



IN THE MATTER OF an application submitted by 510 East Realty Inc. 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, Borough of Bronx, Community District 9.

This application for a zoning text amendment was filed by 510 East Realty Inc. on September 21, 2020. This application, in conjunction with the related action (C 190118 ZMX), would facilitate the construction of a mixed-use building containing a total of approximately 35 units of affordable housing, nine of which would be permanently affordable at 909 Castle Hill Avenue in the Castle Hill neighborhood of Bronx Community District 9.

RELATED ACTION

In addition to the zoning text amendment (N 210096 ZRX) that is the subject of this report, the proposed project also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 190118 ZMX Zoning map amendment to change an R3-2 zoning district to an R6B/C1-3 district

BACKGROUND

A full background discussion and description of this application appears in the report for the related zoning map amendment (C 190118 ZMX).

ENVIRONMENTAL REVIEW

This application (N 210096 ZRX), in conjunction with the application for the related action (C 190118 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 19DCP22X.

A summary of the environmental review appears in the report for the related zoning map amendment (C 190118 ZMX).

PUBLIC REVIEW

This application (N 210096 ZRX) was duly referred to Bronx Community Board 9 and the Bronx Borough President on December 14, 2020 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 190118 ZMX), which was certified as complete by the Department of City Planning and duly referred in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

On January 22, 2021, Bronx Community Board 9 held a public hearing on this application (N 210096 ZRX) and on that date, by a vote of 24 in favor, none opposed, and none abstaining, adopted a resolution recommending approval of the application with conditions. A summary of the Community Board's recommendation appears in the report for the related zoning map amendment (C 190118 ZMX).

Borough President Recommendation

This application (N 210096 ZRX) was considered by the Bronx Borough President, who on March 9, 2021 issued a recommendation to approve the application. A summary of the Borough President's recommendation appears in the report for the related zoning map amendment (C 190118 ZMX).

City Planning Commission Public Hearing

On March 3, 2021 (Calendar No. 2), the City Planning Commission scheduled March 17, 2021 for a public hearing on this application (N 210096 ZRX) and the application for the related action (C 190118 ZMX). The hearing was duly held on March 17, 2021 (Calendar No. 30).

Three speakers testified in favor of the application, as described in the report for the related zoning map amendment (C 200086 ZMX), and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed zoning text amendment (N 210096 ZRX), in conjunction with the related action (C 190118 ZMX), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related zoning map amendment (C 190118 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 this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, 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

* * *

THE BRONX

* * *

The Bronx Community District 9

* * *

Map 6 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area 6 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 9, Bronx

* * *

The above resolution (N 210096 ZRX), duly adopted by the City Planning Commission on May 5, 2021 (Calendar No. 6), 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 Chair*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, RAJ RAMPERSHAD *Commissioners***



COMMUNITY/BOROUGH BOARD RECOMMENDATION

Project Name: 909 Castle Hill Avenue			
Applicant: Alfred Quinones		Applicant's Primary Contact: Richard Lobel	
Application # 190118ZMX		Borough:	
CEQR Number:		Validated Community Districts: X09	

Docket Description:

IN THE MATTER OF an application submitted by 510 East Realty Inc., pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 7a:

1. changing from an R3-2 District to an R6B property bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, a line 180 feet westerly of Castle Hill Avenue, a line midway between Quimby Avenue and Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; and
2. establishing within the proposed R6B District a C1-3 District bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, and a line 80 feet westerly of Castle Hill Avenue;

Borough of the Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-596.

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

RECOMMENDATION: Conditional Favorable			
# In Favor: 24	# Against: 0	# Abstaining: 0	Total members appointed to the board: 37
Date of Vote: 1/22/2021 12:00 AM		Vote Location: Remote Webex Meeting	

Please attach any further explanation of the recommendation on additional sheets as necessary

Date of Public Hearing: 1/22/2021 7:00 PM	
Was a quorum present? Yes	<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>
Public Hearing Location:	Bronx Community Board Remote Meeting

CONSIDERATION: Please see attached letter with conditions.

Recommendation submitted by	BX CB9	Date: 2/7/2021 3:55 PM
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COMMUNITY BOARD NUMBER 9

CITY OF NEW YORK
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RUBEN DIAZ JR.
BRONX BOROUGH PRESIDENT

BRANDON GANAISHLAL
CHAIRPERSON

WILLIAM RIVERA
DISTRICT MANAGER



February 08, 2021

New York City Department of Planning
120 Broadway, 31st Floor
New York NY 10271

EXECUTIVE OFFICERS

Brandon Ganaishlal
Chairperson

Mohammad Mujumder
1st Vice Chairperson

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2nd Vice Chairperson

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Youth & Education
Seniors Connected

NEIGHBORHOODS

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

REF: CB9 Recommendation #19DCP222X- 909 Castle Hill Ave, Bronx NY 10472

I am writing to notify your office, that on January 21, 2021, 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 for applicant Alfred Quinones:

