



IN THE MATTER OF an application submitted by Housing Options and Geriatric Association Resources, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to an R7-2 district property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to the conditions of CEQR Declaration E-667.

This application for a zoning map amendment was filed on February 25, 2022, by Housing Options and Geriatric Association Resources, Inc. (H.O.G.A.R., Inc.). This application, in conjunction with the related actions, would facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue in the Morrisania section of Bronx, Community District 3.

RELATED ACTIONS

In addition to the zoning map amendment (C 220334 ZMX) that is the subject of this report, the proposed project also requires action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

N 220335 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area.

C 220336 ZSX Special permit pursuant to Zoning Resolution (ZR) Section 74-903.

BACKGROUND

This application for a zoning map amendment, in conjunction with the application for the related actions (N 220335 and C 220336 ZSX), would facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue, in the Morrisania section of the Bronx, Community District 3.

The development site has an area of approximately 8,945 square feet and is comprised of four vacant tax lots (Block 2620, Lots 49, 50, 52, and 56). Lots 49 and 56 are regularly shaped, approximately 1,860-square-foot interior lots with approximately 18.5 feet of frontage on Eagle Avenue. Lot 50 is a regularly shaped, approximately 2,500-square-foot corner lot with approximately 25 feet of frontage on Eagle Avenue and 100 feet of frontage on East 161st Street. Lot 52 is a regularly shaped, approximately 2,690-square-foot interior lot with approximately 27 feet of frontage on East 161st Street. Both Eagle Avenue and East 161st Street are 50-foot-wide narrow streets at different elevations. Eagle Avenue passes over East 161st Street and the difference in curb level between the two streets is approximately 30 feet.

The project area contains the development site, which is controlled by the applicant, as well as two additional tax lots (Block 2620, Lots 47 and 48), which are not controlled by the applicant and are not expected to result in development. The project area comprises the southeastern portion of Block 2620, which is bounded by East 163rd to the north, Eagle Avenue to the east, East 161st Street to the south, and St. Ann's Avenue and Third Avenue to the west. The project area encompasses approximately 12,660 square feet. Both Block 2620, Lots 47 and 48 are regularly shaped, approximately 1,860-square-foot interior lots each with approximately 18.5 feet of frontage on Eagle Avenue. Lot 47 is currently improved with a four-story, multi-family residential building with approximately 4,532 square feet of floor area and six dwelling units.

Lot 48 is improved with a four-story, multi-family residential building with approximately 4,520 square feet of floor area and four dwelling units.

The surrounding area is characterized by a mix of land uses, as the project area is at the intersection of different zoning districts, specifically R6, R7-2, R7X, R8, C4-4, and M1-1 zoning districts. Manufacturing and community facility uses are mostly located on the block immediately to the south and southwest of the project area, with multi-family residential and commercial buildings located west along Third Avenue. The area to the north and east is characterized by residential buildings and community facility uses. There are several New York City Housing Authority (NYCHA) developments in the surrounding area, including Eagle Avenue-East 163rd Street, Forest Houses, McKinley Houses, and South Bronx Area (Site 402). The Eagle Avenue-East 163rd Street development has 66 housing units in one six-story residential building located on the same block and immediately to the north of the project area. Forest Houses has 1,350 housing units spread across 15 buildings generally ranging from nine to 14 stories in height located about 0.2 miles to the northeast of the project area. McKinley Houses has 619 housing units spread across seven 16-story buildings located about 0.15 miles to the east of the project area. The South Bronx Area (Site 402) development has 114 housing units spread across four three-story buildings located on the full block immediately to the southeast of the project area.

