



161st Street/River Avenue Rezoning - **Approved!**

Overview

Update September 30, 2009:

On September 30, 2009 the City Council adopted the 161st Street/River Avenue Rezoning. The zoning text and map amendments are now in effect.



161st Street is the civic center of the Bronx; the Bronx Hall of Justice (r.) at Morris Avenue is one of four active courthouses in the area.

Introduction

The Department of City Planning (DCP) proposes to rezone all or portions of eight blocks in three areas along the 161st Street and River Avenue corridors to provide opportunities for new residential, commercial, and community facility development in the civic heart of the Bronx. In conjunction with the rezoning, DCP proposes to create a new zoning district (C6-3D) to facilitate development along River Avenue with its elevated subway line and to employ the Inclusionary Housing Program to encourage development of affordable housing. The 161st Street / River Avenue rezoning is located in Community District 4, and is generally bound by River Avenue on the west, East 162nd Street to the north, Park Avenue to the east, and East 159th and East 153rd streets to the south.

The 161st Street corridor includes a variety of land uses ranging from Yankee Stadium at River Avenue, to Bronx County Courthouse and Borough Hall at the center of the corridor, and the New York City Housing Authority (NYCHA) Morrisania Air Rights Buildings at Park Avenue. The area has experienced a number of recent public and private investments, including the new Yankee Stadium which will open in the spring of 2009, new Bronx Hall of Justice at 161st Street and Morris Avenue, and Boricua Village, a mixed-use development in Melrose Commons at 161st Street and Third Avenue. The area also has ample access to mass transit including the B, D and 4 subway lines at 161st Street and River Avenue and the Bx1, Bx2, Bx6, Bx13, Bx15, Bx21, Bx32, Bx41, Bx55, express bus service to Manhattan along the Grand Concourse (BxM4A/ BxM4B), and the Metro North Melrose Station and a new Metro-North Yankees/153rd Street Station, which opened in May 2009 adjacent to the proposed Heritage Field Park, site of the old Yankee Stadium.



Study Area - [View a larger image](#)

Despite the civic uses and rich access to transit, underutilized one-story properties and seasonal uses are common. The

Concourse Plaza Mall, a suburban-type shopping center, is located at the center of the corridor, and baseball-oriented commercial uses dominate River Avenue. Current zoning, which has largely been in place since 1961, unduly limits reasonable residential and commercial expansion in the transit accessible civic center of the Bronx. In addition, current zoning encourages uses and densities that are incompatible with surrounding residential and civic uses.

The Department's proposal seeks to:

[Provide opportunities for commercial expansion](#)

As the civic center of the Bronx, the 161st Street corridor is appropriate for additional office and retail development that would cater to legal and court-related offices and employees in the area as well as to nearby residents.

[Provide opportunities for residential development](#)

Over the past two decades, the Bronx has experienced a substantial amount of new housing construction, rebounding from the disinvestment and population loss experienced during the 1970s and 1980s. However, most city-owned sites have been developed or are programmed for development, leaving a shortage of available sites for new residential development. With the population of New York City expected to increase by a million people and the Bronx by more than 100,000 by the year 2030, new areas are needed to accommodate this growth.

[Encourage the development of new affordable housing](#)

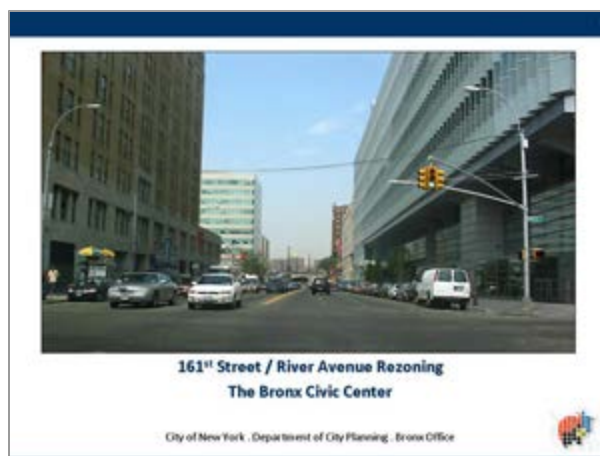
There is a need for affordable housing in the South Bronx and in the city as a whole. Mayor Bloomberg's [New Housing Marketplace Plan](#) has set a goal of creating over 165,000 units of affordable housing over 10 years. Establishing select portions of the corridor as an Inclusionary Zoning area would encourage the provision of new permanently-affordable housing in new housing developments in order to help meet the affordable housing needs of the community.

