



## CITY PLANNING COMMISSION

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January 11, 2006/Calendar No. 12

C 060110 ZMX

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IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1c and 2a:

1. changing from an R4-1 District to an R4A District property bounded by Van Cortlandt Park East, the boundary line of the City of New York, Vireo Avenue and its northerly centerline prolongation, a line perpendicular to the easterly street line of Vireo Avenue, distant 200 feet (as measured along the street line) from the point of intersection of the easterly street line of Vireo Avenue and the southerly street line of McLean Avenue, a line bisecting the angle formed by the northerly prolongations of the easterly street line of Vireo Avenue and the westerly street line of Webster Avenue, East 234th Street, Peters Place, a line 100 feet southerly of East 234th Street, a line 285 feet easterly of Katonah Avenue, East 234th Street, a line 100 feet easterly of Katonah Avenue, East 240th Street, a line 100 feet westerly of Katonah Avenue, a line midway between East 238th Street and East 239th Street, a line 325 feet westerly of Katonah Avenue, East 238th Street, a line 300 feet westerly of Katonah Avenue, a line midway between East 237th Street and East 238th Street, a line 350 feet westerly of Katonah Avenue, East 237th Street, a line 425 feet westerly of Katonah Avenue, a line midway between East 236th Street and East 237th Street, a line 100 feet westerly of Katonah Avenue, East 235<sup>th</sup> Street, Oneida Avenue, a line 150 feet southerly of East 235th Street, Napier Avenue, East 236th Street, and a line 100 feet westerly of Oneida Avenue;
2. changing from an R5 District to an R4A District property bounded by Van Cortlandt Park East, a line 100 feet westerly of Oneida Avenue, East 236th Street, Napier Avenue, and East 235th Street; and
3. changing from an R4-1 District to an R5B District property bounded by a line midway between East 238th Street and East 239<sup>th</sup> Street, a line 100 feet westerly of Katonah Avenue, a line midway between East 236th Street and East 237th Street, a line 425 feet westerly of Katonah Avenue, East 237th Street, a line 350 feet westerly of Katonah Avenue, a line midway between East 237th Street and East 238th Street, a line 300 feet westerly of Katonah Avenue, East 238<sup>th</sup> Street, and a line 325 feet westerly of Katonah Avenue;

Borough of The Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated September 12, 2005.

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The application for an amendment to the Zoning Map, was filed by the Department of City Planning on August 31, 2005, to address issues of out-of-character residential development in the Woodlawn area of Bronx Community District 12.

## **BACKGROUND**

The Department of City Planning proposes amendments to the Zoning Map in order to ensure that future residential buildings are not out-of-character with traditional low-density development patterns of Woodlawn. The area proposed for the zoning map amendment is bounded Van Cortlandt Park East, East 233<sup>rd</sup> Street, Webster Avenue and the New York – Yonkers City Line.

Woodlawn is a low-density residential community composed primarily of detached one and two-family housing with scattered semi-detached houses and apartment buildings mostly found along the major roadways of East 233<sup>rd</sup> Street, Webster Avenue and Van Cortlandt Park East. A small pocket of apartment buildings and attached housing is also concentrated just west of Katonah Avenue along East 237<sup>th</sup> and East 238<sup>th</sup> streets. Katonah Avenue bisects the neighborhood, serves as the area's main commercial strip, and contains a variety of building types including single-family homes, commercial buildings, row houses and multi-story apartment buildings. North of the rezoning area is the City of Yonkers.

Local bus routes run along East 233<sup>rd</sup> Street (Bx-16) and Katonah Avenue (Bx-34), and there is express bus service to Manhattan provided by the BxM4B. The Metro North Woodlawn station is located off Webster Avenue at East 233<sup>rd</sup> Street. There is no direct subway service to Woodlawn. The main highways in the area are the Bronx River Parkway, located to the east of the proposed rezoning area, and the Major Deegan Expressway, which is just west of the community. In the western border of the rezoning area is Van Cortlandt Park which provides open space to the neighborhood.

In 1996 the City Planning Commission and the City Council approved a zoning map amendment application (C940644ZMX) to rezone 32 entire blocks and portions of 7 blocks in this community. All or portions of 32 blocks were rezoned from R5 and R5/C1-2 to R4-1 and four block fronts were rezoned from R7-1 to R4-1 to limit development to one- and two-family detached and semi-detached housing. Four blockfronts along Webster Avenue were rezoned from R7-1 to R7A that more appropriately reflects the existing building types in this area of six- to seven-story apartment buildings. In addition, a portion of one (1) block was rezoned from C8-1 to R7A to promote development compatible with the existing mid-rise apartment buildings along Webster Avenue. In addition, thirteen (13) blockfronts along Katonah Avenue, the area's main commercial strip that bisects the neighborhood, were rezoned from R5/C1-2 to R5B/C1-3. This limited new development to rowhouse type buildings that allowed for ground floor commercial uses and lowered the parking requirement from one parking space for 600 square feet of retail to one space per every 800 square feet of retail which is reflective of existing conditions.