Community facility uses in the surrounding area include P.S. X140 The Eagle School and P186X Walter J. Damrosch School, and the Bronx campus of Boricua College located approximately 0.1 miles to the northwest of the project area. Other notable uses include the Bronx Borough Courthouse, a landmark Beaux-Arts style building built between 1905 and 1915 located one block west of the project area. The nearest open spaces to the surrounding area are Palmas Del Caribe, Hilton White Playground, and Dunbar Playground. Palmas Del Caribe is a 0.25-acre community garden located immediately south of the project area. The Hilton White Playground

is a 0.48-acre playground located approximately 200 feet to the northeast of the project area and adjacent to P.S. X140 The Eagle School. The Dunbar Playground is a 1.44-acre playground with basketball and handball courts located about 0.1 miles to the northeast of the project area.

The surrounding area includes R6, R7-2, R7X, R8, C4-4, and M1-1 zoning districts as well as C2-4 commercial overlays. R6 zoning districts are medium-density non-contextual residential districts that allow all housing types at a maximum floor area ratio (FAR) of 2.43, and a 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. Residential development built to optional Quality Housing Program regulations have a maximum FAR of 2.2 on narrow streets and a maximum FAR of 3.0 on wide streets. R7-2 and R8 zoning districts are also non-contextual residential districts that allow all housing types and certain community facility uses but at higher FARs compared to what is permitted in R6 districts. R7X zoning districts are medium-density contextual residential districts that allow residential uses and community facility uses. R7X districts permit a maximum residential FAR of 5.0 on both narrow and wide streets and a maximum community facility FAR of 5.0. R7X districts are designed to produce new Quality Housing buildings with more flexibility in the building envelope.

C4-4 zoning districts are medium-density commercial districts that allow a range of commercial uses as well as residential and community facility uses. C4-4 districts permit commercial uses such as retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. C4-4 districts permit a maximum commercial FAR of 3.40 and a community facility FAR of 6.50. For C4-4 districts, the residential district equivalent is a R7-2 district and any residences must comply with the R7-2 bulk regulations. Height and setback regulations for non-residential buildings are governed by a sky exposure plane behind which the building must be located. M1-1 zoning districts have a maximum FAR of 1.0 for commercial and manufacturing uses. M1-1 districts also permit certain community facility uses at a maximum

FAR of 2.40. Residential uses are not permitted. C2-4 commercial overlays allow for ground-floor commercial uses that serve local needs. When mapped over R6 districts and higher a maximum FAR of 2.0 is permitted for commercial uses.

The project area is located within the Transit Zone and is well-served by public transit. The Prospect Avenue subway station, located approximately 0.5 miles east of the project area, provides service to the 2 and 5 lines. The Bx15 bus line runs along Third Avenue, providing access between Fordham Plaza and The Hub. The Bx21 bus line also runs along Third Avenue, providing access between Westchester Square and Mott Haven. Running along East 163rd Street, Bx6 provides access between Hunts Point and Riverside Drive. The project area is also accessible by car via Eagle Avenue and East 161st Street, which connects two major thoroughfares, East 163rd Street and Third Avenue, providing vehicular access in all directions.

In 2007, the CPC approved a series of land use actions (C 070276 ZMX, C 070275 HUX, and C 070277 HAX) to facilitate the development of Boricua Village, located approximately 0.1 miles to the northwest of the project area. One of the approved actions was to rezone the majority of Block 2366 from C4-4 and R8/C1-3 zoning districts to an R8 zoning district with an C2-4 commercial overlay. The Boricua Village development included 679 residential units, 36,511 square feet of retail space, a 120,000-square-foot college building, below-grade parking spaces, as well as private and publicly accessible open spaces.

In 2008, the CPC approved the St. Ann's Avenue Development (C 050018 ZMX), which rezoned the entire block bounded by East 159th Street, Eagle Avenue, East 156th Street, and St. Ann's Avenue from an M1-1 to an R7X zoning district and mapped a C2-3 commercial overlay. The rezoning area is located about 0.1 miles to the south of the project area. The zoning map amendment sought to facilitate the development of various mixed-use buildings to create 618 residential units and 50,000 square feet of commercial space.