[Direct new development to areas with transit access](#)

The proposed rezoning would encourage residential and commercial expansion in a transit-rich, high-profile area of the Bronx. The rezoning proposal includes the creation of a new zoning district (C6-3D) that will include special design controls to facilitate high-density development near an elevated train line.

[Strengthen the 161st Street corridor](#)

The proposed rezoning would strengthen the urban design and appeal of a high-profile and significant corridor in the Bronx by requiring new development to provide a contextual street wall built at or near the street line. The proposal would enliven the street level and improve local services by encouraging the redevelopment of vacant and underutilized lots along the corridor's length, better connecting existing civic and residential uses and transportation infrastructure.



[View the slide show presentation.](#)

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Existing Zoning & Context

Context and History

The 161st Street/River Avenue rezoning area is located in the southwest portion of the Bronx in Community District 4, a transit-rich area that is the civic administrative center of Bronx County, housing the offices of the Borough President, the District Attorney and the County Clerk, as well as the Bronx County Family Court, the Bronx Criminal Court Complex, and the newly constructed Bronx Hall of Justice. The Bronx County Courthouse and Borough Hall is prominently located along the Grand Concourse at East 161st Street, between Joyce Kilmer Park and Franz Sigel Park.



JOYCE KILMER PARK – Lorelei Fountain

161st Street is a high-profile east-west corridor in the Bronx. At its civic core, it intersects the Grand Concourse, which is the Bronx' signature street, a wide boulevard (180 feet wide) featuring wide sidewalks, tree-lined malls, and a system of underpasses for major east-west streets. To the west, 161st Street is accessible to the Major Deegan Expressway, three subway lines (B, D, and 4), and a new Metro-North station on the western side of the existing Yankee Stadium/proposed Heritage Field which is slated to open in 2009. To the east, 161st Street intersects Third Avenue, another key north-south street in the borough, and is accessible to the Metro-North Melrose Station at Park Avenue and East 162nd Street. Bus service in the area includes the Bx6 and Bx13 on 161st Street, and numerous north-south connections (Bx1, Bx2, Bx13, Bx15, Bx21, Bx32, Bx41, Bx55,) as well as express bus service to Manhattan along the Grand Concourse (BxM4A/ BxM4B).

The area surrounding 161st Street was mostly farmland until the introduction of rail transit in the latter part of the 1800's brought the way to greater urbanization and development in the area. The early 20th Century defined 161st Street as the civic center of the Bronx with the construction of the Bronx Borough Courthouse, now inactive, at the intersection of 161st Street, Brook and Third avenues. In 1923, Yankee Stadium was constructed at southwest corner of 161st Street and River Avenue. In 1933, New Deal public funds allowed the construction of the Bronx County Courthouse at the Grand Concourse and 161st Street.

In the decades following the Second World War, the southern Bronx was the site of widespread abandonment. Arson and neglect forced large portions of the population to leave the area. The Melrose neighborhood east of the rezoning area was hit especially hard, losing almost three-quarters of its residents, as populations fled the South Bronx.

Today the area is a stable yet growing community. Melrose Commons continues to attract population to the area with home ownership opportunities on formerly city-owned properties. The art deco buildings of the Grand Concourse, spared the devastation that much of the community experienced in the 1970s, remain an architectural hallmark of the Bronx.



The Bronx County Courthouse at Grand Concourse and 161st Street



The art deco buildings on the Grand Concourse remain an architectural hallmark of the Bronx. Recent improvements to the boulevard restore its grandeur and ease traffic and pedestrian movements

Recent Investment

Recent investments in the area surrounding the 161st Street corridor have led to the renewal of the civic center of the Bronx and the South Bronx overall. Recent investments include the new Yankee Stadium, slated to open in 2009, on the northwest corner of 161st Street and River Avenue. Parks are planned for the existing Yankee Stadium site, and sites along River Avenue and the Harlem River. The Gateway Center, slated to open in late 2009, will bring approximately one million square feet of new retail space south of the proposed rezoning area at 149th Street and the Major Deegan Expressway, and will include additional waterfront parks.