1. Collaborate with the independent non-profit, United Hispanic Construction Workers (UHCW) and/or Buildings Skills NYC to facilitate and ensure that up to 25% of the construction workforces, 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 community space for programing on the ground floor as discussed. Selected space will be rent free for first year and \$15 S/F moving forward. (Space will have a bathroom, storage, pantry and office, and we request parking spot)
3. Contribute yearly to a neighborhood school, to assist with a specific program or need, in council with the NYC Department of Education & Bronx Community Board 9. (max \$3000)
4. Sponsor yearly to a local park, green street, traffic island and/or park community group to assist with operating costs & programming/initiatives. (Max \$3000)
5. Good faith effort to create high quality building service jobs that pay all building service workers the union standard wages and benefits.
6. Sponsor yearly to a youth committee initiative (can be community policing, max \$3000)
7. Work with The Minority & Women Contractors & Developers Association to facilitate opportunities for certified MWBE contractors for this development.
8. Good faith effort to have a union workforce component on this development.

Thank You,


William Rivera,
District Manager

CC: NYC Council Member Ruben Diaz Sr, 18th Council District & Local Elected Officials
Chairman, 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

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.

APPLICATION # C 190118 ZMX-909 Castle Hill Avenue Rezoning

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

3/9/18

DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 190118 ZMX
909 Castle Hill Avenue Rezoning**

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by 510 Realty Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 7a:

1. Changing from an R3-2 District to an R6B property bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, a line 180 feet westerly of Castle Hill Avenue, a line midway between Quimby Avenue and Story Avenue, and a line 80 feet westerly of Castle Hill Avenue; and
2. Establishing within the proposed R6B District a C1-3 District bounded by Quimby Avenue, Castle Hill Avenue, Story Avenue, and a line 80 feet westerly of Castle Hill Avenue;

Borough of The Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated December 14, 2020, and subject to the conditions of CEQR Declaration E-596.

BACKGROUND

Approval of this application will establish a R6B/C1-3 District on Block 3687, Lots 37, 39, 40, 41, 42 and 43. Referred to as the "Project Area" it occupies the entire frontage along the west side of Castle Hill Avenue, between Quimby Avenue on the north and Story Avenue on the south.

The Project Area is currently zoned R3-2, with a maximum Floor Area Ratio (FAR) of 0.5.

The Project Area includes:

- Lot 37: Approx. 2,993 square feet-southwest corner: Castle Hill Ave.-Quimby Ave.
- Lot 39: Approx. 1,300 square feet-mid block
- Lot 40: Approx. 1,300 square feet-mid block
- Lot 41: Approx. 1,300 square feet-mid block
- Lot 42: Approx. 1,307 square feet-mid bloc
- Total: 8,200 square feet**
- Lot 43: Approx. 18,643 square feet-northwest corner: Castle Hill Ave.-Story Ave.

With the exception of Lot 43, the remaining lots extend 80 feet west (deep) from Castle Hill Avenue. As such:

- Lot 37 offers approximately 37 feet of frontage on Castle Hill Avenue
- Lot 39 offers approximately 17 feet of frontage on Castle Hill Avenue
- Lot 40 offers approximately 17 feet of frontage on Castle Hill Avenue

- Lot 42 offers approximately 17 feet (+) frontage on Castle Hill Avenue

Lot 43 is the only lot that extends 180 feet west (deep) from Castle Hill Avenue consisting of 18,643 square feet. As such it offers approximately 103 feet of frontage on Castle Hill Avenue.

Existing development on Lot 37: 919-921 Castle Hill Avenue: 3-story mixed use building with 4-residential units and accessible from the street are two commercial storefronts. This building was constructed in 1931. FAR: 2.85

Existing development on Lot 39: 917 Castle Hill Avenue: 3-story mixed use building with 2-residential units and accessible from the street is one commercial storefront. This building was constructed in 1920. FAR: 2.86

Existing development on Lot 40: 915 Castle Hill Avenue: 3-story brick mixed use building with 2-residential units and accessible from the street is one commercial storefront. This building was constructed in 1920. FAR: 2.86

Existing development on Lot 41: 913 Castle Hill Avenue: 3-story mixed brick use building with 2 residential units and accessible from the street is one commercial storefront. This building was constructed in 1920. FAR: 2.86

Existing development on Lot 42: 911 Castle Hill Avenue: 3-story brick, mixed use building with 2 residential units and accessible from the street is one commercial storefront. This building was constructed in 1920. FAR: 2.84.

Existing development on Lot 43: 909 Castle Hill Avenue: 3-story wood frame building with 3-residential units. This building was constructed in 1899. FAR: 0.17

The five buildings within the Project Area exceed the permitted maximum FAR of 0.5 pursuant to R3-2 District. The Project Area does not include any commercial overlays and therefore all existing retail uses are non-complying with current zoning. Given that these five buildings were constructed between 1920 and 1931, they therefore predate the adoption of current zoning ordinances.

The R6B zoning district allows for a maximum FAR of 2.0 (Quality Housing buildings) 2.2 (with inclusionary housing). When mapped over a R6B district, C1-3 overlay districts permit a commercial use maximum FAR of 1.0. As proposed, the R6B district will include all of the Lots within the Project Area. As also proposed, the C1-3 overlay will extend a maximum of 80 feet west of Castle Hill Avenue on all Lots, including Lot 43, the Development Site.

Block 3687, Lot 43 is the "Development Site." As heretofore noted, it is situated on the northwest corner of Castle Hill Avenue at Story Avenue. A wood frame residential building constructed in 1899 consists of 3,250 square feet. It occupies the northeast corner of this lot. The remaining area of this site is void of any improvements. The dwelling includes 3-residential units.

Pending approval of this application, the applicant proposes to construct a 5-story mixed use residential building on Lot 43, rising approximately 50 feet. It will set back 15 feet from Story Avenue and 10 feet from Castle Hill Avenue above the third story.

The proposed building will offer:

- Residential, commercial and a community facility.
- Total floor area will approximately 40,944 square feet (2.2 FAR)
- Residential floor area on stories 2-5 composed of 34,754 square feet
- Ground floor commercial area composed of 3,744 square feet
- Ground floor community use facility area composed of 2,446 square feet
- Residential underground parking for 22 vehicles
- Bicycle parking for 44 bikes

As proposed, the 35 residential units will consist of:

- Studio Units: 2
- 1 Bedroom Units: 18
- 2 Bedroom Units: 11
- 3 Bedroom Units: 4

Pursuant to Mandatory Inclusionary Housing (MIH Option 1) the following will be set aside:

- Studio Units: 1
- 1-Bedroom Units: 4
- 2-Bedroom Units: 3
- 3-Bedroom Units: 1

Anticipated Rent Charges:

- | | | |
|--------------|---------|--------------------------|
| • Studio: | \$ 950 | Affordable Rent: \$ 909 |
| • 1-Bedroom: | \$1,250 | Affordable Rent: \$1,143 |
| • 2-Bedroom: | \$1,750 | Affordable Rent: \$1,366 |
| • 3-Bedroom: | \$2,200 | Affordable Rent: \$1,570 |

The residential lobby will be accessible via Story Avenue. So too, access to one commercial venue and the community facility space and the off-street parking facility will be located on Story Avenue. Two additional commercial spaces will be accessible via Castle Hill Avenue. A curb-cut now located on Castle Hill Avenue will be removed and a 13-foot curb cut on Story Avenue will be constructed.

Space for passive recreation will be offered to residents on the building's main roof. Access is to be provided by elevator and stairs. As mandated, solar energy installation will also be installed on the building's roof.

Development of the surrounding community is typified by low-rise, one and two family homes. Access to retail venues are located on Castle Hill Avenue. Bus service is provided via the Bx5, Bx22 and BxM8 Express, all of which operate on Castle Hill Avenue and/or Bruckner Boulevard. Both the Bx5 and Bx22 stop adjacent to the proposed site. The interchange of the Bruckner and Cross Bronx Expressways are located one block from the site.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQR and received a Type II Designation. The City Planning Commission certified this application as complete on December 14, 2020.

COMMUNITY BOARD PUBLIC HEARING

A virtual public hearing was held on January 21, 2021. A vote recommending approval of this application with modifications was 24 in favor, zero opposed, zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on March 5, 2021. Those representing the applicant spoke in favor of this application. No other participants were present and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Approving this application will facilitate the first mid-rise residential building to be constructed within a neighborhood where low-rise residences typify what is in place. As such, the built profile of the proposed building is of paramount concern to me. So too, by virtue of the fact that 909 Castle Hill Avenue is to be the first of its kind in this area, it sets a standard that will define the surrounding community, if only because it will be unique and new.

At my public hearing the applicant's architect noted that setbacks will mitigate the mass and size of the proposed building. I am therefore satisfied that this critical issue is recognized by the applicant. I do, however, insist that when façade treatments are finalized, my office be given the opportunity to comment on this issue and where appropriate offer suggestions.

My administration is most anxious to advance residential development that is owned rather than rented. As such, my initial response to this application was one of caution and concern given that multi-unit development in a community where home ownership is prevalent can serve to

undermine the desirability of the nearby owner occupied homes. Having reviewed this application, I am confident that this concern has been addressed by the building's design and as such, will not harm nearby homes.

I am pleased to note that the applicant is fully supportive of the conditions presented by Bronx Community Board #9 and intends to adhere to these conditions.

I recommend approval of this application.