



**IN THE MATTER OF** an application submitted by Azimuth Development Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 4b & 7a:

1. changing from an R5 District to an R7A District property bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway, and a line 300 feet westerly of Olmstead Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by Olmstead Avenue, Bruckner Expressway, a line 300 feet westerly of Olmstead Avenue, a line midway between Chatterton Avenue and Bruckner Boulevard (northerly portion), and a line 100 feet westerly of Olmstead Avenue;

Borough of the Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated January 7, 2019, and subject to the conditions of the CEQR Declaration E-515.

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This application (C 190102 ZMX) for a zoning map amendment was filed by Azimuth Development Group LLC on September 14, 2018 in conjunction with the related zoning text amendment. The proposed actions would facilitate a mixed-use development consisting of affordable housing and ground-floor retail space in Bronx Community District 9.

### **RELATED ACTION**

In addition to the zoning map amendment (C 190102 ZMX) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

|                     |   |
|---------------------|---|
| <b>N 190103 ZRX</b> | Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area. |
|---------------------|---|

## **BACKGROUND**

The applicant seeks approval of a zoning map amendment and a zoning text amendment to facilitate a mixed-use development with approximately 330 units of affordable housing and ground-floor retail space in the Unionport neighborhood of Bronx Community District 9. The area to be rezoned comprises the entirety of Block 3797, Lot 33 and a small portion of Lots 1 and 32. It is bounded by Chatterton Avenue to the north, Olmstead Avenue to the east, Bruckner Boulevard to the south and Pugsley Avenue to the west.

The Bruckner Boulevard blockfront is developed with a mix of commercial retail, residential, and service businesses. The Olmstead Avenue frontage is developed with a mix of residential one- and two-story buildings. The Chatterton Avenue frontage is developed with two- and three-story one- and two-family homes. The Pugsley Avenue frontage is primarily developed with two- and three-story one- and two-family homes, with pockets of multi-family dwellings and community facility buildings.

The project area is in the Transit Zone and is located approximately a half mile south from the Parkchester subway station on the No. 6 line. It is also near the Q44 Select Bus Service, the Bx5, Bx 22, Bx36 and the Bx39 bus routes. Three express bus routes run immediately south of the project area, including the BxM7 (Co-op City to Midtown), the BxM8 (Pelham Bay to Midtown), and the BxM9 (Throgs Neck to Midtown) express bus routes.

The development site comprises 2069 Bruckner Boulevard (Block 3797, Lot 33) and portions of Lots 1 and 32). The approximately 61,100-square-foot site contains a vacant, approximately 10,200-square-foot structure used as a house of worship from 2003 to 2018. It has approximately 300 feet of frontage on Bruckner Boulevard, approximately 209 feet of frontage on Olmstead Avenue, approximately 300 feet of frontage on Chatterton Avenue, and a total lot area of approximately 61,100 square feet.

The project area is currently zoned R5, which allows a maximum residential floor area ratio (FAR)

of 2.0 and a maximum lot coverage of 55 percent. Typically, three- and four-story attached houses and small apartment buildings with a maximum height of 40 feet are found in R5 zoning districts.

The proposed actions would facilitate the construction of a mixed-use development consisting of two buildings. The proposed Building A, would be a seven-story residential building with frontage on Chatterton Avenue. It would contain 64,395 square feet of residential floor area and 65 homeownership dwelling units. Building A would have a maximum height of 70 feet and residential access would be provided on Chatterton Avenue. Building B would be 95 feet tall, with nine stories and a cellar. The residential component would have approximately 164,000 square feet of floor area and an expected 265 dwelling units on floors two through nine. It would also have 18,023 square feet of commercial floor area on the ground floor. The entire development would include 281,000 square feet of floor area for an FAR of 4.6. Residential parking would be reduced under the Transit Zone regulations. However, the applicant has decided to provide approximately 159 accessory parking spaces on the ground floor and in the cellar. Residential access to Building B would be provided on Olmstead Avenue.

To facilitate the proposed development, the applicant requests a zoning map and zoning text amendment. The zoning map amendment would map an R7A residential district with a C2-4 commercial overlay over the project area. The proposed R7A district has a maximum residential and community facility FAR of 4.0, or 4.6 with affordable housing. Buildings must have a base height of 60 – 85 feet and the maximum overall height is 95 feet (with affordable housing). Parking for 50 percent of all market-rate units is required. The site is within the Transit Zone, where lower accessory parking requirements apply for affordable housing. C2-4 districts are commercial overlays mapped within residence districts to allow local retail uses. When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0.