The New Yankee Stadium is slated to open for the 2009 baseball season.



The newly renovated Lou Gehrig Plaza adds much needed green space to this urban corridor.

Lou Gehrig Plaza, which formerly was used for parking in front of Bronx Borough Hall, was reconstructed as a new public space as part of the Department of Transportation's Grand Concourse reconstruction project. Joyce Kilmer Park has undergone extensive phased renovation; over the past decade, the Department of Parks and Recreation has improved all areas of the park, including the Lorelei Fountain area, playground, pathways, fencing and benches. A Greenmarket is open in the park on Tuesdays for five months of the year. At the center of the 161st Street corridor is the new Bronx Hall of Justice, which includes approximately 670,000 square feet of office space for 47 courtrooms and court-related agencies.

The eastern section of the 161st Street corridor runs through the Melrose Commons Urban Renewal Area. Since the renewal plan was established in 1994, more than 2,300 affordable dwelling units and approximately 60,600 square feet of commercial floor area have been built or are currently under construction. In addition, Boricua Village, located in Melrose Commons along Third Avenue, will accommodate a campus for Boricua College, as well as approximately 700 residential units and 30,000 square feet of commercial space.

Land Use and Existing Zoning

The 161st Street corridor is largely built out; therefore the rezoning is focused on three strategic nodes. From west to east, the three nodes are: the Transit Node, the Civic Node and the Residential Node. Land uses and zoning differ in each node. Details of each zoning district are described below. View the [zoning comparison chart](#).



Land Use Map - [View a larger image](#).



Existing Zoning Map - [View a larger image](#).

Transit Node

Located at the intersection of 161st Street and River Avenue, the Transit Node is centered on a transit hub that includes stations for the elevated 4 train and the B and D subway lines, bus lines, and a proposed Metro-North commuter rail station on the western side of the existing Yankee Stadium/proposed Heritage Field. The rezoning area consists of one- and two-story commercial uses, including a McDonald's restaurant and seasonal baseball-oriented bars and souvenir shops, surface and enclosed parking. The surrounding area is characterized by Yankee Stadium, 6- to 8-story apartment buildings, and parkland. The Transit Node is currently zoned C8-3 and R8 with a C1-4 overlay.



The northeast corner of intersection of 161st Street and River Avenue in the Transit Node includes entrances to both the elevated 4 train and the B/D subway station; the area is currently zoned R8/C1-4.



Single-story uses on the southeast corner of 161st Street at River Avenue; the area is currently zoned R8/C1-4.



River Avenue, pictured south of 161st Street, is dominated by single-story baseball-oriented uses that remain shuttered on non-game days; the area is currently zoned C8-3.

Civic Node

At the center of the 161st Street corridor is the Civic Node, which is generally located between the Grand Concourse and Morris Avenue and anchored by two major court houses. Uses in the area to be rezoned consist of a parking garage, low-scale retail and office uses, a portion of the Concourse Plaza Mall parking lot, and two 10-story office buildings. Surrounding the rezoning area are the Bronx Criminal Court Complex, the new Bronx Hall of Justice, 6- to 8-story apartment buildings, a 10-story senior housing residential building (the former Concourse Plaza Hotel), and 25-story Concourse Village co-operative housing to the south of the Concourse Plaza Mall. The Civic Node is currently zoned R8, C8-3 and C4-6.



Entry to the Concourse Plaza Mall, which was constructed in the late 1980s, is across 161st Street from the Bronx Hall of Justice; the area is currently zoned C8-3.



The newly-constructed Bronx Hall of Justice at Morris Avenue stands out along 161st Street.

Residential Node

The Residential Node is one full block at the eastern end of the rezoning area north of 161st Street between Morris and Park avenues. The block is characterized by single-story commercial uses, low-scale detached residential buildings, a low-scale community facility, and a 6-story residential building. Open parking uses are also found on the block. The area surrounding the block includes the 19-story NYCHA housing on Park Avenue, the 9-story Bronx Hall of Justice, and an 8-story senior housing development across 161st Street. The Residential Node is currently zoned R7-1 with C1-4 and C2-4 overlays over small portions of the 161st Street block front.