The proposed 11-story plus cellar and sub-cellar community facility building would comprise approximately 55,324 square feet of floor area and have a base height of 60 feet before rising to a total building height of approximately 132 feet. The proposed development would have approximately 83 units, comprised of 50 supportive housing units and 33 income-restricted units. Conference and multipurpose rooms would be located at the cellar and sub-cellar levels, also to provide residents with on-site supportive services. The proposed building would have two lobbies: one at the sub-cellar level providing building access from East 161st Street, and one located at the ground floor level on Eagle Avenue. No parking is proposed. A publicly accessible stairway (PAA) bridging the elevation difference between the two bounding streets, East 161st Street and Eagle Avenue, is part of the proposed development. The PAA would be maintained in accordance with a restrictive declaration.

To facilitate the proposed development, the applicant is seeking a zoning map amendment, a zoning text amendment, and a special permit.

The applicant requests to change the existing R6 zoning district to an R7-2 zoning district. When mapped in a MIH area, R7-2 zoning districts allow a maximum FAR of 4.6 for residential uses and a maximum community facility FAR of 6.5. Pursuant to Zoning Resolution (ZR) Section 24-111, the maximum floor area ratio for philanthropic or non-profit institutions with sleeping accommodations is limited to 3.44. 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 non-income-restricted housing units. Within the Transit Zone, no parking is required for income-restricted housing units. No parking is required for philanthropic or non-profit institutions with sleeping accommodations within R7-2 districts.

The applicant also seeks a zoning map amendment (N 220335 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.

The applicant also seeks a special permit (C 220336 ZSX) to allow the community facility FAR to apply to a community facility building with philanthropic or non-profit institution with sleeping accommodations. Pursuant to ZR Section 24-111, the maximum floor area ratio for philanthropic or non-profit institutions with sleeping accommodations in R7-2 zoning districts is limited to 3.44. This maximum floor area ratio may be modified by CPC special permit pursuant to ZR Section 74-903. The requested special permit would increase the allowable community facility floor area ratio from 3.44 to 6.5 for a development containing a non-profit institution with sleeping accommodations.

ENVIRONMENTAL REVIEW

This application (C 220334 ZMX), in conjunction with the applications for the related actions (N 220335 ZRX and C 220336 ZSX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 20DCP076X. 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 Negative Declaration was issued on February 13, 2023. The Negative Declaration includes an (E) designation (E-667) for the development site to avoid the potential for significant adverse impacts related to hazardous materials and air quality. The requirements of the (E) Designation are described in the Environmental Assessment Statement and Negative Declaration. The City Planning Commission has determined that with the requirements identified in the Negative Declaration, the proposed actions will have no significant effect on the quality of the environment.

UNIFORM LAND USE REVIEW

This application (C 220334 ZMX) was certified as complete by the Department of City Planning on February 13, 2023, and duly referred to Bronx Community Board 3 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 special permit (C 220336 ZSX), as well as with the related application for a zoning text amendment (N 220335 ZRX), which was referred in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

On April 11, 2023, Bronx Community Board 3 held a public hearing on this application (C 220334 ZMX) and the related applications and, on April 11, 2023, by a vote of 14 in favor, six opposed, and five abstaining, adopted a motion to approve the application.

Borough President Recommendation

This application (C 220334 ZMX), along with the related applications, was considered by the Bronx Borough President, who issued a favorable recommendation on May 24, 2023.

City Planning Commission Public Hearing

On June 7, 2023 (Calendar No. 1), the City Planning Commission scheduled June 28, 2023, for a public hearing on this application (C 220334 ZMX) and the applications for the related actions (N 220335 ZRX and C 220336 ZSX). The hearing was duly held on June 28, 2023 (Calendar No. 28). Three speakers appeared in favor of the favor of the application and none in opposition.

The applicant's representative provided an overview of the applicant's mission. He also described the proposed development site, stating that it has long been vacant, and that the proposed development would transform the property and provide much needed permanent supportive and affordable housing units—predominantly for current Bronx residents—, supportive services, and employment opportunities.

