

# Lower Concourse Rezoning - Approved!

## Overview

**Update June 30, 2009:**

On June 30, 2009, the City Council adopted the Lower Concourse Rezoning. The zoning map and text changes are now in effect.

**Introduction**

The Department of City Planning is proposing to rezone a 30-block area surrounding the lower end of the Grand Concourse, map a new waterfront park, establish a Waterfront Access Plan, make the provisions of Inclusionary Zoning applicable in the area, and other related actions in order to create new investment opportunities and open space in the underutilized but transit-rich Lower Concourse area. The proposed actions will transform a waning industrial waterfront area and the lower Grand Concourse into a vibrant, mixed-use, mixed-income community with new housing, waterfront open space, and an array of retail services. The Lower Concourse is located in Community Board 1 in the Bronx, generally bounded by the Harlem River to the west, E. 149th Street to the north, Morris and Lincoln Avenues to the east, and the Major Deegan Expressway to the south ([see a map of the study area](#)).

This area has historically been industrial, with a mix of 4 to 12 story loft buildings and lower-rise industrial and automotive uses. However, several multistory loft buildings stand partially vacant, many waterfront lots are underutilized or vacant, and employment has declined over the past two decades. In the past decade, however, the South Bronx has enjoyed a resurgence of housing development, leaving a shortage of available sites for much-needed new housing. Current zoning in the Lower Concourse does not allow residential development, limiting opportunities to redevelop underutilized property.

**The Department's proposal seeks to:**

- Provide opportunities for new residential development:

Over the past two decades, the South Bronx has experienced a substantial amount of new housing construction, beginning to rebound from substantial disinvestment and population loss experienced during the 1970's and 1980's. Most vacant sites have been developed or are programmed for development, leaving a shortage of available sites for new residential development to continue to recoup earlier population losses. Current manufacturing zoning in the Lower Concourse does not allow residential development.

- Encourage the reuse of underutilized industrial land and lofts:

While an industrial presence remains in the Lower Concourse, industrial firms and jobs have declined in this area, leaving vacant and underutilized land and buildings. Many of these buildings are attractive multi-story loft buildings which are appropriate for residential or commercial reuse. At the same time, a recent surge in residential development throughout the rest of the borough has left little vacant land available for new housing development. The proposed action would create opportunities for new housing development on underutilized and vacant land and loft buildings in this highly-transit accessible location.

- Retain viable light industry:

The proposed mixed-use district would permit the continuation and expansion of current industrial uses as well as the development of new light industrial uses. A vast majority of existing businesses would remain conforming in the proposed mixed-use district.

- Create attractive new gateways into the Bronx:

The Lower Concourse is an important gateway into the Bronx which defines first impressions of the borough for many commuters. The proposed rezoning would encourage high-profile redevelopment which would create a



[View the slideshow presentation](#)



A mix of low-rise and multistory buildings characterize the Lower Concourse. (Canal Place south of E. 144th Street)

highly-visible symbol of the Bronx's resurgence. Proposed zoning along the lower Grand Concourse would encourage new development more consistent with the historic Grand Concourse to the north. The proposed waterfront park and rezoning would encourage the redevelopment of the Harlem River in a manner more appropriate to this highly-visible entrance to the borough.

- Better connect surrounding neighborhoods of Mott Haven and Port Morris:

Residents and workers in the surrounding neighborhoods cross through the Lower Concourse area in order to reach subway stations, places of employment, existing institutions, and the waterfront. Redevelopment would make this area a livelier and potentially safer connection to surrounding communities. New homes and stores on major streets would provide eyes on the street, making a safer walking environment at night. Waterfront development would begin to connect surrounding neighborhoods together along the Harlem River.

- Provide new waterfront open space to an underserved community:

The South Bronx has long been cut off from the waterfront by industry and infrastructure. This is beginning to change with the construction of a new 9 acre waterfront park directly north of proposed rezoning area. This rezoning aims to build upon this new parkland by encouraging new waterfront development with required publicly-accessible waterfront open space. As each lot redevelops, this waterfront open space would create a continuous promenade along the Harlem River and connect the parks to the north with the existing Port Morris community to the south.