Single-story retail uses and low-scale residential uses line 161st Street in the Residential Node; the area is currently zoned R7-1.



The Residential Node includes low-scale homes, a two-story community facility, and multifamily apartment buildings; the block is zoned R7-1 with two discontinuous commercial overlays. Morrisania Air Rights NYCHA housing, pictured in the background, is across Park Avenue from the rezoning area.

R7-1

The R7-1 district is a *height factor* district that allows residential uses to a maximum *floor area ratio* (FAR) of 3.44 and community facility uses up to 4.8 FAR. There is no maximum building height, and the building envelope is regulated by the *sky exposure plane*. The optional *Quality Housing* regulations allow residential development a maximum permitted FAR of 4.0 on a wide street and 3.44 on a narrow street. Under Quality Housing rules, the base height of the building at the street must be between 40-65 feet then must set back from the street before rising to a maximum building height of 80 feet. Off-street parking is required for 60% of the residential units (50% for Quality Housing developments).

R8

The R8 district is a height factor district that allows residential uses up to an FAR of 6.02. Community facilities are permitted an FAR of 6.5. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. The optional Quality Housing regulations allow residential development a maximum permitted FAR of 7.2 on a wide street and 6.02 on a narrow street. Under Quality Housing rules, the base height of the building at the street must be between 60 to 80 feet then must set back from the street before rising to a maximum building height of 120 feet. Off-street parking is required for 40% of the residential units.

C1-4 and C2-4 Overlays

C1-4 and C2-4 are commercial overlay districts mapped within residential districts. When mapped within an R7 or R8 district, they allow commercial uses up to 2.0 FAR and limit uses to local retail and services. In a mixed residential/commercial building, commercial uses are limited to the ground floor. C2 districts allow a greater range of uses than C1 districts, including funeral homes and local repair services. Typical uses in both districts include grocery store, beauty salon, and restaurants. Off-street parking regulations for both districts vary with use, but generally most uses require one accessory parking space per 1,000 square feet of commercial space.

C8-3

The C8-3 district allows commercial and community facility uses in Use Groups 4 through 14 and 16. The most prevalent uses in C8 districts are automotive and heavy commercial uses such as auto repair and showrooms, warehouses, gas stations and car washes. Residential uses are not permitted. The maximum commercial FAR in C8-3 districts is 2.0. Community facilities are permitted an FAR of 6.5. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. Off-street parking requirements vary with the use, but generally most uses require one accessory parking space per 1,000 square feet of commercial space.

C4-6

The C4-6 district allows residential, commercial and community facility uses. The maximum permitted FAR is 10.0 for community facilities and residential uses and 3.4 for commercial uses. There are no building height limits in this district and building envelopes are regulated by the sky exposure plane. Under optional Quality Housing rules, the base height of the building at the street must be between 125-150 feet then must set back from the street before rising to a maximum building height of 210 feet on a wide street and 185 feet on a narrow street.

The **Special Grand Concourse District** (C) is mapped along the Grand Concourse intersecting 161st Street between the Transit Node and the Civic Node. The special district was established in 1989 to protect the scale, form and residential character of the Grand Concourse; the special district will not be affected by the 161st Street rezoning proposal.

161st Street/River Avenue Rezoning - **Approved!**

Proposed Zoning

The Department proposes zoning map changes within the three nodes described previously. In addition DCP proposes amendments to the *Zoning Resolution* to establish a new zoning district (C6-3D) to facilitate development along the elevated rail and to employ the Inclusionary Housing Program in the 161st Street area to encourage development of affordable housing. View the [zoning comparison chart](#).



Proposed Zoning Map - [View a larger image](#).

Transit Node

In the Transit Node, the proposed commercial zoning would facilitate greater residential and commercial development surrounding the high-profile transit-rich intersection of East 161st Street and River Avenue. Current C8-3 zoning prohibits residential uses. Portions of three blocks generally located along River Avenue south of East 161st Street and north of East 153rd Street would be rezoned from C8-3 to C6-3D and portions of three blocks generally located along East 161st Street between River Avenue and Walton Avenue, south of East 162nd Street and north of East 158th Street would be rezoned from R8/C1-4 to C6-3D.

C6-3D

A zoning text amendment would establish a new C6-3D zoning district. [View the proposed text amendment](#).

The proposed C6-3D district would allow high-density residential, commercial and community facility uses with a maximum permitted FAR of 9.0. The 161st Street rezoning proposal would apply the Inclusionary Housing Program to the proposed C6-3D rezoning area. Under the [Inclusionary Housing Program](#), the maximum base residential FAR in the C6-3D would be 7.52; however, developments utilizing the Inclusionary Housing Program bonus could achieve a maximum FAR of 10.0.

Building Form: The C6-3D bulk regulations are designed to facilitate tower development adjacent to an elevated train. To allow light and air below the elevated train and reduce street-level noise, the building base would be limited to 15 to 25 feet on sites that front the elevated train; although a secondary base would be allowed to reach a total height of 60 to 85 feet. Both the secondary base and the unlimited height tower would be required to set back a minimum of 20 feet from the lot line that fronts the elevated train (for sites less than 110 feet deep, the setback would be reduced to between 10 to 19 feet). Where an existing building with windows is located within 30 feet of an adjacent lot line, a minimum 15-foot setback would be required. [View the C6-3D massing diagram](#).

Pedestrian Improvements: On corner sites that front an elevated train, a corner setback at the ground level would be required to create additional pedestrian circulation space (a corner setback would be optional on other corner locations). In addition, if a subway station entrance is located along the frontage of a property, new development would be required to improve and relocate the subway entrance inside the building. Sidewalk widening requirements would apply along all wide streets within the rezoning area.

Parking: Parking would be required for 40% of the residential units. There would be reduced parking requirements for public, publicly-assisted and government assisted housing. There would be no parking requirement for commercial or community facility uses.

Civic Node

In the Civic Node, zoning changes would facilitate development of retail uses and office space, allow residential development, and prevent the development of light industrial and automotive uses in the heart of the civic center.

C6-2

Portions of three blocks within the Civic Node would be rezoned to C6-2:

- A portion of one block generally located along the south side of East 161st Street between Concourse Village West and Concourse Village East would be rezoned from C8-3.
- A portion of the block located at the northeast corner of East 161st Street and Sheridan Avenue would be changed from C4-6.
- A portion of the block generally located at the southeast corner of 161st Street and Concourse Village West would be rezoned from R8.

The C6-2 district would allow high-density residential, commercial and community facility uses with a maximum permitted FAR of 6.02, 6.0 and 6.5, respectively. C6-2 is an R8 residential equivalent district. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. Because C6 districts are mapped in areas well served by mass transit, no parking is required for commercial and community facility uses. Off-street parking is required for 40% of the residential units.

The optional Quality Housing regulations allow residential development a maximum permitted FAR of 7.2 on a wide street and 6.02 on a narrow street. Under Quality Housing rules, the base height of the building at the street may rise between 60 to 80 feet then must set back from the street before rising to a maximum building height of 120 feet.

Residential Node

In the Residential Node, zoning changes would facilitate development of retail and residential uses and expand the commercial uses allowed in an area of the 161st Street corridor that connects the civic heart of the Bronx with the Melrose Metro-North station and Melrose Commons to the east.

R8A

One full block bounded by East 161st Street, Morris Avenue, Park Avenue/Teller Avenue and East 162nd Street, would be rezoned from R7-1 to R8A. The R8A zoning designation would allow higher-density development with a contextual envelope that would match existing and proposed buildings in the Melrose Commons area.

The Inclusionary Housing Program would be employed in the Residential Node. Under the Inclusionary Housing Program, the maximum base residential FAR in the R8A would be 5.4; however, developments utilizing the Inclusionary Housing Program bonus could achieve a maximum FAR of 7.2. The base height of the building at the street must be between 60 to 85 feet and the building then must set back from the street before rising to a maximum building height of 120 feet. Off-street parking is required for 40% of the residential units. The proposed R8A would allow high-density community facility uses up to a maximum FAR of 6.5.