The applicant's attorney described the proposed development and the proposed land use actions necessary to facilitate the development. He also provided the Commission with a land use rationale for the establishment of the proposed R7-2 zoning district, noting that zoning districts allowing similar densities, height and bulk are mapped near the project area and noted its proximity to mass transit. He stated that the proposed PAA would improve accessibility in the neighborhood and would be operated and maintained by the applicant in accordance with a restrictive declaration, which is part of the requested land use approvals.

The applicant's architect described the relation between the proposed building height and the existing context, stating that the proposed development is consistent with existing building heights nearby. He described the proposed site plan and sustainability features. He also stated that the proposed building would meet accessibility requirements per the Americans with Disabilities Act (ADA).

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

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 220334 ZMX), in conjunction with the related application for a zoning text amendment (N 220335 ZRX) and zoning special permit (C 220336 ZSX), is appropriate.

Together, these actions will facilitate the development of a new community facility building containing approximately 83 affordable and supportive housing units and community facility space at 893 Eagle Avenue in the Morrisania section of the Bronx, Community District 3. The Commission is pleased that the proposed actions will facilitate the redevelopment of these vacant parcels for affordable and supportive housing. In addition, given the site's proximity to mass transit and existing commercial corridors, the Commission considers the site appropriate for supportive housing to accommodate individuals and families in need.

The Commission believes that the proposed R7-2 district is appropriate given the surrounding area's land use patterns and built form. The Commission believes that the proposed zoning district is appropriate, as the surrounding area is characterized by moderate and high-density zoning districts, particularly R7-2, R7X, R8 and C4-4, which are mapped on predominantly narrow 50-foot-wide residential streets, as is the case with the project area. The Commission also believes that the permitted building heights are appropriate for the project area given the height of existing buildings in the surrounding area, including the NYCHA Forest Houses and McKinley Houses.

Furthermore, the Commission believes that, 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 close to public transit and major thoroughfares. These fundamental components exist in the project area, which is located within the Transit Zone.

The requested special permit will increase the allowable community facility floor area ratio from 3.44 to 6.5 for a development containing a non-profit institution with sleeping accommodations,

allowing more affordable and supportive units in a contextual building in an established residential neighborhood. The project will activate a currently vacant development site, making the site more welcoming to both current and future residents of the neighborhood.

As a condition for the granting of the related special permit (C 220336 ZSX), the Commission shall make the following findings:

- a) That the distribution of the bulk on the zoning lot will not unduly obstruct the access of light and air to adjoining properties or public streets, and will result in satisfactory site planning and satisfactory urban design relationships of buildings to adjacent streets and the surrounding area;
- b) That the proposed facility will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; and
- c) That the streets providing access to such use will be adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

The increase in allowable floor area will not unduly obstruct light and air adjoining properties and impede public access. The proposed landscaped areas, an expanded sidewalk along East 161st Street, improved courtyard, and building setbacks will enhance the streetscape, allow light and air to the adjacent residential buildings, and provide passive outdoor recreation space for residents. There will also be a stairway providing access between Eagle Avenue and East 161st Street that would bridge the elevation difference between the two streets. The PAA will be maintained in accordance with a restrictive declaration and facilitate increased pedestrian circulation and access, particularly for those living along East 161st Street.

The proposed development will not require any additional supportive services in the neighborhood, as resident services (including case management, medical and mental health

service referrals, advocacy for entitlements, and linkages for adult educational services and vocational training) and related staff will be located on site.

The streets providing access to the proposed development are adequate to handle traffic generated by the proposed development. The proposed development site fronts on East 161st Street and Eagle Avenue and provides ample vehicular access to the site. It is anticipated that residents and employees will use nearby transit options, including the 2 and 5 subway lines and multiple bus routes.

The Commission believes that the zoning text amendment (N 220335 ZRX) to Appendix F to create a new MIH area, mapped with Option 1 and Option 2, coterminous with the project area is appropriate. The MIH area will ensure that any future residential development will allocate the required number of permanently affordable units, under either MIH Option 1 or Option 2, in a community district where over 60 percent of households are considered rent-burdened.

