



IN THE MATTER OF an application submitted by 2712 Radcliff Yates Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment to the Zoning Map, Section No. 4a:

1. changing from a C8-1 District to an R7A District property bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue distant 275 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road; and

2. establishing within the proposed R7A District a C2-3 District bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, and a line 80 feet northeasterly of Williamsbridge Road, Colden Avenue, and Williamsbridge Road;

Borough of the Bronx, Community District 11, as shown on a diagram (for illustrative purposes only) dated September 4, 2018, and subject to the conditions of CEQR Declaration E-498.

This application for a zoning map amendment was filed by 2712 Radcliff Yates Realty LLC on February 14, 2018 in conjunction with an application for an amendment to the Zoning Resolution. The proposed actions would facilitate the development of a new nine-story mixed-use building with a cellar at 2712 Williamsbridge Road and 2721 Colden Avenue in the Allerton section of the Bronx, Community District 11.

RELATED ACTION

In addition to the zoning map amendment (C 180261 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:

N 180262 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) Area.

BACKGROUND

This application for a zoning map amendment, in conjunction with the related application, would facilitate the development of a new nine-story plus cellar mixed-use building with approximately 30 dwelling units, including approximately nine permanently affordable units, and ground floor office space at 2712 Williamsbridge Road and 2721 Colden Avenue, in the Allerton neighborhood of Bronx, Community District 11.

The area to be rezoned is in Allerton, a mixed-use community in the Bronx, and comprises the southern half of the block bounded by Williamsbridge Road, Colden Avenue, and Boston Road. It encompasses approximately 22,000 square feet consisting of Block 4516, Lots 8, 43, 44, 144, 45, 46 and 48. Williamsbridge Road is 80 feet wide (a wide street—75 feet or more—for zoning purposes), Colden Avenue is 60 feet wide (a narrow street), and Boston Road is 100 feet wide (a wide street). The existing zoning in the surrounding area is C8-1, R4-1, R5 and R6. There are also C1-2 and C2-4 commercial overlays in the area.

The area has been zoned C8-1 since the enactment of the Zoning Resolution in 1961. C8-1 districts are commercial districts that bridge commercial and manufacturing uses and provide for automotive and other heavy commercial services. Typical uses are automobile showrooms and repair shops, warehouses, gas stations and car washes. New residential development is not permitted within C8 districts and performance standards are imposed for certain semi-industrial uses. Within a C8-1 district, the maximum floor area ratio (FAR) is 1.0.

The proposed rezoning area is developed with five preexisting nonconforming residential buildings, including a six-story, approximately 80-foot tall, pre-1961 residential building with ground floor commercial uses, which is located immediately adjacent to the applicant-owned development site. The development site (Block 4516, Lots 8 and 46) is currently improved with a 2,748 square-foot, mixed-use building on Lot 8, having office space in the basement with two residential units above, and a 1,350 square-foot, one-story four-space parking garage on Lot 46.

The land uses within the surrounding area consist primarily of a mixture of commercial and residential uses, with most of the commercial uses and some legal non-conforming residential uses located within the C8-1 district. The existing land uses in this area are a mix of single and multi-family residential buildings, mixed residential and commercial buildings, commercial uses, parking facilities and industrial uses. The blocks to the east and south of the rezoning area, within the R4-1 and R5 zoning districts, generally consist of one-, two- and multi-family residential buildings, with some commercial buildings located along Allerton Avenue. The blocks to the north and west include local retail uses on Boston Road, Radcliff Avenue and Williamsbridge Road. A carwash is located adjacent to the project site and fronting on Williamsbridge Road. A few manufacturing uses are located on Boston Road.

The applicant proposes an R7A and R7A/C2-3 zoning districts for the rezoning area. R7A districts allow a maximum FAR of 4.0 for residential and community facility uses and an FAR of 4.6 with inclusionary housing. The maximum permitted base height is 75 feet, with a maximum building height of 95 feet. Setbacks of at least 10 feet are required above the maximum base height on wide streets. Parking is required for 50 percent of dwelling units. The proposed C2-3 commercial overlay would permit new ground floor retail or office uses. The applicant indicates that one hundred percent of the ground floor space would be used as office space.

The proposed nine-story building would comprise approximately 38,712 square feet of floor area and have a base height of 75 feet before rising to a total building height of 95 feet. The building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street. The proposed development would contain approximately 30 dwelling units, including eight permanently affordable units under MIH Option 1 and nine permanently affordable units under MIH Option 2. An accessory parking garage in the cellar would contain 16 accessory parking spaces and 16 bicycle

spaces. The residential entrance would be on Colden Avenue. The ground floor would include approximately 5,038 square feet of office space.

The area is well-served by public transit, with access to the Allerton Avenue subway stop servicing the 2 and 5 lines located a half-mile east of the development site. The BX26 bus line runs east/west along Allerton Avenue, and the BX8 bus line runs north/south along Boston Road.

The applicant also seeks a zoning text amendment (N 180262 ZRX) to designate the project area as an MIH area mapped with Options 1 and 2. Option 1 requires that 25 percent of residential floor area be set aside for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI), with a minimum of 10 percent of housing to be affordable at 40 percent AMI. Option 2 requires that 30 percent of residential floor area be set aside for affordable housing units for residents with incomes averaging 80 percent AMI. No more than three income bands can be used to average out to 80 percent, and no income band can exceed 130 percent of the AMI.

ENVIRONMENTAL REVIEW

This application (C 180261 ZMX), in conjunction with the application for the related actions (N 180262 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 designated CEQR number is 18DCP071X. The lead is the City Planning Commission.

After a study of the potential impacts of the proposed actions in the Environmental Assessment Statement (EAS), a Negative Declaration was issued on August 31, 2018. The Negative Declaration includes an (E) designation (E-498) to avoid the potential for significant adverse impacts related to hazardous materials and air quality. The requirements of the (E) Designation are described in the Environmental Assessment Statement and Negative Declaration.

On January 25, 2019, a Revised EAS was issued, which describes and analyzes modifications to the proposed actions (described below). The Revised EAS concluded that the modifications

would not result in any new or different significant adverse environmental impacts. A Revised Negative Declaration was issued on January 30, 2019. The Revised Negative Declaration reflects the modifications to the proposed actions and supersedes the Negative Declaration issued on August 31, 2018.

The City Planning Commission has determined that the proposed actions will have no significant effect on the environment.

UNIFORM LAND USE REVIEW

This application (C 180261 ZMX) was certified as complete by the Department of City Planning on September 4, 2018 and duly referred to Bronx Community Board 11 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 180262 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Bronx Community Board 11 held a public hearing on this application (C 180261 ZMX) on November 19, 2018, and on November 29, 2018, disapproved the application, by a vote of 14 in favor, 20 opposed, and two abstentions.

Borough President Recommendation

This application (C 180261 ZMX) was considered by the Bronx Borough President, who held a public hearing on November 13, 2018 and issued a recommendation on December 13, 2018 to approve the application with the following condition:

That Lots 43, 44, 144, and 45 on Block 4516 be removed from the project area because there is a probability that a developer would purchase and develop these properties as high-density residential.

City Planning Commission Public Hearing

On December 5, 2018 (Calendar No. 1), the City Planning Commission scheduled December 19, 2018 for a public hearing on this application (C 180261 ZMX), in conjunction with the hearing for the related application (N 180262 ZRX). The hearing was duly held on December 19, 2018 (Calendar No. 21). There were six appearances. Two speakers from the project team testified in favor of the application and two others were available to answer questions. Two speakers testified against the application.

The applicant's attorney provided a summary of the proposed development, the site plan design, and the requested actions. He stated that the existing development site is currently underutilized and is occupied by a one-story residential building with office space in the basement and a one-story parking garage fronting on Colden Avenue. The representative also stated that the applicant has operated the existing office space for his construction company from this location for approximately 30 years and proposes to continue this use in the proposed development. He informed the Commission that the MIH levels of affordability have not been determined. He also said that the number of residential units have been reduced from 35 to 30 at the request of the Bronx Borough President, who prefers larger three-bedroom units. He also stated that the applicant has no interest in the four lots containing four three-story one- and-two family homes, and would not object to the removal of these lots from the rezoning area. He also provided the Commission with a land use rationale for the establishment of the C2-3 commercial overlay by stating that there are other adjacent commercial overlays along Allerton Avenue.

The applicant's architect described the proposed parking and the layout of the proposed residential units. He stated that the applicant proposes a gym and terrace on the ninth floor of the development. He also said that the applicant would find an alternate location for its existing office while the development is under construction. He stated that the lot line windows in an illustrative rendering would not necessarily be included in the final design. He also said that the proposed terrace is located 30 feet above the Colden Avenue sidewalk in order to provide head room for the below-grade parking, and that it also screens the Americans with Disabilities (ADA) accessible ramp. He stated that the applicant would not object to providing planting instead.

Two speakers testified against the proposed project. The first spoke on behalf of a community-based

organization and a merchant's association. She stated that the proposed project would open the doors to more rezonings in this area, resulting in taller buildings with more residents, exacerbating existing traffic congestion and school overcrowding.

A local resident testified against the application and reiterated some of the previous speaker's concerns and the Community Board's resolution to disapprove the application.

There were no other speakers, and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 180261 ZMX), as modified herein, in conjunction with the modified application for a zoning text amendment (N 180262 ZRX), is appropriate.

The proposed rezoning will facilitate the development of a new nine-story, mixed-use residential and commercial building at 2712 Williamsbridge Road and 2721 Colden Avenue in the Allerton neighborhood of the Bronx. It will contain approximately 30 dwelling units, of which eight would be made permanently affordable pursuant to MIH Option 1 and nine would be made permanently affordable under MIH Option 2. The development will contain approximately 4,825 square feet of ground floor retail space, which the applicant intends to use as office space.

The proposed R7A and R7A/C2-3 zoning districts are consistent with the surrounding area's land use patterns and built form. The proposed building height is appropriate for the site, at the intersection of a wide street and a narrow street with good transit access.

During the public review process, concerns were raised about the inclusion of the one- and two-family homes on Lots 43, 44, 144 and 45 in the rezoning area. In response, the Commission will modify the application to remove these lots from the R7A district. The modified zoning lines still reflect a rational zoning framework, with higher density along a wide street and consistent building types and densities in appropriate districts.

The Commission recognizes the applicant team's response to concerns regarding the visual barrier the open space access ramp creates. The commission encourages the applicant team to pursue a more public realm-friendly design for the access ramp.

The Commission believes that the zoning text amendment to designate an MIH area coterminous with the modified rezoning area, mapped with Option 1 and Option 2, is appropriate. The proposed project is consistent with the City's policy objectives for promoting housing production and affordability across the city, especially in areas served by transit.

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

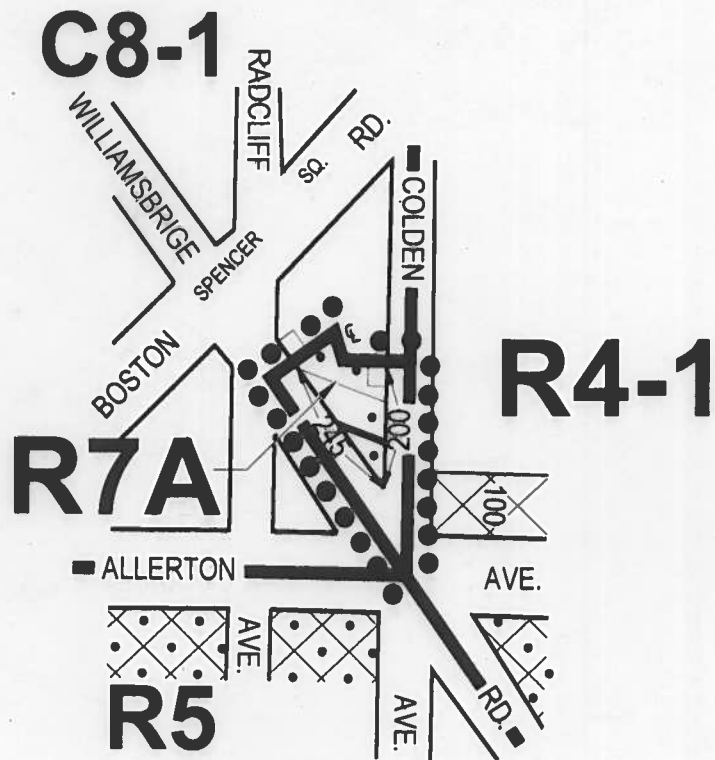
RESOLVED by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section No. 4a:

1. changing from a C8-1 district to an R7A District property bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road; and
2. establishing within the proposed R7A District a C2-3 District bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road;

Borough of the Bronx, Community District 11, as shown on a diagram (for illustrative purposes only) dated September 4, 2018, modified by the City Planning Commission on January 30, 2019, and subject to the conditions of CEQR Declaration E-498.

The above resolution (C 180261 ZMX), duly adopted by the City Planning Commission on January 30, 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*
ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,
MICHELLE de la UZ, JOSEPH I. DOUEK,
RICHARD W. EADDY, HOPE KNIGHT,
ANNA HAYES LEVIN, ORLANDO MARIN,
LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP
4a

BOROUGH OF
BRONX

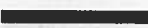






New York, Certification Date:
 SEPTEMBER 04, 2018
 Modified by CPC:
 JANUARY 30, 2019

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 from a C8-1 District to an R7A District, and by establishing a C2-3 District within the proposed R7A District.
-  Indicates a C1-2 District.
-  Indicates a C2-2 District.
-  Indicates a C2-3 District.



Community/Borough Board Recommendation

Pursuant to the Uniform Land Use Review Procedure

<p>Application #: C 180261 ZMX</p> <p>CEQR Number: 18DCP071X</p>	<p>Project Name: Williamsbridge Road Rezoning</p> <p>Borough(s): Bronx Community District Number(s): 11</p>
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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 and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - 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"
- 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 2712 Radcliff Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4a:

- changing from a C8-1 district to an R7A District property bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue distant 275 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road; and
- establishing within the proposed R7A District a C2-3 District bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, and a line 80 feet northeasterly of Williamsbridge Road, Colden Avenue, and Williamsbridge Road;

Borough of the Bronx, Community District 11, as shown on a diagram (for illustrative purposes only) dated September 04, 2018 and subject to the conditions of CEQR Declaration E-498.

<p>Applicant(s): 2712 Radcliff Yates Realty LLC 2712 Williamsbridge Road Bronx, NY 10469</p>	<p>Applicant's Representative: Richard Lobel Sheldon Lobel, P.C. 18 East 41st Street, 5th Floor New York, NY 10017</p>	
<p>Recommendation submitted by: Bronx Community Board 11</p>		
<p>Date of public hearing: <u>11/19/18</u> Location: <u>1741 Colden Ave. 10462</u></p>		
<p>Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i></p>		
<p>Date of Vote: <u>11/29/18</u> Location: <u>1200 Van Nest Avenue</u></p>		
<p>RECOMMENDATION</p> <p><input type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input checked="" type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions</p> <p>Please attach any further explanation of the recommendation on additional sheets, as necessary.</p>		
<p>Voting # In Favor: <u>14</u> # Against: <u>20</u> # Abstaining: <u>2</u> Total members appointed to the board: _____</p>		
<p>Name of CB/BB officer completing this form <u>Jeremy Warneke</u></p>	<p>Title <u>DM</u></p>	<p>Date <u>11/30/18</u></p>

**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 180261 ZMX

DOCKET DESCRIPTION-PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

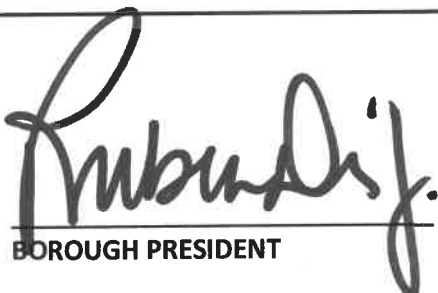
COMMUNITY BOARD NO. # 11

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

12/13/2018
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 180261 ZMX
Williamsbridge Road Rezoning**

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by 2712 Radcliff Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4a:

1. Changing from a C8-1 District to an R7A District property bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, a line midway between Colden Avenue and Williamsbridge Road, a line perpendicular to the westerly street line of Colden Avenue distant 275 feet (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road, Colden Avenue, and Williamsbridge Road; and
2. Establishing within the proposed R7A District a C2-3 District bounded by a line perpendicular to the northeasterly street line of Williamsbridge Road distant 245 feet northwesterly (as measured along the street line) from the point of intersection of the westerly street line of Colden Avenue and the northeasterly street line of Williamsbridge Road and a line 80 feet northeasterly of Williamsbridge Road, Colden Avenue, and Williamsbridge Road;

Borough of The Bronx, Community District #11, as shown on a diagram (for illustrative purposes only) dated September 4, 2018, and subject to the conditions of CEQR Declaration E-498.

BACKGROUND

This application pertains to property located at 2712 Williamsbridge Road and 2705, 2721, 2723, 2727, 2729 Colden Avenue. These addresses identify the *Project Area* which includes Block 4516, Lots 8, 43-46, 48 and 144. Approving this application will amend the Zoning Map by changing an existing C8-1 District to the proposed R7A District and establish within this District a C2-3 District. Existing development within the *Project Area* includes:

2705 Colden Avenue (Block 4516, Lot 48), consisting of 7,480 square feet of property and includes a non-conforming and non-complying 6-story residential building offering 40 dwelling units.

2723 Colden Avenue (Block 4516, Lot 45) consisting of 1,224 square feet of property and includes a 3-story, one and two family residential building

2725 Colden Avenue (Block 4516, Lot 144) consisting of 1,458 square feet of property and includes a 3-story, one and two family residential building.

2729 Colden Avenue (Block 4516, Lot 43) consisting of 1,653 square feet of property and includes a 3-story, one and two family residential building.

The proposed *Development Site* includes 2712 Williamsbridge Road and 2721 Colden Avenue (Block 4516, Lots 8 and 46). The total lot area of the proposed *Development Site* is 8,727 square feet. It offers 92 feet of frontage on Williamsbridge Road and 50 of frontage on Colden Avenue. Improvements on this site include a 1-story mixed use building offering two residential units fronting on Williamsbridge Road. Fronting on Colden Avenue is a 1-story 3-bay parking garage. The site is an irregular shaped lot, located at the intersection of Williamsbridge Road, Allerton Avenue and Colden Avenue. These site improvements will require demolition. The general boundaries include Boston Road on the north, Colden Avenue on the east, Allerton Avenue on the south and Williamsbridge Road on the west.

The *Project Area* includes 13,165 square feet of property plus the proposed *Development Site* offers 8,727 square feet. This yields 21,892 square feet of property on Block 4516 which will be rezoned pending approval of this application.

The applicant also proposes to amend Appendix F, the Inclusionary Housing Designated Area and Mandatory Inclusionary Housing Areas for Bronx Community District #11. The intent is to establish the proposed Project Area as a Mandatory Inclusionary Housing (MIH) Designated Area. It is proposed that Option 1 and Option 2 be included to provide maximum flexibility for non-applicant controlled sites (those properties that include Lots that are within the development area, but not the project area. The applicant has not determined which Option will be selected for the Project Area.

Approving this application will facilitate construction of a 9-story, mixed use commercial and residential building with approximately 38,712 square feet of floor area (FAR 4.43). The proposed building will include 30 residential units. Below ground parking for 16 vehicles and 16 bicycles will be provided. Commercial floor space will approximate 4,825 square feet and be accessible from Williamsbridge Road. Residential space will approximate 33,887 square feet and be accessible from and ADA compliant entrance on Colden Avenue.

The number of units and their size includes:

18-one bedroom units	approximating	586-668 gross square feet
7-two bedroom units	measuring	783 gross square feet
5-three bedroom units	measuring	1,204 gross square feet

Additional amenities to be located on the 9th floor will include:

Gym:	measuring:	512 square feet
Gym accessory room:	measuring:	457 square feet
Roof-top terrace:	measuring	1,994 square feet

Storage facilities for residents will be provided on site.

This proposed development will satisfy Enterprise Green Communities environmental standards.

The affordability of this proposed development is contingent on which MIH option is adopted. The following breakdown reflects the minimum allocations:

- Option 1:
 - 40% of Area Median Income (AMI)
 - 1 one-bedroom
 - 1 two-bedroom
 - 1 three bedroom
 - 60% of AMI
 - 5 one-bedroom
 - 2 two-bedroom
 - 2 three-bedroom

- Option 2:
 - 80% of AMI
 - 6 one-bedroom
 - 3 two-bedroom
 - 2 three bedroom

The remaining units will be market rate.

Option 2 does not mandate a unit-minimum for those earning 40% of AMI. No unit set-aside for formally homeless families is required if subsidies from the Department of Housing, Preservation and Development (HPD) are not sought by the developer.

Residential development in the surrounding community is typified by low-rise, attached, one and two family homes, and mid-rise multi-family buildings compose of five and six stories.

Commercial development is located on Williamsbridge Road and includes auto-related retail venues consistent with the existing C8-1 zone. Bus transportation via the Bx 8 operates on Williamsbridge Road, the Bx 26 on Allerton Avenue. The Westchester Bee Line 60, 61 and 62 serve Boston Road Subway access is available at the Allerton Avenue station of the #2 and rush-hour #5 trains approximately ½ mile east, and #5 train service at Pelham Parkway station approximately ½ south of the Project Area.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. The Planning Commission certified this application as complete on September 4, 2018.

BRONX COMMUNITY DISTRICT PUBLIC HEARING

A public hearing was called by Bronx Community Board #11. The hearing was held on November 19, 2018. Bronx Community Board #11 voted to *disapprove* this application. Those voting to approve the application were 14 in favor of approval, 20 voting against approval of this application and two abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on November 13, 2018. Representatives of the applicant were present and spoke in favor of this application. A member of the public offered testimony expressing opposition to this application. No other members of the public were present and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Approving this application will facilitate construction of a 9-story residential building, comprised of 30 units of housing. As proposed, this new building to be located 2712 Williamsbridge Road and 2721 Colden Avenue (Block 4516, Lots 8 and 46), will offer retail venues fronting on Williamsbridge Road, while residential access would be available on Colden Avenue. This proposed building would be located directly north of an existing 6-story residential building located at 2705 Colden Avenue, (Block 4516, Lot 48). 2705 Colden Avenue offers 40 units of housing, and like the proposed building, it provides for retail activity on Williamsbridge Road and residential access via Colden Avenue. 2705 Colden Avenue was constructed in 1928 and therefore predates the current C8-1 designation which was adopted in 1961.

Also predating 1961 are the many low-rise, one and two family homes that typify the residential profile of this community, most notably on Colden Avenue. Therefore, in order for me to endorse this application, I must insist the boundaries of the proposed zoning map amendment this application would adopt *exclude* the four lots to the north of the proposed development, on which low-rise, privately owned residential homes are now located. The scope of the larger *project area* as defined in this application must be reduced to include only Lots 8, 46 and 48 on Block 4516. These lots will accommodate the proposed building to be constructed and the existing six-story building, bringing this latter building into compliance.

We in The Bronx must do all that is necessary to protect homes owned by Bronx families from being demolished and eventually replaced by multi-family developments that are all but certain to become rental housing. I make this stipulation fully mindful of our city's urgent need for affordable residential accommodations. I also believe however, that home ownership is essential for strong vibrant communities and that approving this application as presented threatens the low-rise, owner-occupied profile of this neighborhood. The fact that The Bronx represents the county with the lowest percentage of home ownership in New York State further substantiates my rationale for modifying this application pursuant to my recommendation.

Pending the modification I insist be made to the proposed Zoning Map amendment this application is considering, I approve this application.



Sheldon Lobel &

ATTORNEYS AT LAW

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www.sheldonlobelpc.com

January 3, 2019

VIA EMAIL AND HAND DELIVERY

Chair Marisa Lago
Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: ULURP Nos.: 180261ZMX and N180262ZRX
Williamsbridge Road Rezoning
Bronx, New York

Dear Chair Lago and Commissioners:

In response to the comments and questions raised at the December 19, 2018 public hearing for the above-referenced rezoning application, enclosed please find a revised plan set that illustrates the location of the accessibility ramp and planters along the Colden Avenue frontage. *See* A-05. The architect is in the process of revising the illustrative rendering, which we unfortunately cannot provide to the Commission at this time. However, the revised rendering will be included in the materials presented to the New York City Council.

At this time, the Applicant is selecting MIH Option 2 for the proposed development site, but will still seek additional input from Council Member Mark Gjonaj.

Should you have any questions, please do not hesitate to contact our office.

Respectfully submitted,

Richard Lobel

RL:fb
Encl.

cc: Manny Lagares (DCP)