The area which is the subject of this application is bounded Van Cortlandt Park East, East 233<sup>rd</sup> Street, Webster Avenue and the New York – Yonkers City Line and consists primarily of low-density residential blocks within the Woodlawn community which are presently zoned R4-1 and R5. The rezoning area consists of 934 lots, of which ninety-four percent (94%) are residentially developed. Detached homes constitute eighty percent (80%) of the area's housing stock; while only ten percent (10%) of residential lots contain semi-detached homes. Attached and multi-family housing comprise roughly six percent (6%) and four percent (4%) of the housing respectively.

A low density-detached one and two-family home character is found in most of the Woodlawn neighborhood. The existing zoning districts however, allow semi-detached, and in some cases, row housing and multiple dwellings. Recently, there has been increased pressure on property owners to subdivide lots or tear down existing modest structures. These structures are then replaced by larger, often semi-detached developments that are out of scale with the surrounding neighborhood and do not provide adequate parking. At the request of the Woodlawn Heights Taxpayers and Community Association, and with the support of Community Board 12 and the Borough President, the Department undertook this zoning study to respond to the continued out of character development and community concerns about its effect on neighborhood character.

The proposal would rezone portions of the Woodlawn area from R5 and R4-1 districts to contextual districts (R4A and R5B), in order to preserve the area's predominant low-density character and to ensure that future development is consistent with its surrounding neighborhood.

**Existing Zoning:**

**R4-1**

The existing R4-1 district covers almost all of the residential portions of Woodlawn except for the blocks bordering Webster Avenue, East 233<sup>rd</sup> Street, Katonah Avenue, and the parts of the neighborhood west of Oneida Avenue. R4-1 zoning districts permit one- and two-family detached and semi-detached homes with an FAR of 0.9 (which includes a 0.15 attic bonus). The minimum lot area for detached housing is 2,375 square feet with a 25-foot lot width and 1,700

square feet with an 18-foot lot width for semi-detached housing. The maximum building height is 35 feet with a perimeter wall height of 25 feet. One parking space is required per unit.

## **R5**

The existing R5 district includes all or portions of four blocks east of Oneida Avenue between East 235<sup>th</sup> Street and Van Cortlandt Park East. R5 permits a wide variety of housing types including detached, semi-detached, rowhouses and small apartment buildings with an FAR of 1.25. The minimum lot area is 1,700 square feet and 3,800 square feet for a detached home with 18-foot and 40-foot lot widths respectively. The maximum building height is 33 feet with a street wall height of 30 feet. One parking space is required per dwelling unit or 85% of units if the parking is grouped.

### **Proposed Zoning:**

The proposed zoning would preserve the existing neighborhood character with appropriate lower density contextual zoning districts:

## **R4A**

Fourteen (14) full blocks and portions of twenty-two (22) blocks are proposed to be rezoned from R4-1 to R4A. Two full blocks and portions of two blocks would be rezoned from R5 to R4A. The proposed R4A district permits detached single- and two-family residences only. Under the proposed R4A zoning, the maximum FAR will remain at 0.9 (including an attic allowance of 0.15). The minimum lot size would increase to 2,850 square feet. The maximum height remains unchanged at 35 feet with a 21-foot perimeter wall and the parking requirement

would remain one space per dwelling unit (see Table 1-2). Within the area proposed for rezoning to R4A, 82% of lots are developed with one- and two-family detached residences.

#### **R4-1 to R5B**

Twenty-six (26) full lots and five (5) partial lots located just west of Katonah Avenue along East 237<sup>th</sup> and East 238<sup>th</sup> streets are proposed to be rezoned from R4-1 to R5B. The proposed R5B district permits detached, semi-detached, rowhouses and small apartment buildings which is more reflective of the buildings in this small area. The maximum FAR would increase to 1.35 and would be more in keeping with existing built FARs. The minimum lot size would remain the same at 2,375 square feet for detached homes and 1,700 for semi-detached and other housing types. The minimum lot width would also remain the same at 25 feet for detached homes and 18 feet for semi-detached and other housing types. The minimum front yard is 5 feet. The maximum building height is 33 feet with a 30 foot perimeter wall. The parking requirement remains at one space per dwelling unit but allows this requirement to be lowered to 66% of dwelling units if group parking is provided. Parking in the front yard would not be permitted.