- 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 the Lower Concourse as an Inclusionary Zoning area would encourage the provision of new permanently-affordable housing in order to help meet this goal. Under the Inclusionary Zoning program, developers would only be able to reach the maximum allowable residential FAR if they provide permanently affordable housing either on site or off site in new or existing buildings.

- Encourage grocery store access:

The South Bronx is underserved by grocery stores. In the existing M1 and MX districts food stores greater than 10,000 square feet require a special permit. Mindful that the Lower Concourse proposal would bring more residents to the area and that existing residents are already underserved, the Department proposes lifting the special permit requirement so that grocery stores of any size would be allowed as-of-right within the Lower Concourse MX district.

- Identify best practices for limiting conflicts between residential and industrial uses within Mixed-use districts:

In conjunction with the proposed rezoning; the Department of City Planning will undertake a transportation study with the goal of identifying conflicts between industrial and residential uses in MX districts across the city and in the Bronx. This study will identify best practices for limiting these conflicts.

The Lower Concourse includes attractive loft industrial buildings, such as these on Rider Avenue



East 140th Street



East 139th Street

## Lower Concourse Rezoning - Approved!

### Existing Zoning and Context

#### Existing Context

The Lower Concourse area is located in the southwestern corner of the Bronx, Community District 1. The southernmost portion of the Grand Concourse runs through the center of the area, making this a high-profile gateway to the South Bronx. This area shapes the first impression of the borough for commuters on the subway, commuter rail, several bridges from Manhattan, and the Major Deegan Expressway. However, unlike the more historic parts of the Grand Concourse to the north, the southernmost portion of the Concourse is characterized by single-story automotive uses. The two blocks of Harlem River waterfront in this area are characterized by open air waste transfer and bus parking facilities and self storage and moving facilities. The rest of the area is characterized by a mix of multi-story loft buildings, single-story automotive and industrial buildings, and vacant or unimproved land.

In the rezoning area the Grand Concourse is characterized by single-story automotive uses, rather than the residential character of the rest of the Grand Concourse.



Grand Concourse at E 140th Street



Grand Concourse at E 161st Street

Transit access is excellent in the Lower Concourse, with the first stops in the Bronx on the 2, 4, and 5 express trains, and the 6 local train. The entire proposed rezoning area is within walking distance of a subway station. Vehicular access is provided by the Major Deegan and Bruckner expressways, several arterial streets, including the Grand Concourse, Third Avenue, 149th Street, and 138th Street, and the 145th Street, Madison Avenue, and Third Avenue bridges into Manhattan.

#### ***Land Use and History***

In the nineteenth century, an active port and numerous rail connections brought a number of industrial businesses including garment and piano factories to this area. Changes in the economy and the desire for larger modern industrial space led to a decline in manufacturing firms and jobs in this area during the latter half of the twentieth century. The Oak Point Rail Link was built along the Harlem River through this area in the 1990's in order to divert freight traffic away from busy commuter rail lines. However, the waterborne route cut off access to waterfront lots in this area and precluded waterfront-dependent uses. The waterfront is presently characterized by uses which do not take advantage of their waterfront location such as bus parking, construction waste recycling, and personal self-storage. Despite decreases in employment and number of firms, a number of businesses remain in this area. Storage and light industrial uses, including personal self-storage, warehousing, distribution, and woodworking uses occupy about 40% of the land area within the Lower Concourse.

Waterfront lots are characterized by open-air uses, self storage, and moving companies and are separated from the Harlem River by the Oak Point Rail link.



Harlem River waterfront to the north of the Madison Avenue Bridge



Harlem River waterfront to the south of the Madison Avenue Bridge

However, the decline in manufacturing has left a large proportion of vacant and non-industrial space. Current studies show there is a 22% vacancy rate within existing buildings in the rezoning area. An additional 22% of the buildings are used for non-industrial uses such as office, retail, and community facilities. 13% of the total built area is used for personal self-storage, a low-employment use. Only three new buildings have been built since 1980, and only 10 have been built since the current zoning was enacted in 1961. New construction has consisted primarily of automotive service and personal self-storage facilities, rather than job-intensive industrial businesses.

Vacant land and lofts are located throughout the proposed rezoning area.



A vacant former gas station located at Third Avenue at E. 136th Street.



A vacant loft building located at East 144th Street and Canal Place

### ***Surrounding land uses and new investment***

The areas surrounding the Lower Concourse to the north and south have seen a number of recent developments. The Port Morris/ Bruckner Avenue Mixed-Use zoning district, located directly to the south of the Lower Concourse study area, was first mapped in 1997 and expanded in 2005. To date, this rezoning has resulted in the conversion of several buildings into more than 300 new residential units, along with the rehabilitation of several existing row-houses and apartment buildings. The Gateway Center, currently under construction, will bring approximately one million square feet of new retail space directly north of 149th Street. Across from the Gateway Center, a new 9-acre waterfront park is under construction along the Harlem River directly north of the Lower Concourse.

### **Existing Zoning**

The proposed Lower Concourse rezoning area consists primarily of M1-2 and M2-1 manufacturing districts. Residential uses are not permitted in manufacturing zones.

#### ***M1-2***

A 21-block area currently zoned M1-2 comprises most of the proposed



rezoning area. These blocks contain a mix of uses, including warehouses, self-storage, auto repair shops, partially-vacant multistory loft buildings, construction-related businesses, and several vacant lots. M1-1 districts generally permit light industrial, commercial and limited community facility uses. Manufacturing and commercial uses have a maximum floor-area ratio (FAR) of 2.0 and community facilities have a maximum FAR of 4.8. There are no height limits, and building heights and setbacks are governed by the sky exposure plane. The commercial, manufacturing, and community facility parking requirements vary with use.

#### **M2-1**

A five-block area consisting of two blocks along the waterfront and three adjacent upland blocks south of E. 138th Street are currently zoned M2-1. This area contains a mix of uses including parking lots and construction waste transfer on the waterfront, and personal self-storage, warehouses, wholesale distributors, auto repair, and vacant land. The existing M2-1 district has a maximum commercial/manufacturing FAR of 2.0 and parking requirements vary by use. M2-1 districts occupy the middle ground between light and heavy industrial areas. A range of manufacturing uses are permitted, but most community facilities are not allowed in the M2-1 zoning district.



Existing Zoning Map with Land Use

[View a larger image.](#)

#### **C4-4**

A 2-block area located south of E. 149th Street and west of Walton Avenue is currently zoned C4-4. These blocks contain a mix of uses, including permanent and temporary classroom space for Hostos College, a community basketball center, warehouse, and light industrial uses. C4-4 districts are medium-density commercial districts which permit commercial office and retail, residential, and community facility uses. Commercial uses have a maximum FAR of 3.4, residential uses have a maximum FAR of 3.44, and community facilities have a maximum FAR of 6.5. There are no height limits, and building heights and setbacks are governed by the sky exposure plane. The residential parking requirement provides one parking space for 50% the number of residential units. The commercial and community facility parking requirements vary with use.

#### **R6**

A two-block area consisting of a public school and its adjacent parking lot is currently zoned R6. These blocks are located south of E. 142nd Street, west of Morris Avenue, north of E. 140th Street, and east of Rider Avenue. R6 zoning districts have a maximum FAR of 2.43 for residential and 4.8 for community facility. The residential parking requirement provides one parking space for 70% of the number of residential units. The community facility parking requirements vary with use.

## Lower Concourse Rezoning - **Approved!**

### Proposed Actions

#### Proposed Actions

Several actions are required to achieve the project's goals:

#### *Zoning Map Changes*



Proposed Zoning Map with Special Harlem River Waterfront District

[View a larger image.](#)



May 20, 2009 - Adopted Modified Zoning Map with Special Harlem River Waterfront District

[View a larger image.](#)

#### C6-2A - M1-2 to C6-2A

This proposal would change the zoning for two blocks along the Grand Concourse between E. 138th Street and E. 144th Street from M1-2 to C6-2A to encourage future development of this portion of the **Grand Concourse** that is more consistent with the more historic Grand Concourse to the north. C6-2A districts permit residential, office, retail, hotel, and community facility uses. The proposed C6-2A would allow residential uses at a maximum FAR of 7.2 with the full Inclusionary housing bonus and 5.4 without the provision of Inclusionary housing as described below. The maximum FAR in C6-2A districts is 6.0 for commercial uses. C6-2A zoning districts are *contextual zoning* districts requiring buildings to be built at or near the street line with maximum base height of 85 feet and a maximum building height of 120 feet. This district is appropriate for a wide street such as the Grand Concourse and a contextual form will mimic the built context of the Grand Concourse to the north of the rezoning area.

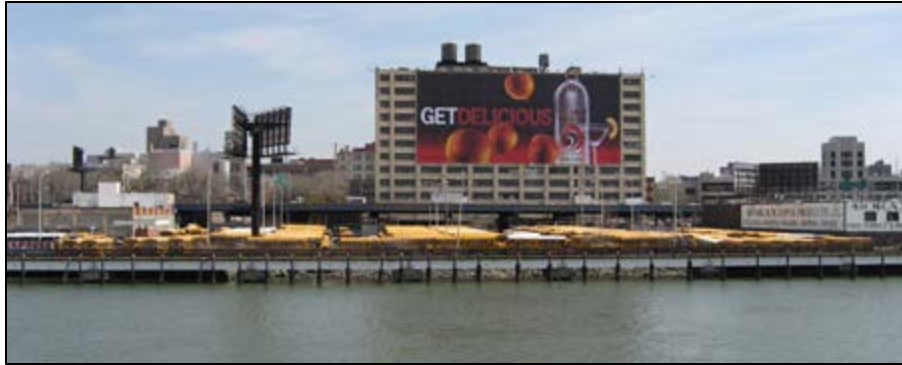


Grand Concourse between E. 138th Street and E. 144th Street

#### C4-4 - M1-2 and M2-1 to C4-4

This proposal would rezone a portion of one **waterfront** block south of E. 149th Street from M2-1 to C4-4. The C4-4 zoning would encourage the redevelopment of these underutilized waterfront lots with new residential, retail, office, and hotel uses. C4-4 zoning districts are mid-density regional commercial districts which allow residential, commercial retail, office, and hotel, and community facility uses. Within the proposed Special Harlem River Waterfront District (SHRWD) (see below for more detail), the C4-4 zoning district would allow residential development at a maximum FAR of 4.0 with the full Inclusionary housing bonus and 3.0 without the provision of Inclusionary housing as described below. The C4-4 allows commercial development at a maximum FAR of 3.4. In addition, a portion of one block currently occupied by Lincoln Hospital would be rezoned from M1-2 to C4-4 in order to bring Lincoln Hospital into conformance. Community facility uses such as hospitals are allowed in C4-4 zoning districts.

New waterfront development in the proposed C4-4 zoning district would be required to provide public waterfront open space, including a shore public walkway along the Harlem River. Eventually, this shore public walkway would provide a continuous walkway connecting the 9-acre park to the north of the Lower Concourse to the existing Port Morris community to the south. The location of this waterfront open space would be shaped by the proposed Waterfront Access Plan (WAP) (see below). The SHRWD will determine the maximum height, FAR, and other bulk regulations for new buildings. This height factor district is appropriate to the waterfront as it allows taller buildings surrounded by open space. This district provides flexibility to provide additional retail and commercial uses near the Gateway Center shopping area.



Open uses characterize the proposed C4-4 district along the Harlem River waterfront just south of E. 149th Street.

R7-2/ C2-4 - M2-1 to R7-2/ C2-4

This proposal would change the zoning for portions of two **waterfront** blocks along the Harlem River between E. 149th Street and Park Avenue from M2-1 to R7-2 with a C2-4 commercial overlay. The proposed C2-4 commercial overlay would cover the entire proposed R7-2 district. The proposed zoning is intended to encourage the redevelopment of waterfront lots with residential, office, retail, and hotel uses. Within the proposed Special Harlem River Waterfront District (SHRWD) (see below for more detail), the R7-2 zoning district would allow residential development at a maximum FAR of 4.0 with the full Inclusionary housing bonus and 3.0 without the provision of Inclusionary housing as described below. The C2-4 commercial overlay allows a maximum FAR of 2.0 for commercial development.

New waterfront development in the proposed R7-2/ C2-4 zoning districts would be required to provide public waterfront open space, including a shore public walkway along the Harlem River. Eventually, this shore public walkway would provide a continuous walkway connecting the 9-acre park to the north of the Lower Concourse to the existing Port Morris community to the south. The location of this waterfront open space would be shaped by the proposed WAP (see below). The SHRWD will determine the maximum height, FAR, and other bulk regulations for new buildings. This height factor district is appropriate to the waterfront as it allows taller buildings surrounded by open space.



Self Storage and open uses characterize the proposed R7-2/ C2-4 district along the Harlem River waterfront just north of E. 138th Street.

M1-4/ R6A - M1-2 to M1-4/ R6A

Six partial blocks generally bounded by Gerard Avenue, E. 144th Street, Walton Avenue, and E. 138th Street and by E. 146th Street, Rider Avenue, E. 139th Street, and Canal Place would be rezoned from M1-2 to a new Special Mixed-Use District, M1-4/ R6A. Residential uses would be allowed to encourage the reuse of vacant land and loft buildings. Existing light industrial and commercial uses would continue to be allowed. Within

the proposed Mixed-Use District, the proposed R6A would allow residential development at a maximum FAR of 3.6 with the full Inclusionary housing bonus and 2.7 without the provision of Inclusionary housing as described below. R6A zoning districts are contextual zoning districts requiring buildings to be built at or near the street line with maximum base height of 60 feet and a maximum building height of 70 feet. The M1-4 allows commercial and industrial uses at a maximum FAR of 2.0. This district is appropriate to the built context of loft buildings in these areas.



A loft building on Gerard Avenue south of E 144th Street in the proposed M1-4/ R6A

M1-4/ R7A - M1-2 to M1-4/ R7A

Ten blocks or portions of blocks generally bounded by E. 144th Street, Morris and Lincoln Avenues, Rider Avenue, and the Major Deegan Expressway would be rezoned from M1-2 to a new Special Mixed-Use District, M1-4/ R7A. Residential uses would be allowed to encourage the reuse of vacant land and loft buildings. Existing light industrial and commercial uses would continue to be allowed. Within the proposed Mixed-use district, the proposed R7A would allow residential development at a maximum FAR of 4.6 with the full Inclusionary housing bonus and 3.45 without the provision of Inclusionary housing as described below. R7A zoning districts are contextual zoning districts requiring buildings to be built at or near the street line with maximum base height of 65 feet and a maximum building height of 80 feet. The M1-4 allows commercial and industrial uses at a maximum FAR of 2.0. This district is appropriate to the built context along Third and Lincoln Avenues.

M1-4/ R7X - M1-2 to M1-4/ R7X

Portions of seven blocks along E. 138th Street between the Metro North rail tracks and Third Avenue would be rezoned from M1-2 to a new Special Mixed-Use District, M1-4/ R7X. Residential uses would be allowed to encourage the redevelopment of vacant land. Existing light industrial and commercial uses would continue to be allowed. Within the proposed Mixed-Use District, the proposed R7X would allow residential development at a maximum FAR of 5.0 with the full Inclusionary housing bonus and 3.75 without the provision of Inclusionary housing as described below. R7X zoning districts are contextual zoning districts requiring buildings to be built at or near the street line with maximum base height of 85 feet and a maximum building height of 125 feet. The M1-4 allows commercial and industrial uses at a maximum FAR of 2.0. This district is appropriate to East 138th Street, a wide street and a high-profile thoroughfare in the South Bronx.



A vacant lot located at 138th Street and Third Avenue in the proposed M1-4/ R7X

M1-4/ R8A - M1-2 to M1-4/ R8A

Five full blocks and a portion of one blocks bounded by E 149th Street, Walton Avenue, E 140th Street, and Exterior Street would be rezoned from M1-2 to a new Special Mixed-Use District, M1-4/ R8A. Residential uses would be allowed to encourage the reuse of vacant land and loft buildings. Existing light industrial and commercial uses would continue to be allowed. Within the proposed Mixed-use district, the proposed R8A allows residential development at a maximum FAR of 7.2 with the full Inclusionary housing bonus and 5.4 without the provision of Inclusionary housing as described below. R8A zoning districts are contextual zoning districts requiring buildings to be built at or near the street line with maximum base height of 85 feet and a maximum building height of 120 feet. The M1-4 allows commercial



Loft building at Gerard Avenue and E. 144th Street in the proposed M1-4/



and industrial uses at a maximum FAR of 2.0. This district is R8A appropriate to the taller built context of loft buildings in this area.

#### M1-4 - M2-1 to M1-4

A five-block area currently zoned M1-2 and M2-1 is proposed to be rezoned to M1-4. This five block area is generally bound by Park Avenue to the west, E. 137th Street to the north, Third Avenue to the east, and the Major Deegan Expressway to the south and is characterized by light industrial businesses and warehouses. Light industrial uses and commercial uses are allowed in M1-4 zoning districts at a maximum FAR of 2.0. Industrial uses in M1-4 districts must meet the highest performance standards. Performance standards are lower for industrial uses in M2-1 districts. Rezoning from M2-1 to M1-4 will ensure that new development near proposed residential rezoning areas will be more compatible with residential uses.

 [View the zoning comparison chart.](#)

### **Zoning Text Changes**

#### Inclusionary Housing Area

The Zoning Resolution's Inclusionary Housing program would be made applicable in the entire rezoning area to encourage the provision of affordable housing in new housing developments. Under this program, developers would only be able to achieve the maximum allowable residential FAR if they provide permanently affordable housing either on site or off site in new or existing buildings. Learn more about [Inclusionary Housing](#).

#### Grocery Stores

In MX districts, current zoning regulations require food stores greater than 10,000 square feet to obtain a special permit from the City Planning Commission. In order to facilitate the location of large food stores in the rezoning area, the proposed text amendment would allow food stores of any size to be allowed as-of-right within the Lower Concourse.

#### Waterfront Access Plan (WAP)


The proposed zoning text amendment would create a waterfront access plan (WAP) for property along the Harlem River from E. 149th Street to the prolongation of Park Avenue south of the Metro North viaduct. A waterfront access plan (WAP) is a specific plan, set forth in the Zoning Resolution that tailors public access requirements of waterfront zoning to the specific conditions of a particular waterfront. The WAP establishes specific locations for public access areas including the Shore Public Walkway (SPWW) and Supplemental Public Access Area (SPAA), view corridors as well as upland connections in strategic locations that would connect to surrounding neighborhoods. Together with existing waterfront parks mapped to the north and new parkland proposed as part of the Lower Concourse actions, the Lower Concourse WAP would provide a mechanism that over time would facilitate a coordinated public open space network.

#### Establish Special Harlem River Waterfront District (SHRWD)

The SHRWD would modify the bulk regulations of the waterfront zoning provisions of the Zoning Resolution to ensure that development creates an attractive and inviting waterfront. Development of individual waterfront parcels governed by the plan triggers a requirement to build and maintain public access areas in accordance with the WAP. The SHRWD would also control building heights, massing, and FAR in order to facilitate orderly waterfront development. Nine development parcels have been identified. Select details of the regulations are as follows:

- To ensure development maintains a human scale along the waterfront, minimum/ maximum Base Heights will be established at 60/ 85ft except parcels 5 and 6 where a minimum/maximum base height of 20/40 ft. would be established.
- To guarantee a variety of structures along the waterfront, a maximum base length of 300 feet would be established (except on parcel 1).
- To create a varied skyline, only one tower is allowed per base on



zoning lots smaller than 130,000 square feet and only two towers per base allowed on larger zoning lots. If there are two towers on one zoning lot, one may rise to the maximum height, all other towers are restricted to 260 ft.  [View a larger image](#)

- To maximize waterfront views, the area's main asset, and to avoid a wall of buildings that would obstruct upland views of the waterfront, tall but slender towers would be allowed. Maximum tower height is 400 ft. on lots of 100,000 sq ft or more, and 300 feet for lots smaller than 100,000 sq ft. The maximum length of a tower wall would be 135.'
- To facilitate a strong streetscape and to maximize utility of the waterfront open spaces, the special district will provide incentives to develop loop roads to reach the waterfront on parcels 1-4. Properties that require supplemental public access areas shall be allowed to count the loop road as the supplemental area if easement is provided to adjacent properties.
- To encourage activity and "eyes on the street" along the waterfront, the main entry of a building must front the shore public walkway on parcels 1-4 and 20% of each base front of a building must be active uses.
- To meet the goals of the plan and ensure a full range of uses along the waterfront, each square foot of retail use, defined as all commercial uses except office or hotel uses, must be matched with an equal amount of residential, community facility, office or hotel use would be required. An authorization would be available to allow retail-predominant development provided that a project meets findings with regard to site plan and pedestrian access.

#### *Special Mixed Use District (MX)*

The Special Mixed Use District is a special zoning district that is mapped in several locations throughout the city, including Port Morris and Morrisania in the Bronx. It combines a light industrial (M1) district with a residential district, and permits a mix of selected light industrial, commercial, residential, and community facility uses under the applicable regulations. The MX district permits mixed-use buildings, and includes an expanded definition of "home occupations," permitting a broader variety of live-work accommodations than is allowed in standard zoning districts. The proposed MX district is intended to retain existing light industrial businesses while encouraging the redevelopment of vacant and underutilized land and lofts with residential uses.

 View the [proposed text amendment](#).

 May 20, 2009 - View the [adopted modified text amendment](#).

#### ***Mapping of a Park***

A new park is proposed to be mapped along the Harlem River generally between E. 144th Street and E. 146th Street. The proposed 2.26 acre park is currently privately-owned and is occupied by a bus parking lot and two warehouses. This park would create an easily-accessible central open space for the new neighborhood and provide much-needed active recreational opportunities for existing and new residents.

#### ***Transportation Study***

With the introduction of residential uses to historically manufacturing areas, there is the potential for transportation-related conflicts. A transportation study will be conducted in conjunction with the proposed rezoning in order to identify potential conflicts and solutions. The study will evaluate existing pedestrian and vehicular conditions in the Lower Concourse area and develop recommendations that will enhance pedestrian access and safety, while balancing the need for continued truck access.

## Lower Concourse Rezoning - Approved!

### Public Review

On February 2, 2009 the Department of City Planning certified the Uniform Land Use Review (ULURP) application (C 090303 ZMX) and referred the related text change application (N 090302 ZRX) for the Lower Concourse Rezoning to begin the formal public review process. In addition to the applications for zoning text and zoning map amendments, a draft Environmental Impact Statement (DEIS) was issued on January 30, 2009. On April 1, 2009, a public hearing was held for both the DEIS and ULURP applications. Comments were accepted at the hearing and for ten days following the hearing, until April 13th, 2009. All relevant comments were incorporated into the [Final Environmental Impact Statement \(FEIS\)](#) and a [Notice of Completion](#) for the FEIS was issued on May 8, 2009.

#### Project Milestones

Milestones	Target Dates
Department of City Planning certification	February 2, 2009 - <a href="#">view presentation</a>
Community Board 1 Approval	February 26, 2009
Bronx Borough President Conditional Approval	March 26, 2009
City Planning Approval (with modifications*) <a href="#">Read the CPC Reports</a>	May 20, 2009
City Council Approval	June 30, 2009

#### \*CPC Modifications

On May 20, 2009, the City Planning Commission approved with modifications the Zoning Text and Zoning Map amendments. The modifications were made in response to comments received during the public review process. The modifications include the following:

#### Zoning Map Change:

The Commission modified the proposal to retain the existing M1-2 zoning for the blocks between Canal Place and Rider Avenue south of the prolongation of 142nd Street which had been proposed to be rezoned to MX: M1-4/R6A.



Adopted Modified Zoning Map with Special Harlem River Waterfront District - [View a larger image.](#)

#### Zoning Text Changes:

##### FOOD STORES

The Commission modified the proposal to allow food stores, up to 30,000 square feet in M1-4 Districts in Bronx Community District 1. The original proposal allowed food stores as-of-right without regard to size.

#### SPECIAL HARLEM RIVER WATERFRONT DISTRICT

The Commission modified the regulations of the Special Harlem River Waterfront District (HRW) to address site conditions and facilitate greater flexibility in the development of Parcels 1 and 5 on the waterfront.

The design and bulk requirements for Parcel 1 were modified to account for a sewer easement that traverses the property. On Parcel 1, at least one main entrance of a building must face the shore public walkway, no street wall would be required along the portion of East 149th Street, the location of a second tower on a zoning lot must be within 120 feet of East 149th Street and open parking would be permitted.

The regulations governing Parcel 5 were modified so that commercial or public utility vehicle storage, open or enclosed, including accessory motor fuel pumps as listed in Use Group 16C and limited to 10,000 square feet, would be a permitted use, and a reduced shore public walkway would be required.


 [Read the modified zoning text.](#)

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.