Commercial Overlays

The existing C2-4 overlay, which is mapped on the southeastern corner and eastern block front of the Residential Node, would be extended to cover the entire block front along 161st Street and the entire block front along Morris Avenue, including the small area on the southwest corner of the block that is currently mapped C1-4. The proposed change would allow commercial uses along 161st Street where today such uses are prohibited and thereby activate the street level on a block that connects the civic center with the Metro-North station and Melrose Commons. The change from C1-4 to C2-4 would allow a greater range of uses, including local repair services. Commercial uses are allowed up to 2.0 FAR; however, in a mixed residential/commercial building, commercial uses are limited to the ground floor.

Inclusionary Housing

The 161st Street/River Avenue rezoning proposal would apply the Inclusionary Housing Program to the R8A and C6-3D districts within the rezoning area, establishing incentives for the creation and preservation of affordable housing in conjunction with development of new housing.

For residential development without an affordable housing component, the maximum FAR within the selected areas would be limited to a base FAR of 7.52 in the C6-3D and 5.4 in the R8A. Under the [Inclusionary Housing program](#), developments providing affordable housing are eligible for a floor area bonus, within contextual height and bulk regulations tailored to this area. Developments could qualify for a maximum FAR of 10.0 in the C6-3D and 7.2 in the R8A by providing 20 percent of the residential floor area in the development as permanently affordable housing for low- and moderate-income households, or by constructing or preserving off-site affordable units for low-income households. Off-site units must be located within Community District 4, or within one half-mile of the bonused development if outside of Community District 4. Other city, state and federal housing finance programs may be used to provide further assistance in creating affordable units.

161st Street/River Avenue Rezoning - **Approved!**

Public Review

Public outreach and community involvement prior to review of applications pursuant to the Uniform Land Use Review Procedure (ULURP) are important components in the development of the rezoning proposal. The Department of City Planning has conducted numerous outreach meetings with Community Board 4, elected officials, and affected property and business owners. Through the South Bronx Initiative, a Mayoral effort to identify community priorities and create a coordinated economic development strategy for the South Bronx, the 161st Street/River Avenue rezoning proposal has been discussed with hundreds of stakeholders during more than thirty-five outreach meetings. Public outreach will continue through the environmental review and ULURP process.

The City Planning Commission, as environmental lead agency, issued a Notice of Completion for a [Draft Environmental Impact Statement \(DEIS\)](#) for the proposal, on March 27, 2009.

A Public Hearing on the DEIS was held by the City Planning Commission in conjunction with the ULURP process on July 1, 2009. Public comments on the DEIS were received for a ten day period following the July 1st public hearing. On August 7, 2009 the City Planning Commission issued the [Notice of Completion for the Final Environmental Impact Statement \(FEIS\)](#) for the 161st Street / River Avenue Rezoning.


The proposal began formal public review on March 30, 2009 with the Department of City Planning's certification of the [Uniform Land Use Review Procedure \(ULURP\)](#) application (C 090365 ZMX) and referral of the related zoning text amendment (N 090364 ZRY).

Milestones	Target Dates
Department of City Planning certification	March 30, 2009 - view presentation
Community Board 4 Approval	May 19, 2009
Bronx Borough President Public Hearing	June 4, 2009
City Planning Commission Public Hearing	July 1, 2009
City Planning Commission Approval with Modifications* (Read the CPC Reports)	August 19, 2009
City Council Approval	September 30, 2009
<p>* City Planning Commission Modifications</p> <p>On August 19, 2009 the City Planning Commission (CPC) approved the applications for the 161st Street / River Avenue Rezoning with modifications to the text amendment application (N 090364 ZRY).</p> <p>The approved Zoning Text amendment was modified by the CPC to reflect the recently approved amendments to the Inclusionary Housing Text. The modifications were of a technical nature and did not change the substance of the proposed text.</p> <p>View the complete proposed zoning text amendment as modified by the CPC.</p>	

This website will be updated regularly to reflect changes in the project's schedule.

For additional information, contact the Department of City Planning's Bronx Borough Office at (718) 220-8500.

Related Notes

-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.