The proposed zoning text amendment would designate the project area as an MIH area mapped with Option 1. Option 1 requires that at least 25 percent of the residential floor area be provided as housing permanently affordable to households with incomes at an average of 60 percent of the area median income (AMI). Within that 25 percent, at least 10 percent of the square footage must

be used for units affordable to residents with household incomes at an average of 40 percent of the AMI, with no unit targeted to households with incomes exceeding 130 percent of the AMI.

## **ENVIRONMENTAL REVIEW**

This application (C 190102 ZMX), in conjunction with the application for the related action (N 190103 ZRX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the City Planning Commission. The designated CEQR number is 19DCP082X.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on January 7, 2019. This Negative Declaration included (E) Designations to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise, (E-515). The requirements of the (E) Designation are described in the Environmental Assessment Statement and Negative Declaration.

## **UNIFORM LAND USE REVIEW**

This application (C 190102 ZMX) was certified as complete by the Department of City Planning on January 7, 2019 and duly referred to Bronx Community Board 9 and the Bronx Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 190103 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP actions.

## **Community Board Public Hearing**

Bronx Community Board 9 held a hearing on this application (C 190102 ZMX) on January 17, 2019 and on that date, by a vote of 21 in favor, one opposed, and one abstention, the Community Board adopted a resolution recommending approval of the application with the following

conditions:

“The applicant Azimuth Development Group, LLC:

1. Collaborate with the independent non-profit, United Hispanic Construction Workers (UHCW) & Buildings Skills NYC to facilitate and ensure that up to 25% of the construction work forces, for these developments are residents in our Community Board’s zip codes and/or The Bronx, (Zip codes: 10473, 10472, 10462, 10460).
2. Set aside sufficient retail/community space for community programing & implement a senior/veteran preference, if possible.
3. Contribute yearly to the closest neighboring schools, to assist with a specific program or need, in council w / the NYC Department of Education & Bronx Community Board 9.
4. Sponsor yearly to the Virginia Park & Hugh J. Grant Circle Park community group to assist with operating costs & programming, and local youth community initiative.
5. Set aside a portion of allocated parking for retail space in building.
6. Commit to creating high quality building service jobs that pay all building service workers the union standard wages and benefits.”

### **Borough President Recommendation**

This application (C 190102 ZMX) was considered by the Bronx Borough President, who issued a recommendation approving the application on February 19, 2019.

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

On February 13, 2019 (Calendar No. 1), the City Planning Commission scheduled February 27, 2019 for a public hearing on this application (C 190102 ZMX), and the application for the related action. The hearing was duly held on February 27, 2018 (Calendar No. 24). Two speakers testified in favor of the application and one testified in opposition.

A representative of the applicant provided a summary of the proposed development, the site plan design, and the requested actions. He informed the Commission that the proposed at-grade parking area would be fully enclosed and that an outdoor recreation area would be built over it. He also mentioned that commercial overlays are mapped immediately west of the site, and that current residents of this area would also be served by the commercial uses in the proposed mixed-use development.

The applicant also testified in favor of the application and stated that potential users for the four commercial spaces on the ground floor of the proposed Building B include daycare, educational and medical facilities, and grocery stores. He said that his project at 1755 Watson Avenue, which was previously approved by the Commission (C 170150 ZMX, N 170151 ZRX) and is currently under construction, has attracted expressions of interest from these types of commercial uses. He also stated that some of the proposed parking would be allocated for the commercial tenants, and that signage for the proposed commercial uses would not be billboards. The proposed development, he said, would create much-needed affordable housing while also providing new retail and commercial opportunities at a site with excellent mass transit opportunities.

A speaker representing the 32 BJ service employees union spoke in opposition to the application, stating that the developer had not committed to providing good service jobs. The speaker urged the applicant to do so.

There were no other speakers and the hearing was closed.

## CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 190102 ZMX), in conjunction with the related application for a zoning text amendment (N 190103 ZRX), is appropriate.

The proposed zoning map and text amendments will change the existing R5 district to an R7A/C2-4 district and establish an MIH area coterminous with the proposed R7A/C2-4 district, requiring permanent affordability for a portion of the units for developments within the rezoning area.

The requested actions will facilitate the development of a new seven-story residential building and nine-story mixed-use building with approximately 330 dwelling units. The proposed development will create new housing, including 83 units of permanently affordable housing, to help address the dire need for more housing in the Bronx and in the City overall, consistent with City objectives for promoting housing production and affordability. In addition, it will help redevelop an underutilized site in an area with excellent transit access.

The site has been zoned R5 since 1961 and there have been no other zoning map amendments or land use actions in the immediate vicinity of the project area. This transit-accessible site is currently occupied by a one-story, vacant community facility with approximately 10,200 square feet of floor area and a large parking area.

The residential densities and building heights expected in the proposed R7A/C2-4 district are appropriate for this location. The buildings in the immediate vicinity and the surrounding area are primarily residential, with two- and three-story one- and two-family homes and some multifamily buildings including 10 and 14-story buildings along Bruckner Boulevard. The proposed R7A/C2-4 district allows for mixed-use buildings with ground floor retail, consistent with existing buildings in the project area and the character of the surrounding area.

The proposed zoning text amendment is appropriate. Designating an MIH area is consistent with Citywide objectives promoting production of affordable housing. With MIH Option 1, new developments within the project area will be required to permanently dedicate 25 percent of new residential floor area to affordable housing. This will bring much-needed permanent affordable housing to the community and to the City as a whole.

Regarding the comments made at the City Planning Commission public hearing by the representative from 32 BJ service employees, the Commission notes that these comments are directed to the applicant and are not within the scope of the Commission's review.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 4b & 7a:

1. changing from an R5 District to an R7A District property bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway and a line 300 feet westerly of Olmstead Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by Olmstead Avenue, Bruckner Expressway, a line 300 feet westerly of Olmstead Avenue, a line midway between Chatterton Avenue and Bruckner Boulevard (northerly portion), and a line 100 feet westerly of Olmstead Avenue;

Borough of the Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated January 7, 2019, and subject to the conditions of the CEQR Declaration E-515.

The above resolution (C 190102 ZMX), duly adopted by the City Planning Commission on March 13, 2019 (Calendar No. 13), is filed with the Office of the Speaker, City Council, and



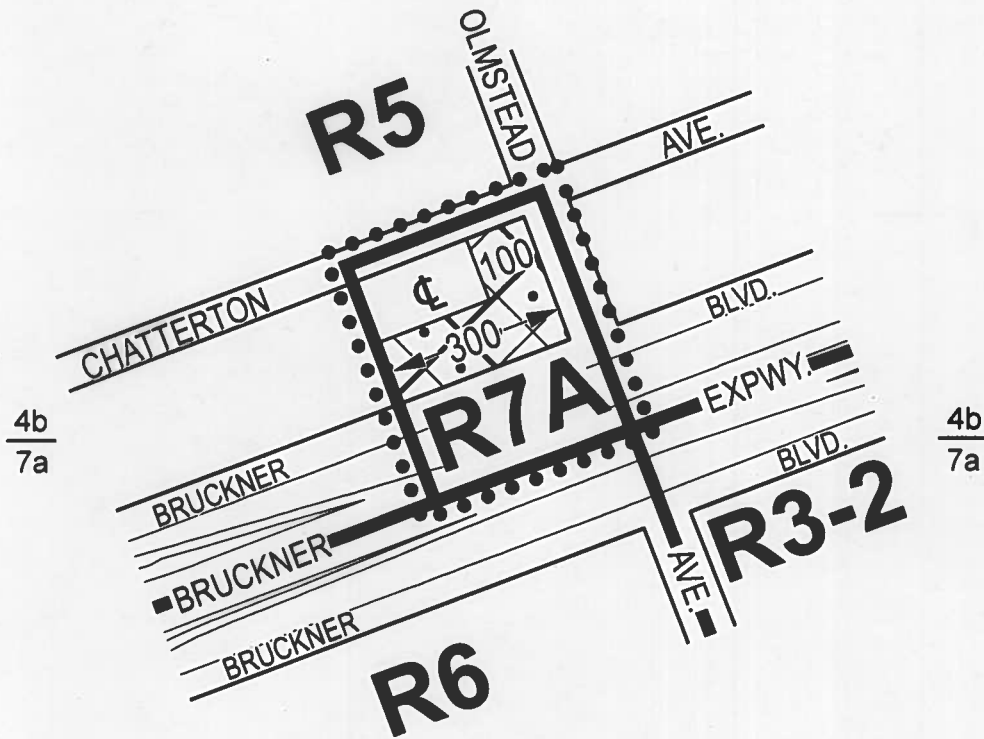
the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

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

**ALFRED C. CERULLO, III, JOSEPH I. DOUEK, RICHARD W. EADDY,  
HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ, RAJ RAMPERSHAD,**  
*Commissioners*

**ORLANDO MARIN**, *Commissioner*, recused.



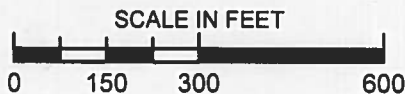
CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED  
**ZONING CHANGE**  
 ON SECTIONAL MAP

**4b & 7a**  
 BOROUGH OF  
**BRONX**

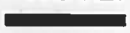




New York, Certification Date:  
 JANUARY 07, 2019

*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 an existing R5 District to an R7A and by establishing a C2-4 District within a portion of the proposed R7A District.
-  Indicates a C2-4 District

Application #: **C 190102 ZMX**

Project Name: **2069 Bruckner Boulevard Rezoning**

CEQR Number: 19DCP082X

Borough(s): Bronx

Community District Number(s): 9

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

**SUBMISSION INSTRUCTIONS**


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

*Docket Description:*

**IN THE MATTER OF** an application submitted by Azimuth Development Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 4b & 7a:

- changing from an R5 District to an R7A District property bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway, and a line 300 feet westerly of Olmstead Avenue; and
- establishing within the R7A District a C2-4 District bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway, a line 300 feet westerly of Olmstead Avenue, a line midway between Chatterton Avenue and Bruckner Boulevard (northerly portion), and a line 100 feet westerly of Olmstead Avenue;

Borough of the Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated January 7, 2019, and subject to the conditions of CEQR Declaration E-515.

|  |  |   |  |
|--|--|---|--|
| <b>Applicant(s):</b><br>Azimuth Development Group LLC<br>40 Fulton Street<br>New York, NY 10038  |  | <b>Applicant's Representative:</b><br>Jaclyn C. Scarinci, Esq.<br>Akerman, LLP<br>666 Fifth Avenue, 20th Floor<br>New York NY 10103 |  |
| <b>Recommendation submitted by:</b><br>Bronx Community Board 9   |  |   |  |
| <b>Date of public hearing:</b> 1/17/19   |  | <b>Location:</b> Shoprite Community Room<br>1994 Bruckner Blvd, Bx NY 10473   |  |
| <b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>   |  | A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.     |  |
| <b>Date of Vote:</b> 1/17/19   |  | <b>Location:</b> Shoprite Community Room, 2nd Floor<br>1994 Bruckner Blvd, Bx NY 10473  |  |
| <b>RECOMMENDATION</b><br><input type="checkbox"/> Approve<br><input checked="" type="checkbox"/> Approve With Modifications/Conditions<br><input type="checkbox"/> Disapprove<br><input type="checkbox"/> Disapprove With Modifications/Conditions |  |   |  |
| <b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>   |  |   |  |
| <b>Voting</b><br># In Favor: 2 / # Against: 1 / # Abstaining: 1 / Total members appointed to the board: 31   |  |   |  |
| <b>Name of CB/BB officer completing this form</b><br> WILLIAM RIVERA<br>District Manager<br>Bronx CB9<br>City of New York                                       |  | <b>Title</b><br>WILLIAM RIVERA<br>District Manager<br>Bronx CB9<br>City of New York   |  |
|  |  | <b>Date</b><br>1/18/19  |  |



# COMMUNITY BOARD NUMBER 9

CITY OF NEW YORK  
1967 TURNBULL AVENUE  
BRONX, NEW YORK 10473



TEL. (718) 823-3034  
BX09@cb.nyc.gov

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RUBEN DIAZ JR.  
BRONX BOROUGH PRESIDENT