#### **ENVIRONMENTAL REVIEW**

The application (C 060110 ZMX) 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 CEQR number is 06DCP019 X. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on September 12, 2005.

### **UNIFORM LAND USE REVIEW**

This application (C 060110 ZMX) was certified as complete by the Department of City Planning on September 12, 2005, and was duly referred to Community Board 12 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 12 held a public hearing on this application on October 27, 2005, and on that date, by a vote of 30 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President who issued a recommendation on November 28, 2005, approving the application.

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

On November 16, 2005 (Calendar No. 3) the City Planning Commission scheduled December 7, 2005 for a public hearing on this application (C 060110 ZMX). The hearing was duly held on December 7, 2005 (Calendar No. 21). There were four speakers in favor of the application, and no speakers in opposition.

A representative of the Bronx Borough President expressed his support for the proposal, stressing that this would preserve the small-town character of this community. A representative of the City Council Member for District 11 stated his support, noting a need to preserve the area's housing stock as a way to make the area attractive for young families. A representative of the Woodlawn Heights Taxpayers' Association spoke of his organization's support for this proposal as a means to addressing overcrowding, parking, and fire safety issues in the community, while the Chairperson of Community Board 12 emphasized the aesthetic goals of preserving the existing housing stock.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map is appropriate.

The Commission believes that this rezoning action represents a comprehensive zoning strategy for the Woodlawn area of Community District 12. The proposal will continue to allow new development that is consistent with the predominant one and two-family detached building form of this neighborhood. The current mismatch between the built character of most parts of Woodlawn and the housing type and density permitted by the existing zoning creates an incentive to replace existing housing with out of character development. Changing portions of the existing R4-1 and R5 areas to an R4A contextual district will better reflect the area's character, density, and existing development patterns.



In addition to rezoning to the R4A lower density contextual districts, the Commission believes that the rezoning of 31 full or partial lots from an R4-1 to an R5B district is also appropriate, as the R5B reflects the higher density and attached character of this enclave located just off the main commercial street of the community.

## **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 the 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 hereby amended by changing the Zoning Map, Section Nos. 1c and 2a:

1. changing from an R4-1 District to an R4A District property bounded by Van Cortlandt Park East, the boundary line of the City of New York, Vireo Avenue and its northerly centerline prolongation, a line perpendicular to the easterly street line of Vireo Avenue, distant 200 feet (as measured along the street line) from the point of intersection of the easterly street line of Vireo Avenue and the southerly street line of McLean Avenue, a line bisecting the angle formed by the northerly prolongations of the easterly street line of Vireo Avenue and the westerly street line of Webster Avenue, East 234th Street, Peters Place, a line 100 feet southerly of East 234th Street, a line 285 feet easterly of Katonah Avenue, East 234th Street, a line 100 feet easterly of Katonah Avenue, East 240th Street, a line 100 feet westerly of Katonah Avenue, a line midway between East 238th Street and East 239th Street, a line 325 feet westerly of Katonah Avenue, East 238th Street, a line 300 feet westerly of Katonah Avenue, a line midway between East 237th Street and East 238th Street, a line 350 feet westerly of Katonah Avenue, East 237th Street, a line 425 feet westerly of Katonah Avenue, a line midway between East 236th Street and East 237th Street, a line 100 feet westerly of Katonah Avenue, East 235<sup>th</sup> Street, Oneida Avenue, a line 150 feet southerly of East 235th Street, Napier Avenue, East 236th Street, and a line 100 feet westerly of Oneida Avenue;

2. changing from an R5 District to an R4A District property bounded by Van Cortlandt Park East, a line 100 westerly of Oneida Avenue, East 236th Street, Napier Avenue, and East 235th Street; and
3. changing from an R4-1 District to an R5B District property bounded by a line midway between East 238th Street and East 239<sup>th</sup> Street, a line 100 feet westerly of Katonah Avenue, a line midway between East 236th Street and East 237th Street, a line 425 feet westerly of Katonah Avenue, East 237th Street, a line 350 feet westerly of Katonah Avenue, a line midway between East 237th Street and East 238th Street, a line 300 feet westerly of Katonah Avenue, East 238<sup>th</sup> Street, and a line 325 feet westerly of Katonah Avenue;

Borough of The Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated September 12, 2005.

The above resolution (C 060110 ZMX), duly adopted by the City Planning Commission on January 11, 2006 (Calendar No. 12), 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.

**AMANDA M. BURDEN**, AICP, Chair

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

**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners