



IN THE MATTER OF an application submitted by Enclave on 241st, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, and to Appendix I to extend Transit Zone 1, Borough of the Bronx, Community District 12.

This application (N 180084 ZRX) for a zoning text amendment was filed by Enclave on 241st LLC on September 15, 2018, in conjunction with a related action. The proposed actions would facilitate a mixed-use development consisting of affordable housing and ground-floor retail space in Bronx Community District 12.

RELATED ACTION

In addition to the zoning text amendment (N 180084 ZRX) 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:

C 180083 ZMX	Zoning Map amendment to change an M1-1 zoning district to an R7D/C2-4 district.
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BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 180083 ZMX).

ENVIRONMENTAL REVIEW

This application (N 180084 ZRX), in conjunction with the application for the related action

(C 180083 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 lead is the City Planning Commission. The designated CEQR number is 18DCP094X.

A summary of the environmental review appears in the report for the related zoning map amendment (C 180083 ZMX).

PUBLIC REVIEW

This application (N 180084 ZRX) was duly referred to Bronx Community Board 12 and the Borough President on August 20th, 2018 in accordance with the procedures for non-ULURP matters, along with the related application for a zoning map amendment (C 180083 ZMX), which was certified as complete by the Department of City Planning accordance with Title 62 of the rules of the City of New York, Section 2-02(b)

Community Board Public Hearing

Bronx Community Board 12 adopted a resolution recommending approval of this application (N 180084 ZRX) with conditions on September 27, 2018 by a vote of 27 in favor, zero opposed, and with three abstentions.

Borough President Recommendation

This application (N 180084 ZRX) was considered by the Bronx Borough President, who issued a recommendation approving the application on October 18, 2018.

City Planning Commission Public Hearing

On October 31, 2018 (Calendar No. 2), the City Planning Commission scheduled November 14, 2018 for a public hearing on this application (N 180084 ZRX) and the application for the related

action. The hearing was duly held on November 14, 2018 (Calendar No. 31). Two speakers representing the applicant spoke in favor of the application., as described in the report for the related zoning map amendment (C 180083 ZMX). There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 180184 ZRX), in conjunction with the related application for a zoning map amendment (C 180183 ZMX), is appropriate.

A full consideration and analysis of the issues and the reasons for approving this application appear in the report for the related zoning map amendment (C 180183 ZMX).

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 Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in the related report (C 180183 ZMX), the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently modified, is further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution.

APPENDIX F

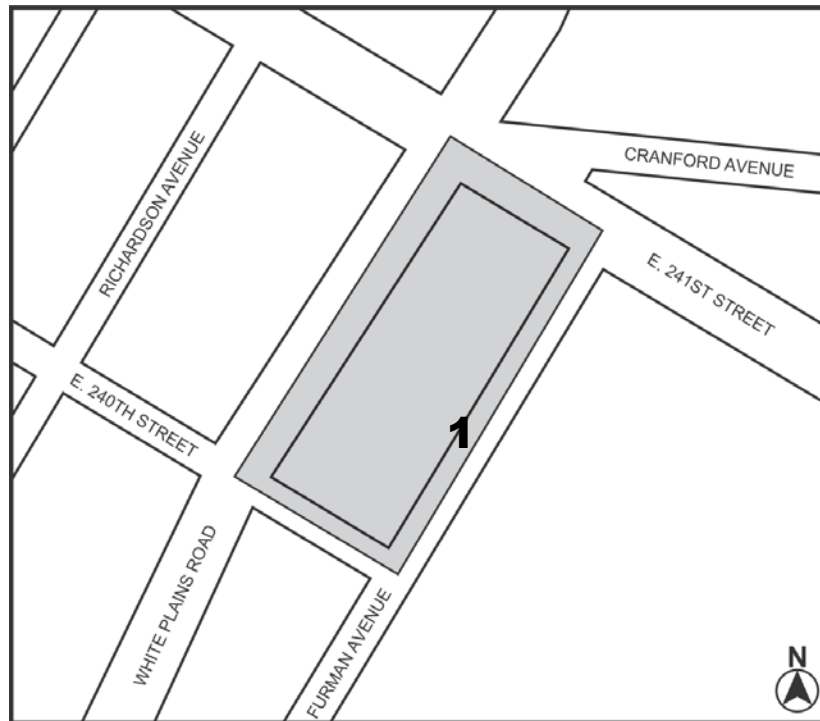
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas


Bronx

Bronx Community District 12

Map 1 - [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area see Section 23-154 (d) (3)
Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 12, Bronx

* * *

Transit Zone



* * *

Transit Zone  0 0.25 0.5 Miles



MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, ESQ., *Vice Chairman*
ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III, MICHELLE de la UZ,
JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,
LARISA ORTIZ, ORLANDO MARIN, RAJ RAMPERSHAD, *Commissioners*



Application #:	Project Name:
CEQR Number:	Borough(s): Community District Number(s):
Please use the above application number on all correspondence concerning this application	

SUBMISSION INSTRUCTIONS

1. 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 and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ" ~~XXXXXXXXXX~~
 - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. 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:

Applicant(s):		Applicant's Representative:	
Recommendation submitted by:			
Date of public hearing:		Location:	
Was a quorum present? YES <input 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.	
Date of Vote:		Location:	
RECOMMENDATION <input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions			
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>			
Voting # In Favor: # Against: # Abstaining: Total members appointed to the board:			
Name of CB/BB officer completing this form		Title	Date

**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 NOS: C 180083 ZMX

DOCKET DESCRPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

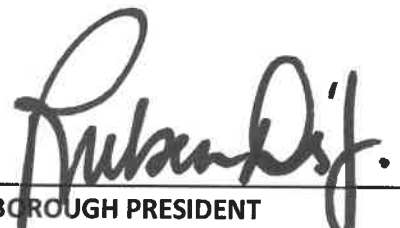
COMMUNITY BOARD NO. #12

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


DATE

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 180083 ZMX,
East 241st Street Rezoning

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by Enclave on 241st LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 2a:

1. Changing from an M1-1 District to an R7D District property bounded by East 241st Street, Furman Avenue, East 240th Street and White Plains Road; and
2. Establishing within the proposed R7D District a C2-4 District bounded by East 241st Street, Furman Avenue, East 240th Street and White Plains Road;

Borough of The Bronx, Community District #12, as shown on a diagram (for illustrative purposes only) dated August 20, 2018, and subject to conditions of the CEQR Declaration E-184.

BACKGROUND

Approval of this application will rezone Block 5087 from the current M1-1 District to the proposed R7D. Approval of this application will also establish within the R7D District, a C2-4 District. Overall, 20 tax lots located on Block 5087 will be rezoned. These include (Block 5087, Lots 1, 9, 12, 13, 14, 16, 18, 20, 22, 24, 28, 33, 40, 48, 53, 54, 55, 58, 65, and 128). This proposed Zoning Map Amendment will facilitate construction of a nine-story residential building and with commercial activity pursuant to C2-4.

The proposed Development Site includes Block 5087, Lots 1, 9 and 12. It approximates 28,999 square feet. It occupies the south side of East 241st Street. White Plains Road is on the west, Furman Avenue is on the east and East 240th Street is on the south. Block 5087, Lot 1 formerly included Lots 1, 3, 6, 59, 62 and part of Lot 65. These lots have been consolidated into Lot 1, approximating 24,061 square feet. Existing improvements on the Development Site are typified by numerous low-rise industrial buildings. Previous activity on portions of the Development Site included auto-related uses. As a result, this site has been accepted into the New York State Brownfield Cleanup Program. The site is currently secured by plywood fencing.

Pending approval of this application, highlights of what the applicant proposes to construct includes a nine-story residential building (FAR 5.6) offering 137,422 square feet of residential space. The unit-breakdown includes:

- 26 studio units approximating 450 gross square feet
- 84 one-bedroom units approximating 600 gross square feet
- 57 two-bedroom units approximating 780 gross square feet
- 18 three-bedroom units approximating 900 gross square feet
- 1 superintendent unit

This proposed development will include Mandatory Inclusionary Housing (MIH). The overall breakdown of Area Median Income (AMI) distribution includes:

- Our Space/Deep Affordability 30% AMI or less: 28 units (15.14%)
- 47% AMI: 19 units (10.27%)
- 60% AMI: 46 units (24.86%)
- 80% AMI: 46 units (24.86%)
- 90% AMI: 46 units (24.86%)

50.27% (93 units) of the total available are at 60% AMI or less

Rent ranges

- 26-studio units 13.98%- rent: \$215-\$1,340
- 1-Bedroom units: 45.16%-rent: \$283-\$1,689
- 2-Bedroom units: 30.65%-rent: \$425-\$2,036
- 3-Bedroom units: 9.68%-rent: \$512-\$2,346

Amenities for residents include:

- Interior “community-recreation” room(s) composed of 2,283 square feet.
- Exterior garden area for passive recreation composed of 1,100 square feet
- Laundry facilities composed of 611 square feet
- Underground parking accommodating 47 vehicles
- Special sound proofing measures to offset noise from elevated subway services
- Enterprise Green Communities

Commercial/retail space approximating 24,912 square feet will be included in the proposed building. This area falls within the FRESH program, therefore tax incentives are provided for eligible grocery operators. A supermarket (grocery) will likely occupy a portion of the retail space to be constructed. Access to the retail venues located on site will be available on White Plains Road, Furman Avenue and on East 241st Street. A loading bay will be situated on Furman Avenue, adjacent to the underground parking facility. This site is located within a Transit Zone given its adjacent-proximity to the Wakefield-241st Street station of the #2, #5 subway lines.

Metro-North service is available at Wakefield station approximately five blocks to the west. Bus service is available on White Plains Road and on 241st Street via the BX39, BX41, Westchester Bee Line 40, 41, 42 and 43 and express bus service to Manhattan via the BxM 11. BX16 and Westchester Bee Line service is also available three blocks south at Nereid Avenue.

Residential development in the surrounding community is predominately composed of one and two-family homes which are found on the north side of East 241st Street. Low-rise industrial buildings and a McDonald's are found on the south side of East 241st Street. One story retail venues typify development on White Plains Road.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQR. No determination has been made. The City Planning Commission certified this application as complete on August 20, 2018.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #12 held a public hearing on this application on September 27, 2018. A vote recommending approval of this application was 27 in favor, zero against, three abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on October 9, 2018. Representatives of the applicant were present and spoke in favor of this application. No other members of the public sought to speak and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

As proposed by the applicant this Zoning Map amendment, changing an existing M1-1 zone to an R7D/C2-4 zone, will extend comparable zoning already in place in the surrounding community to include the entirety of Block 5087. As also proposed, the inclusion of the C2-4 overlay will extend retail activity currently located on White Plains Road, onto the south side of East 241st Street and on Furman Avenue.

The rezoning this application will facilitate will be construction of a nine-story residential building offering 183 units of affordable housing. Amenities such as an interior recreation room approximating 2,000 square feet, plus an exterior garden area offering 1,100 square feet, taken together these spaces offer more than adequate areas for families to meet and have fun.

Underground parking is always appreciated, but the fact that this site is so well served by mass transit makes this location ideal for a family where employment destinations may vary. Indeed, whether one is bound for other Bronx locations, the west or east side of Manhattan or even Westchester County, easy access to subway, Metro North's Harlem Division, bus transit and Bee Line services are all "just outside your door."

Construction plans also calls for retail space approximating 24,912 square feet. Among potential retail tenants a supermarket pursuant to the FRESH program would be included. I believe this to be of paramount importance given that access to good quality food products is the cornerstone of healthy living. I am hopeful that the additional retail venues this building will accommodate will "lighten up" this area, most importantly on White Plains Road where the presence of an elevated subway trestle diminishes light. I am pleased to see this project move forward.

I remain concerned that unit size as presented by the applicant at my public hearing needs to be reevaluated. I therefore commend this applicant's commitment to do their due diligence and consider ways by which these units can be modestly enlarged. I also believe it is incumbent upon the Department of Housing Preservation and Development (HPD) to reinstate unit size minimums that were provided to developers as recently as two years ago.

I recommend approval of this application.