NICHOLAS HIMIDIAN JR  
CHAIRPERSON

WILLIAM RIVERA  
DISTRICT MANAGER



January 18, 2019

New York City Department of Planning  
Calendar Office  
120 Broadway, 31<sup>st</sup> Floor  
New York NY 10271

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Chairperson

Mohammad Mujumder  
1<sup>st</sup> Vice Chairperson

Brandon Ganaishlal  
2<sup>nd</sup> Vice Chairperson

Benigno Cuevas  
Secretary

Nicole Washington  
Treasurer

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- Executive & Operations
- Land, Zoning, Planning, & Economic Development
- Parks & Recreation
- Public Safety & Transportation
- Social Services & Housing
- Youth & Education

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- Bronx River
- Bruckner
- Castle Hill
- Clason Point
- Harding Park
- Parkchester
- Soundview
- Unionport
- Shorehaven
- Zerega

**REF: CB Recommendation #C190102 ZMX - 2069 Bruckner Boulevard, Bronx NY 10472**

To whom it may concern:

I am writing to notify your office, that on January 17, 2019, Bronx Community Board 9 voted to approve the of above mentioned recommendation with the modifications and conditions listed below, in pursuant to the Uniform Land use Review Procedure.

**Modifications/Conditions: The Applicant Azimuth Development Group, LLC:**

- |   |
|---|
| 1. Collaborate with the independent non-profit, United Hispanic Construction Workers (UHCW) & Buildings Skills NYC to facilitate and ensure that up to 25% of the construction work forces, for these developments are residents in our Community Board's zip codes and/or The Bronx. (Zip codes: 10473, 10472, 10462, 10460) |
| 2. Set aside sufficient retail / community space for community programing & implement a senior/veteran preference, if possible.   |
| 3. Contribute yearly to the closest neighboring schools, to assist with a specific program or need, in council w/ the NYC Department of Education & Bronx Community Board 9.  |
| 4. Sponsor yearly to the Virginia Park & Hugh J. Grant Circle Park community group to assist with operating costs & programming, and local youth community initiative.  |
| 5. Set aside a portion of allocated parking for retail space in building.   |
| 6. Commit to creating high quality building service jobs that pay all building service workers the union standard wages and benefits.   |

Thank You,

William Rivera,  
District Manager

CC: NYC Council Member Ruben Diaz Sr, 18<sup>th</sup> Council District & Local Elected Officials  
Chairman Nicholas Himidian, Bronx Community Board 9  
Bronx Office, NYC Department of City Planning  
Planning Office, Bronx Borough President's Office  
Land, Zoning, Planning & Economic Development Committee, BX Community Board 9

**BOROUGH PRESIDENT  
RECOMMENDATION**

**CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
Fax # (212)720-3356**

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

**APPLICATIONS NO: C 190102 ZMX**

**DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION**

**COMMUNITY BOARD NO. # 9**

**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 THE BOROUGH PRESIDENT'S RECOMMENDATION**

  
BOROUGH PRESIDENT

2/17/17  
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NO: C 190102 ZMX  
2069 Bruckner Boulevard Rezoning**

**DOCKET DESCRIPTION**

**IN THE MATTER OF** an application submitted by Azimuth Development Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 4b & 7a:

- 1) Changing from an R5 District to an R7A District property bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway, and a line 300 feet westerly of Olmstead Avenue; and
- 2) Establishing within the R7A District a C2-4 District bounded by Chatterton Avenue, Olmstead Avenue, Bruckner Expressway, a line 300 feet westerly of Olmstead Avenue, a line midway between Chatterton Avenue and Bruckner Boulevard (northerly portion) and a line 100 feet westerly of Olmstead Avenue;

Borough of The Bronx, Community District #9, as shown on a diagram (for illustrative purposes only) dated January 7, 2019, and subject to the condition of CEQR Declaration E-515.

**BACKGROUND**

Approving this application will amend the Zoning Map, Section Numbers 4b and 7a pertains to property located on Block 3797, Lots 33 and p/o Lots 1 and 32; the Project Area, from an R5 District to a R7A/C2-4 District. This "Project Area" is bounded by Chatterton Avenue on the north, Bruckner Boulevard on the south, Olmstead Avenue to the east. Block 3797 is bounded by Pugsley Avenue on the west. The Project Area extends up to 300 feet west from Olmstead Avenue. Bruckner Boulevard and Olmstead Avenue are wide streets, Chatterton Avenue is a narrow street. A zoning text amendment to Appendix F of the Zoning Resolution to designate the Project Area a Mandatory Inclusionary Housing (MIH) Area with Option 1 is pending approval with this application.

The Development Site includes Block 3797, Lot 33. This Development Site is composed of 61,101 square feet. Located on this property is a 1-story, vacant building approximating 10,200 square feet. At one time this building was a supermarket and subsequently a church. It will be demolished. An off-street parking lot offering 95 spaces surrounds the vacant building.

Approving this proposed Zoning Map amendment will facilitate construction of two buildings:

**Building A:** A 7-story residential building fronting on Chatterton Avenue

**Building B:** A 9-story residential building, fronting on Bruckner Boulevard and Olmstead Avenue.

Azimuth Development Group LLC (the applicant) is proposing both buildings and all associated development be considered as one proposal. Highlights of this proposal include:

- Total Development Cost: \$130 million
- Total Development Site: 61,101 square feet
- Total Floor Area: 281,064 square feet
- Total Residential Floor Area: 263,041 square feet (4.31 FAR)
- Total Commercial Space: 18,023 square feet (0.29 FAR)
- Total Residential Units: 330
- Permanently Affordable Units: 86 (25% of Residential Floor Area)
- Outdoor Recreational Area: 2,586 square feet
- Off-street Parking: 159 vehicular spaces  
(103 space minimum is required)

The off-street parking to be provided will be accessible via Bruckner Boulevard at the western lot line of this development. A total of 99 spaces will be located in the cellar and 60 spaces at-grade.

Development of both buildings will comply with Enterprise Green Environmental requirements.

### **Building A**

Building A is a 7-story residential building fronting on the south side of Chatterton Avenue. As Chatterton Avenue is a narrow street, this 7-story building “steps down” from 70 feet on the east, to 50 feet at its western property line. It is anticipated that this building will be developed pursuant to the Department of Housing Preservation and Development’s Open Door home ownership program. This building includes:

- 64,231 square feet of residential floor area
- 65 dwelling units, including:
  - 17 one-bedroom units-offering 548 gross square feet (gsf)
  - 33 two-bedroom units-offering 723 gsf
  - 15 three-bedroom units-offering 920 gsf
- Building A will not offer any studio units.

The applicant is proposing Building A participate in HPD's Open Door home ownership program for financing. Pursuant to this program, the Area Median Income (AMI) minimum is 80%. Consequently:

- 1 Bedroom units will market at: \$243,750 household income is: 84% of AMI
- 2 Bedroom units will market at: \$276,000 household income is: 82% of AMI
- 3 Bedroom units will market at: \$340,000 household income is: 89% of AMI

These sales prices and AMI's are subject to approval by HPD.

Amenities in Building A include:

- Washer and dryer equipment in each unit
- Energy Star appliances
- Will satisfy Enterprise Green environmental standards.

### **Building B**

Building B is a 9-story residential building fronting on north side of Bruckner Boulevard and on the west side of Olmstead Avenue. Entrance to this building will be via Olmstead Avenue. This building will be developed pursuant to HPD's Mixed Income Program: Mix and Match. This building includes:

- 198,810 square feet of residential floor area
- 18,023 square feet of commercial floor area
- 265 residential units, including:
  - 56 Studio units offering 450 gross square feet (gsf)
  - 111 one bedroom units offering: 650 gsf
  - 80 two bedroom units offering: 825 gsf
  - 18 three bedroom units offering: 1,150 gsf

The percentage of residential units to be allocated pursuant to Area Median Income include:

- 15% formally homeless
- 5% at 30% of Area Median Income (AMI)
- 5% at 40% of AMI
- 10% at 60% of AMI
- 25% at 70% of AMI
- 30% at 80% of AMI
- 10% at 90% of AMI

The 18,023 square feet of commercial space to be included in Building B will be accessible from both Bruckner Boulevard and Olmstead Avenue; two on Bruckner Boulevard and two on Olmstead Avenue. The disposal of refuse associated with these non-residential locations will be



accommodated on the cellar level. The Project Area is within an area where FRESH discretionary tax credits are available.

A majority of the residential development within the "Project Area" is composed of low-rise, one and two family homes on modest size lots. These homes are primarily located on Chatterton Avenue and Olmstead Avenue. A 10-story residential building surrounded by open space is located at the Bruckner Boulevard, Pugsley Avenue intersection. Similar mid-rise buildings are located on south side of Pugsley Avenue.

Commercial development is located on Bruckner Boulevard. The Bruckner Expressway (I-278) is situated at grade, essentially dividing Bruckner Boulevard in half with southbound traffic on the west side of the expressway, northbound on the east. A pedestrian crossing is available at Pugsley Avenue. Castle Hill Avenue offers vehicular crossing over the Bruckner Expressway. Access to the Bruckner Expressway is available at White Plains Road.

Access to subway service via the #6 train is available at the Parkchester station approximately one-half mile from the Project Area. So too, the Select Bus Service (SBS) Q44 is available at the Parkchester station. Local bus transportation via the Bx5, Bx22, Bx36 and Bx39 are available within a six block radius of the Project Site. The Project Site is within a Transit Zone.

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

This application was reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. This application was certified as complete by the City Planning Commission on January 7, 2019.

### **BRONX COMMUNITY DISTRICT PUBLIC HEARING**

Bronx Community Board #9 held a public hearing on this application on January 18, 2019. A vote recommending approval of this application was 21 in favor, one against and one abstaining.

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

The Bronx Borough President convened a public hearing on this application was February 4, 2019. Representatives of the applicant were present and spoke in favor of this application. A member of the public representing Local 32BJ submitted written testimony. No other members of the public sought to speak and the hearing was closed.

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

I want to initiate my comments on this application by expressing my strong support for the Open Door option which the Department of Housing Preservation and Development (HPD) is now offering developers of affordable housing. This new program will provide those who qualify an opportunity to own their new residence. In The Bronx where any kind of home ownership remains the lowest in New York State, Open Door will give people a chance to make a financial commitment to their community and in return provide them an investment that can yield significant benefits as their equity increases over time. I commend those associated with this application for their participation in Open Door.

Looking specifically at the two residential buildings (Building A, Building B) approving this application will facilitate, I would want to see unit size increase. This is especially so in Building A, which will offer the sale of units pursuant to Open Door. In this case not only is the buyer likely to remain in the unit for a time that would exceed that of a renter, but when that buyer wishes to liquidate his/hers asset, square foot size is absolutely critical.

I am mindful of HPD's minimal unit size guidelines, and as my commentary record will demonstrate, I believe these minimums are too restrictive. Now however, as we consider an owner option made possible by Open Door, it is essential that HPD differentiate unit size minimums between buildings where residents rent and those in which residents own an asset.

I also believe a policy that encourages the proliferation of studio units and by so doing discourages 2 and 3 bedroom units, must be reconsidered. Again, this is especially so when owner occupied buildings are being planned, as buyers are very likely to remain in their unit as family size increases. It is to the credit of this applicant that Building A excludes studios, favoring 2 and 3 bedroom units. My only additional comment regarding Building A pertains to the roof areas created by the "stepdown" configuration of the building. While I understand that these areas will not be accessible to residents whose windows will directly overlook them, I suggest some form of landscaping or green roof be considered for these areas.

Given the proximity of this development to the Bruckner Expressway I advocate for the installation of triple-pained windows throughout the proposed complex. This would all but eliminate the endless din caused by the expressway while also dramatically reducing heat loss in winter and cool loss in summer. It is also critical that retailers not be permitted to install exterior signs that are specifically designed to distract a driver's attention. As I have seen across The Bronx, LED technology affords the installation of signs and lighting that is so bright, in addition to presenting a real hazard for drivers, the presence of such signs presents an intrusion that no nearby resident should have to tolerate. Therefore I am proposing that the applicant include in a perspective retailer's lease the size and any other relevant stipulations associated with signage illumination. Likewise, if the perspective occupant of a retail location will in fact offer professional services, for example a pre-school, that the exterior windows remain such that ambient light will improve the overall profile of this development.

Finally, I am concurring with Bronx Community Board #9's suggestion that a "roof" be considered for installation over the planned exterior parking area. Such an amenity would

dramatically improve the value of those investing in this development, but would virtually eliminate the presence of this area on all those who otherwise will overlook this lot.

I recommend approval of this application.