnes Avenue is 60 feet wide (a narrow street), and Matthews Avenue is 60 feet wide (a narrow street).

The project area is currently improved with a one-story, 1,050 square-foot commercial building (Lot 32); a 3,972 square-foot building with a ground-floor day care center and a second-floor residential dwelling (Lot 30); and an approximately 13,800 square-foot, one-story supermarket with a 55-space open, accessory parking lot serviced by two curb cuts on Barnes Avenue (Lot 16).

The surrounding area is characterized by a mix of one-story commercial buildings, residential buildings generally ranging from two to six stories in height, and one-story industrial buildings. Large portions of the surrounding area abut Boston Road, which is lined primarily with one-story commercial buildings. Boston Road, which cuts diagonally through the regular street grid, is one

of the major thoroughfares in the neighborhood, providing access between Bronx River Parkway and Pelham Parkway to the southwest and the Eastchester section of the Bronx to the northeast, extending further in that direction before terminating in Boston, Massachusetts. Community facility uses in the surrounding area include the Church of St. Lucy located approximately 290 feet to the southeast of the project area at the intersection of Mace Avenue and Bronxwood Avenue. Other notable uses are the Bronx Park and New York Botanical Gardens, located approximately 0.5 miles west of the project area. Several New York City Housing Authority developments are in the wider surrounding area, specifically Bronx Road Plaza, Parkside Houses, and Pelham Parkway Houses. The Bronx Plaza development has 241 housing units in two two-story residential buildings located on Boston Road about 0.2 miles to the southwest of the project area. Parkside Houses has 9,669 housing units spread across 18 buildings generally ranging from seven to 14 stories in height located about 0.4 miles to the northwest of the project area. Pelham Parkway Houses covers three separate campuses, generally located to the south and southwest of the project area, with a total 1,266 housing units in 24 six-story buildings.

The surrounding area is located within C8-1, R5 and R6 zoning districts. There are also C1-3 and C2-2 commercial overlays in the area. R5 districts are mid-density residential districts intended for neighborhoods with an assortment of housing types and allow single- or two-family homes and multi-family buildings. C1-3 and C2-2 commercial overlays allow for ground-floor commercial uses that serve local needs.

The area is well-served by public transit. The Allerton Avenue subway station, located approximately 0.3 miles west of the project area, provides service to the 2 and 5 lines. The Bx26 bus line runs along Allerton Avenue, providing access between Co-Op City and Bedford Park. The area is also served by regional Bee-Line bus routes 60, 61 and 62, all running along Boston Road and providing access between the Fordham Metro-North train station and the New Rochelle Transit Center. The project area is located within the Transit Zone. The development site is accessible by car via Boston Road, a major thoroughfare connecting with both Pelham Parkway and Bronx River Parkway and, therefore, providing vehicular access in all directions.

The project area has been zoned C8-1 and R6 since the enactment of the Zoning Resolution in 1961. Lots 30 and 32 are located entirely within a C8-1 zoning district. Lot 16 is split between C8-1 and R6 zoning districts – the northwest portion of the lot (approximately 22,000 square feet) is located in a C8-1 zoning district, and the southeastern portion of the lot (approximately 25,000 square feet) is located in an R6 zoning district. C8-1 zoning districts are commercial districts that bridge commercial and manufacturing uses and provide for automotive and other heavy commercial services. Typical uses are automobile showrooms, repair shops, warehouses, gas stations, and car washes. New residential development is not permitted within C8 districts, and performance standards are imposed for certain semi-industrial uses. Within a C8-1 district, the maximum floor area ratio (FAR) is 1.0.

R6 districts allow all housing types at a maximum FAR of 2.43, 4.8 for buildings containing certain community facility uses. R6 is a height factor district where residential and community facility uses are permitted with no fixed height limits. Building envelopes are regulated by an open space ratio and a sky exposure plane that begins at a height of 60 feet above the street line and then slopes inward over the zoning lot. Residential developments built to optional Quality Housing Program regulations have a maximum FAR of 2.2 on narrow streets with a 55-foot building height limit and a maximum of 3.0 on wide streets with a height limit of 70 feet. New commercial and manufacturing development is not permitted within R6 districts.

To facilitate the proposed development, the applicant requests to change the existing C8-1/R6 zoning districts to an R7-2/C2-4 district. R7-2 districts allow a maximum FAR of 4.6 for residential uses, when mapped with inclusionary housing, and a maximum community facility FAR of 6.5. The maximum permitted base height is 75 feet, with a maximum building height of 135 feet with the provision of affordable dwelling units in accordance with MIH. Parking is required for 50 percent of dwelling units. Within the Transit Zone, no parking is required for income-restricted housing units. The proposed C2-4 commercial overlay would permit new ground-floor retail or office spaces.

The proposed 10-story mixed-use building would comprise approximately 278,992 square feet of floor area and have a base height of 70 feet before rising to a total building height of 110 feet. The proposed development would contain approximately 333 dwelling units, all of which would be affordable. The proposed development would include approximately 117 parking spaces, including approximately 67 spaces in the cellar accessory to the residential use and 50 at-grade parking spaces accessory to the ground floor commercial uses. The main residential entrance would be on Barnes Avenue. The ground floor would include approximately 20,298 square feet of commercial floor area, approximately 15,000 square feet of which is intended to be used as a supermarket, and approximately 6,752 square feet of community facility floor area. In connection with development, the applicant proposes certain measures to reduce noise during construction as well as roadway re-striping, if and as required by the New York City Department of Transportation.

The applicant also seeks a zoning text amendment (N 220284 ZRX) to designate the project area as an MIH area mapped with Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI), with a minimum of 10 percent of housing to be affordable at 40 percent AMI. Option 2 requires that 30 percent of residential floor area be set aside for affordable housing units for residents with incomes averaging 80 percent AMI. No more than three income bands can be used to average out to 80 percent, and no income band can exceed 130 percent of the AMI.

ENVIRONMENTAL REVIEW

This application (C 220283 ZMX), in conjunction with the application for the related action (N 220284 ZRX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 22DCP184X. The lead is the City Planning Commission.

After a study of the potential environmental impacts of the proposed actions in the Environmental Assessment Statement (EAS), a Conditional Negative Declaration (CND), signed by the applicant, was issued on October 21, 2022, noting that specific project components are required to preclude significant adverse traffic and construction impacts. The requirements regarding traffic and construction are described in the EAS and CND. The applicant has entered into a restrictive declaration to ensure the implementation of these requirements. The CND was published in the City Record on November 3, 2022, and in the New York State Environmental Notice Bulletin on November 2, 2022. Pursuant to SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.11 et seq., a 30-day comment period followed. No comments were received, and the CND was issued on March 27, 2023. As described in the CND, the applicant will enter into a Restrictive Declaration to ensure implementation of measures relating to transportation and construction. Additionally, the CND includes an (E) designation (E-694) to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise. The requirements of the (E) Designation are described in the Environmental Assessment Statement and CND. The City Planning Commission has determined that with the implementation of the measures identified in the CND, the proposed action will have no significant effect on the quality of the environment.

UNIFORM LAND USE REVIEW

This application (C 220283 ZMX) was certified as complete by the Department of City Planning on October 24, 2022, and duly referred to Bronx Community Board 11 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 220284 ZRX), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

On December 21, 2022, Bronx Community Board 11 held a public hearing on this application (C 220283 ZMX) and the related zoning text amendment action (N 220284 ZRX). On December 22,

2022, by a vote of seven in favor, 17 opposed, and two abstaining, the full board failed to adopt a motion to approve the application with the following conditions, “The City of New York meets and increases school, police, sanitation infrastructure” and “overnight parking is available for building residents.” No amended motion was subsequently introduced, and Community Board 11 did not submit a recommendation following the meeting on December 22, 2022.

On February 23, 2023, by a vote of 27 in favor, one opposed, and three abstaining, the full board adopted a motion recommending disapproval of the application. The negative vote of the community board was adopted at a meeting conducted after its 60-day period for review and is, therefore, non-compliant with Title 62 of the Rules of the City of New York, Section 2-03(a).

Borough President Recommendation

This application (C 220283 ZMX) was considered by the Bronx Borough President, who held a public hearing on January 26, 2023, and issued a recommendation to approve the application on January 31, 2023.

City Planning Commission Public Hearing

On February 1, 2023 (Calendar No. 1), the City Planning Commission scheduled February 15, 2023 for a public hearing on this application (C 220283 ZMX) and the application for the related action (N 220284 ZRX). The hearing was duly held on February 15, 2023 (Calendar No. 19). Six speakers appeared in favor of the application, and two in opposition.

The applicant’s representative described the proposed development site, stating that it is currently underutilized, and gave an overview of the proposed development, including the affordability levels for the proposed residential units. He also described that the applicant has worked with the community while refining the proposed housing. He stated that the proposed number of commercial parking spaces is necessary to replace the existing parking spaces available to the grocery store on-site.

The applicant's architect described the proposed site plan and layout of the ground floor uses—a grocery store, commercial space, and community facility space—of the proposed project. He also provided a summary of the proposed development's sustainability features. He stated that the project team is currently working on a more detailed design of the proposed plaza.

The applicant's attorney provided the Commission with a land use rationale for the establishment of the R7-2 zoning district and the C2-4 commercial overlay by stating the development site's proximity to transit and its wide street frontage.

A representative of Laborers' Local 79 testified in favor of the application and stated that the proposed project would be an example of how affordable housing development can be built with union labor, citing an agreement between the union and the applicant. He also stated that the proposed project would provide much needed affordable housing in times of a housing crisis and a new grocery store that would ensure food access.

A local resident testified in favor of the application and stated that the proposed project would create appropriate densities and enhance the Boston Road corridor. He also shared a concern about the proposed parking to the extent beyond what is required per the Zoning Resolution.

A representative of local union SEIU 32BJ testified in favor of the application based on the applicant's commitment to create service jobs with family-sustaining wages and benefits as part of the proposed project. He also reiterated some of the arguments of the Laborers' Local 79 representative in support of the application.

Two residents testified against the proposed project. The first spoke on behalf of a local resident association. She stated her belief that the proposed project would be too tall, would not fit the non-residential character of the Boston Road corridor, and result in the closure and relocation of the existing grocery store during construction of the proposed project. She stated that the

proposed project would result in the displacement of businesses and residents, and that the proposed housing units would not be affordable to the neighborhood's existing residents.

A second resident testified against the proposed project on behalf of Friends of Pelham Parkway, a community-based organization. She stated her belief that the proposed project would spur indirect displacement of residents, and that one of the joint venture partners for the proposed project has an unfavorable track record.

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 220283 ZMX), in conjunction with the related application for a zoning text amendment (N 220284 ZRX), is appropriate.

Together, these actions will facilitate the development of a new 10-story mixed-use building, including approximately 333 units, ground floor commercial, and community facility space at 2560 Boston Road, in the Allerton neighborhood of the Bronx. The Commission believes that this proposal will facilitate much-needed mixed-income housing and active ground-floor space in a transit-accessible area, while complementing the mixed-use character of the surrounding area. Furthermore, the Commission believes that this proposal will ensure continued food access to neighborhood residents by retaining a grocery store on the development site.

The Commission believes the proposed R7-2/C2-4 zoning districts are appropriate based on the surrounding area's land use patterns and built form. The Commission believes that the permitted building heights are appropriate for the project area considering its location at the intersection of a wide street and two narrow streets with accessible transit options. The Commission also believes that, in order to advance a broad equity agenda focused on alleviating housing insecurity, the city must continue to identify areas where the creation of new housing and jobs

can be developed proximate to public transit and major thoroughfares. These fundamental components exist in the project area.

The Commission believes that the zoning text amendment (N 220284 ZRX) to Appendix F to create a new MIH area, mapped with Option 1 and Option 2, coterminous with the project area is appropriate. As a result, the proposed project would need to set aside the required number of permanently affordable units, under either MIH Option 1 or Option 2, in a community district that has seen few affordable housing units built in recent years. Therefore, the proposed zoning text amendment would facilitate the construction of a higher number of permanently affordable housing units in this area of the Bronx.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Conditional Negative Declaration was issued on March 27, 2023, with respect to the application (CEQR No. 22DCP184X), the City Planning Commission finds that the action described herein, subject to the conditions in the restrictive declaration, will have no significant impacts 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. 4a:

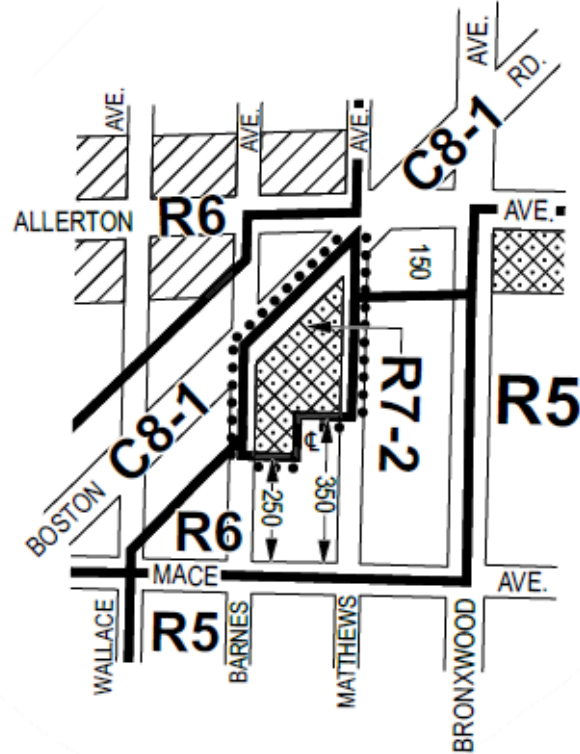
1. changing from an R6 District to an R7-2 District property bounded by a line 100' southeasterly of Boston Road, Matthews Avenue, a line 350 feet northerly of Mace Avenue, a line midway between Barnes Avenue and Matthews Avenue, a line 250 feet northerly of Mace Avenue, and Barnes Avenue; and
2. changing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

Barnes Avenue and Matthews Avenue, a line 250 feet northerly of Mace Avenue, and Barnes Avenue;

Borough of the Bronx, Community District 11, as shown on a diagram (for illustrative purposes only) dated October 24, 2022, and subject to the conditions of CEQR Declaration E-694.

The above resolution (C 220283 ZMX), duly adopted by the City Planning Commission on March 27, 2023 (Calendar No. 3), 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*
KENNETH J. KNUCKLES, Esq., *Vice Chair*
GAIL BENJAMIN, LEILA BOZORG,
ALFRED C. CERULLO, III, ANTHONY CROWELL, Esq.,
JOSEPH DOUEK, DAVID GOLD, Esq.,
LEAH GOODRIDGE, RASMIA KIRMANI-FRYE,
ORLANDO MARÍN, JUAN CAMILO OSORIO,
RAJ RAMPERSHAD, *Commissioners*



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

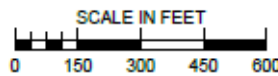
4a

BOROUGH OF
BRONX



New York, Certification Date:
October 24, 2022

S. Lenard
 S. Lenard, Director
 Technical Review Division



NOTE:

- Indicates Zoning District Boundary
- The area enclosed by the dotted line is proposed to be rezoned by changing existing R6 and C8-1 Districts to an R7-2 District and by establishing within the proposed R7-2 District a C2-4 District.
- Indicates a C1-3 District
- Indicates a C2-2 District
- Indicates a C2-4 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



COMMUNITY BOARD 11
1741 COLDEN AVENUE
BRONX, NY 10462
(718) 892-6262
www.nyc.gov/bronxcb11

Borough President Vanessa L. Gibson
Chair Bernadette M. Ferrara
District Manager Jeremy H. Warneke

COMMITTEES

- Leadership*
- Community Development & Budget Priorities*
- Economic Development*
- Education, Culture & Youth Services*
- Ethics & Disciplinary*
- Health & Social Services*
- Housing*
- Land Use*
- Parks & Recreation*
- Public Safety*
- Sanitation & Environmental Protection*
- Transportation*

March 9, 2023

RE: ULURP C 220283 ZMX - 2560 Boston Road Rezoning

To Whom It May Concern:

On February 23, 2023, Bronx Community Board 11 (CB11) voted to recommend that the 2560 Boston Road rezoning application (C 220283 ZMX) be disapproved. Amongst the 31 members of the Board present for the vote, only one member voted against recommending disapproval; three members recused themselves.

The Board’s reasoning is that it believes the proposed construction is out of proportion for the surrounding area. The Board is concerned about displacement of residents from the highest displacement risk area of CB11 and of the entire northeast Bronx (see the enclosure, “BRONXDALE”), within which the proposed rezoning lies. According to last year’s Environmental Assessment Statement, “the median household income for the [area within a 400-foot radius of the project] area is \$44,415,” but “household incomes of the Proposed Project would be higher” by at least \$19,265.

The Board is also concerned about a diminishment of existing home values and increased parking problems. There are only a few six story apartment buildings within the project’s vicinity. But if the City approves the proposal, CB11 also voted (28 members in favor; three recusals) to request:

- 1) the proposed incomes levels be changed to include a higher percentage of lower income residents,
- 2) and on-premise parking should be made available to all residents, not just those with higher incomes.

Sincerely,



Bernadette M. Ferrara

Enclosure



To request any special accommodations, please call us at (718) 892-6262 at least 72 hours prior to any Community Board 11 meeting or event.



Community Data

Displacement Risk Map

Instructions

This Displacement Risk Map illustrates the level of risk residents face of being unable to remain in their homes or neighborhoods.

Select a neighborhood to see a breakdown of the factors contributing to displacement risk (population vulnerability, housing conditions, and market pressure) and the data points that comprise them. See maps of each of the individual data points [here](#).

*Approximations of NYC neighborhoods based off of Neighborhood Tabulation Areas (NTAs).

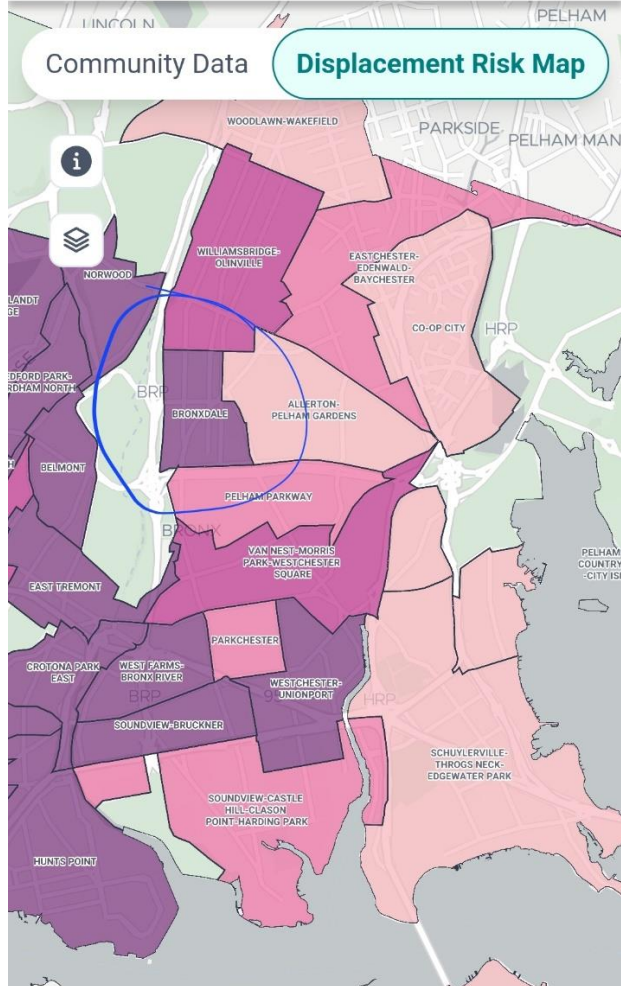
Legend

- Highest
- Higher
- Intermediate
- Lower
- Lowest



Community Data

Displacement Risk Map





BOROUGH PRESIDENT RECOMMENDATION

Project Name: 2560 Boston Road Rezoning	
Applicant: Boston Road Assoc	Applicant's Administrator: Eleanore Martins
Application # N220284ZRX	Borough: Bronx
CEQR Number: 22DCP184X	Validated Community Districts: X11

Docket Description:

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: Bronx Borough President recommends approval of this application

Recommendation submitted by	BX BP	Date: 1/31/2023 8:50 PM
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**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
120 BROADWAY- 31ST FLOOR
NEW YORK, NEW YORK 10271-0001**

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 220283 ZMX-2560 BOSTON ROAD REZONING
Related Application: N 220284 ZRX**

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 11 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

1/31/2023
DATE

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

DOCKET DESCRIPTION

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

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

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

BACKGROUND

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

The specifics of this proposed zoning change includes:

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

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

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

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

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

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

These buildings will be demolished to accommodate the proposed development.

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

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

Access to the residences will be via Barnes Avenue.

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

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

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

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

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

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

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to SEQR and CEQR and received a Negative Declaration. The City Planning Commission certified this application as complete on October 24, 2022.

BRONX COMMUNITY BOARD PUBLIC HEARING

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

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

BOROUGH PRESIDENT'S PUBLIC HEARING

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

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

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

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

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

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

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

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

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

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

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

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