Therefore, the proposed zoning text amendment would facilitate the construction of much needed permanently affordable housing units in this area of the Bronx.

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on February 13, 2023, with respect to the application (CEQR No. 20DCP076X), the City Planning Commission finds that the action described herein will have no significant impacts on the environment; and be it further

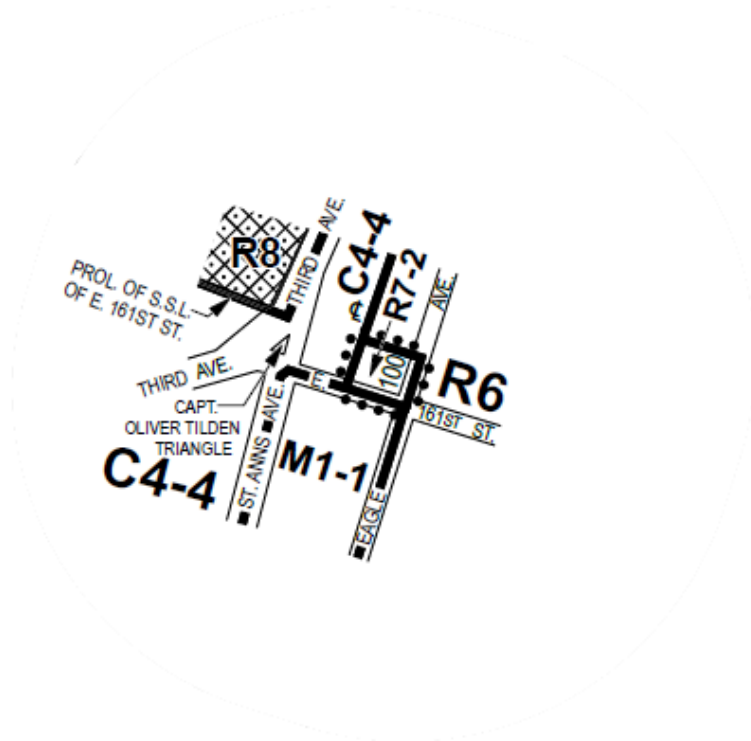
RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6c, changing from an R6 District to an R7-2 district property bounded by a line 100 feet northerly of

East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to the conditions of CEQR Declaration E-667.

The above resolution (C 220334 ZMX), duly adopted by the City Planning Commission on July 24, 2023 (Calendar No. 1) 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 Chairman*
GAIL BENJAMIN, ALFRED C. CERULLO, III, ANTHONY CROWELL, Esq.,
JOSEPH I. DOUEK, DAVID GOLD, Esq., RASMIA KIRMANI-FRYE, ORLANDO
MARÍN, JUAN CAMILO OSORIO, RAJ RAMPERSHAD, *Commissioners*

LEAH GOODRIDGE, Esq., *Commissioner, ABSTAINING*

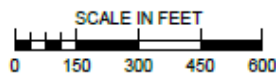


CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
6c
 BOROUGH OF
BRONX






New York, Certification Date:
 February 13, 2023

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 from an R6 District to an R7-2 District.
-  Indicates a C2-4 District

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 893 Eagle Avenue Rezoning	
Applicant: H.O.G.A.R. Inc.	Applicant's Primary Contact: Richard Lobel
Application # 220334ZMX	Borough:
CEQR Number: 20DCP076X	Validated Community Districts: X03

Docket Description:
IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to a R7-2 District property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to the conditions of CEQR Declaration E-667.

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

RECOMMENDATION: Favorable			
# In Favor: 14	# Against: 6	# Abstaining: 5	Total members appointed to the board: 25
Date of Vote: 4/11/2023 4:00 AM		Vote Location: WebEx	

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

Date of Public Hearing: 4/11/2023 10:00 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:	WebEx

CONSIDERATION:		
Recommendation submitted by	BX CB3	Date: 4/27/2023 1:31 AM



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 893 Eagle Avenue Rezoning	
Applicant: H.O.G.A.R. Inc.	Applicant's Primary Contact: Richard Lobel
Application # 220335ZRX	Borough:
CEQR Number: 20DCP076X	Validated Community Districts: X03

Docket Description:

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

RECOMMENDATION: Favorable			
# In Favor: 14	# Against: 6	# Abstaining: 5	Total members appointed to the board: 25
Date of Vote: 4/11/2023 4:00 AM		Vote Location: WebEx	

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

Date of Public Hearing: 4/11/2023 10:00 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:	WebEx

CONSIDERATION:

Recommendation submitted by	BX CB3	Date: 4/27/2023 1:31 AM
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COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 893 Eagle Avenue Rezoning	
Applicant: H.O.G.A.R. Inc.	Applicant's Primary Contact: Richard Lobel
Application # 220336ZSX	Borough:
CEQR Number: 20DCP076X	Validated Community Districts: X03

Docket Description:
 IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52 & 56), in an R7-2* District, Borough of the Bronx, Community District 3.
 *Note: This site is proposed to be rezoned by changing an R6 District to an R7-2 District under a concurrent related application for a Zoning Map change (C 220334 ZMX).
 Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at <https://zap.planning.nyc.gov/projects/P2018X0270>, or at the Department of City Planning, 120 Broadway, 31st Floor, New York, N.Y. 10271.

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

RECOMMENDATION: Favorable			
# In Favor: 14	# Against: 6	# Abstaining: 5	Total members appointed to the board: 25
Date of Vote: 4/11/2023 4:00 AM		Vote Location: WebEx	

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

Date of Public Hearing: 4/11/2023 10:00 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:	WebEx

CONSIDERATION:		
Recommendation submitted by	BX CB3	Date: 4/27/2023 1:31 AM

**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 NOS:

C 220334 ZMX- 893 EAGLE AVENUE

C 220336 ZSX-893 EAGLE AVENUE

Related Applications: N 220335 ZRX, N 220393 LDX

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. #3

BOROUGH: BRONX

RECOMMENDATION

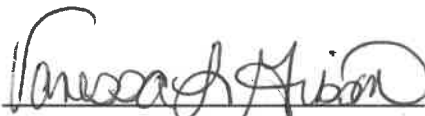
APPROVE

APPROVE WITH MODIFICATIONS/CONDITIONS (List below)

DISAPPROVE

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

PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NOS:
C 220334 ZMX - 893 EAGLE AVENUE REZONING
C 220336 ZSX - 893 EAGLE AVENUE REZONING

DOCKET DESCRIPTION

C 220334 ZMX:

IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to a R7-2 District property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to conditions of CEQR Declaration E-667.

C 220336 ZSX:

IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52 & 56), in an R7-2* District, Borough of The Bronx, Community District 3.

*Note: This site is proposed to be rezoned by changing an R6 District to an R7-2 District under a concurrent related application for a Zoning Map change (C 220334 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at <https://zap.planning.nyc.gov/projects/P2018X0270>, or at the Department of City Planning, 120 Broadway, 31st Floor, New York, N.Y. 10271.

BACKGROUND

The site (the Project Area) these applications pertain to is located on the west side of Eagle Avenue at the intersection of East 161st Street, (Block 2620, Lots 47, 48, 49, 50, 52 and 56). This site approximates 12,690 square feet. Street boundaries include East 163rd Street to the north, East 161st Street on the south, Eagle Avenue to the east and Third Avenue to the west. Approval of these applications will:

- Amend the Zoning Map, Section No. 6c by changing the current R6 District to a proposed R7-2 District
- Establish a Mandatory Inclusionary Housing Area (MIH)
- Grant a special permit to ZR 74-903 to permit the proposed development to utilize the community bulk facility provisions of Article II, Chapter 4.
- Increase the Maximum Floor Area Ratio (FAR) from 2.2 to 3.44 for residential uses (Quality Housing Buildings)
- Increase the Maximum FAR from 4.8 to 6.5 for community facility uses.

Existing development within the Project Area includes:

- 897 Eagle Avenue (Block 2620, Lot 48) contains a four-story, four-unit residence approximating 4,520 square feet of floor area
- 899 Eagle Avenue (Block 2620, Lot 47) contains a four-story, six-unit residence approximating 4,532 square feet of floor area

Located within the Project Area is the Development Site. It includes four vacant tax lots (Block 2620, Lots 49, 50, 52 and 56). This site approximating 8,943 square feet of property is directly accessible at East 161st Street. Owing to a notable rock outcropping the site includes a significant elevation difference of approximately 30 feet. Consequently, Eagle Avenue passes over East 161st Street at this junction via a bridge. This site offers approximately 63 feet of frontage on Eagle Avenue and 127 feet of frontage on East 161st Street.

Approval of these applications will facilitate construction of an eleven-story residential building composed of approximately 55,324 square feet. It will offer 83 units, of which 50 units will be supportive housing serving individuals with HIV/AIDS. The remaining 33 units will accommodate families with a maximum Area Median Income (AMI) of 60%. These units will be integrated into the supportive housing development, sharing common areas and amenities. A professional staff of approximately 25 employees will provide support and assistance to all residents 24/7. Total development cost will be approximately \$52 million.

Features of this project include:

Studio Units: 50 Supportive Housing Approximating 380 Square Feet at or below 50% AMI
 Studio Units: 9 Affordable Housing Approximating 380 Square Feet at or below 60% AMI
 1 Bedrooms: 12 Affordable Housing Approximating 540 Square Feet at or below 60% AMI
 2 Bedrooms: 12 Affordable Housing Approximating 780 Square Feet at or below 60% AMI
 Exterior Passive Recreation Area Approximating 1,200 Square Feet
 Interior Recreation/Area: Approximating 700 Square Feet
 Bicycle Storage Room will accommodate 12 bicycles

Due to the unique topography of this site, the proposed building will also feature two lobby areas. The main lobby will access East 161st Street. It will be monitored by full-time security personnel. The secondary lobby will offer access from Eagle Avenue. Entering at this location will require a key while being monitored by security camera operations. The proposed building will also feature a cellar and sub-cellar. No off-street parking will be provided.

Pursuant to Passive House environmental standards, it is anticipated that this proposed building will feature all electric climate control systems and a full array of energy efficient electric appliances.

An additional amenity to this proposed development will be an exterior staircase providing the public with 24/7 access between East 161st Street and Eagle Avenue. This feature will be fully maintained by the applicant pursuant to a Restrictive Declaration for the maintenance and operation of the stairs.

Residential development on Eagle Avenue and on the adjacent sites located on East 161st Street is typified by mid-rise, multi-unit buildings, none exceeding eight stories. So too, both Eagle Avenue and East 161st Street are measured as narrow streets in the area surrounding the Development Site. High-rise residences and a wide variety of retail options are located on Third Avenue.

The Development Site is located in a Transit Zone which removes any parking requirements for affordable housing. Subway services via the #2 and #5 trains operate on Westchester Avenue, approximately six blocks east of the site. Bus services are found on Third Avenue via the Bx 15 and Bx 21. The Select Bus Service (SBS) #6 operates on East 163rd Street. Access to Metro North is found on Park Avenue at East 162nd Street approximately five blocks (1/2 mile) to the north.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These applications have been reviewed pursuant to CEQR and SEQR and received a Negative Declaration. The City Planning Commission certified these applications as complete on February 13, 2023.

BRONX COMMUNITY DISTRICT PUBLIC HEARING

A virtual public hearing was held by Bronx Community Board #3 on April 11, 2023. A vote recommending approval of these applications was 14 in favor, 6 against, 5 abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on May 18, 2023. Those representing the applicant spoke in favor of these applications. There being no other members of the public wishing to testify, the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Perhaps more than any other borough, The Bronx takes on more than its fair share to ensure people with special needs have the supportive housing they need; this is especially notable within

Community Districts one through six. I offer this comment at the outset because I firmly believe that supportive housing is a responsibility that every community across the city must satisfy and it is not the sole responsibility of a few neighborhoods to support the entire city's special needs populations.

Regarding the 893 Eagle Avenue proposal, and the proposed development this application would facilitate, I am confident that the services provided for residents with special needs will be, competent, compassionate, and comprehensive. I offer this statement based on the years of good work that the applicant, HOGAR (Housing Options and Geriatric Association Resources), has provided to numerous Bronx communities since its founding in 1996. Acknowledging that these residents who are impoverished and live with from HIV/AIDS may be especially vulnerable, I am fully supportive of the wrap-around services that this new facility will provide.

I am pleased to note that the scope of this project includes affordable housing units for families at or below 60% of Area Median Income (AMI). I am further pleased that over 35% of the affordable housing units will be comprised of 2-bedroom units, though I will continue to advocate for larger units, both in terms of the square footage of the units and having some 3-bedroom units. I recognize the challenge within this development of providing 3-bedroom units when the development is trying to maximize the supportive housing, but note that any future changes to the development to accommodate some 3-bedroom units will further gain my support.

I want to note that the building is proposed to being close, or able to meet, *Passive House* levels and has been designed as a fully electric building that will be able to meet all upcoming Local Law 97 energy and sustainability requirements.

While this project has my general support, there are some general concerns I want to note. Many of these concerns are due to the challenging site conditions, but can be addressed to ensure the site works for the long-term betterment of the community. These include:

- The site is currently defined by rock outcroppings which can pose a challenge for construction. The applicant has stated they will only remove the rock through drilling and not blasting. It is important that any rock removal is done during normal DOB hours of work, as this rock removal work will be a disruption for the existing neighbors. I would ask the developer provide a notice to the adjacent building owners for when the drilling will occur, as a courtesy, while maintaining ongoing communication with neighbors during construction.
- To address some concerns of height that had been noted. The maximum height of the buildings on the block are at, or less, than six-stories, and the proposed building will be 11-stories. Recognizing that the 893 Eagle Avenue site is located on a corner lot with a significant grade change, the applicant has used setbacks to break-up the perimeter wall of the building to keep the height, but reduce the scale of the building along the street. This well thought out design allows for the increased density without feeling like the building is "towering over" the existing buildings in the area. I will note, the existing zoning for the adjacent lots would permit them to build the same height, even if a building of that height has not been built on the same block, the Boricua College and

adjacent residential buildings are all taller than 11-stories and are within one block of the proposed development site.

- I am very pleased that the scope of what will be constructed includes an exterior staircase for public use. Today people must walk around the entire block to reach Eagle Avenue, which is elevated in relation to 161st Street. The applicant team has stated the stairs will feature both plantings and art as a way to better tie the stairway into the local community, while also providing a positive deterrent to graffiti and vandalism that may occur if it was a blank wall. While the applicant team will be responsible for maintenance and operation of the stairway, I do have some concerns over the long-term maintenance of the stairs. I will remain optimistic that HOGAR will be able to continue to maintain the stairs, but recognize that over time the stairs may require capital support that a non-profit may not be able to provide on their own and will need city assistance. As these stairs are providing a public good, I will ask that the city supports HOGAR with any upkeep that is necessary, under the presumption that HOGAR is acting in good faith and the maintenance is not due to neglect.

I would be remiss if I did not mention the vote taken by Community Board 3. While the recommendation to support the project passed, eleven of twenty-five board members abstained from their vote. While I recommend approval of the application, I ask that the applicant continue to engage with the local community to allay any community concerns that may have been expressed.

Noting my observations, advice, and concerns on this project, I recommend approval of this application.