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**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- (1) changing from an R6 District to an R7D District property bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue; and
- (2) establishing within the proposed R7D District a C1-4 District bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 30, 2017.

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This application for a zoning map amendment was filed by the NYC Department of Housing Preservation and Development on October 25, 2017, in conjunction with several related actions. The applicant is proposing to change an R6 zoning district to an R7D/C1-4 district on property located at the southwest corner of East 142<sup>nd</sup> Street and St. Ann's Avenue (Block 2268, Lot 27).

This application, in conjunction with the applications for the related actions (C 180130 HAX and N 180132 ZRX), would facilitate the development of an 11-story mixed-use development to be known as the Park Haven Residence. The project would include approximately 169 affordable dwelling units, approximately 3,162 square feet of community facility space, and approximately 7,512 square feet of commercial space that will be the subject of a future FRESH certification.

#### **RELATED ACTIONS**

In addition to the zoning map amendment (C 180131 ZMX) that is the subject of this report, implementation of the proposed development also requires action by the City Planning

Commission on the following applications, which are being considered concurrently with this application:

**C 180130 HAX**      UDAAP designation, project approval, and disposition of City-owned property.

**N 180132 ZRX**      Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

### **BACKGROUND**

A full background discussion and description of this application appears in the report for the related UDAAP action. (C 180130 HAX).

### **ENVIRONMENTAL REVIEW**

This application (C 180131 ZMX), in conjunction with the applications for the related actions (C 180130 HAX and N 180132 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 agency is the Department of Housing Preservation and Development. The designated CEQR number is 17HPD039X.

A summary of the environmental review appears in the report for the related UDAAP application (C 180130 HAX).

### **UNIFORM LAND USE REVIEW**

This application (C 180131 ZMX) and the application for the related UDAAP action (C 180130 HAX) were certified as complete by the Department of City Planning on October 30, 2017 and

duly referred to Bronx Community Board 1 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 180132 ZRX), which was duly referred in accordance with the procedures for non-ULURP matters.

### **Community Board Public Hearing**

Bronx Community Board 1 held a public hearing on this application (C 180131 ZMX) on December 21, 2017, and on that date, by a vote of 15 in favor, five opposed, and with one abstention, the Community Board adopted a recommendation to disapprove the application with conditions. A summary of the Community Board's vote and recommendation appears in the report for the related UDAAP action (C 180130 HAX).

### **Borough President Recommendation**

The Bronx Borough President held a public hearing on this application (C 180131 ZMX) on January 11, 2018 and on February 7, 2018 issued a recommendation approving the application with conditions. A summary of the recommendation appears in the report for the related UDAAP action (C180130 HAX).

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

On January 31, 2018 (Calendar No. 2), the CPC scheduled February 14, 2018 for a public hearing on this application (C 180131 ZMX). The hearing was duly held on February 14, 2018 (Calendar No.16). There were four speakers in favor of the application, and two in opposition.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 180131 ZMX), in conjunction with the related applications (C 180130 HAX and N 180132 ZRX), is appropriate.

A full consideration and analysis of issues and the reasons for approving this application appear in the report for the related UDAAP action (C 180130 HAX).

## **RESOLUTION**

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 No. 6a:

- (1) changing from an R6 District to an R7D District property bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue; and
- (2) establishing within the proposed R7D District a C1-4 District bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

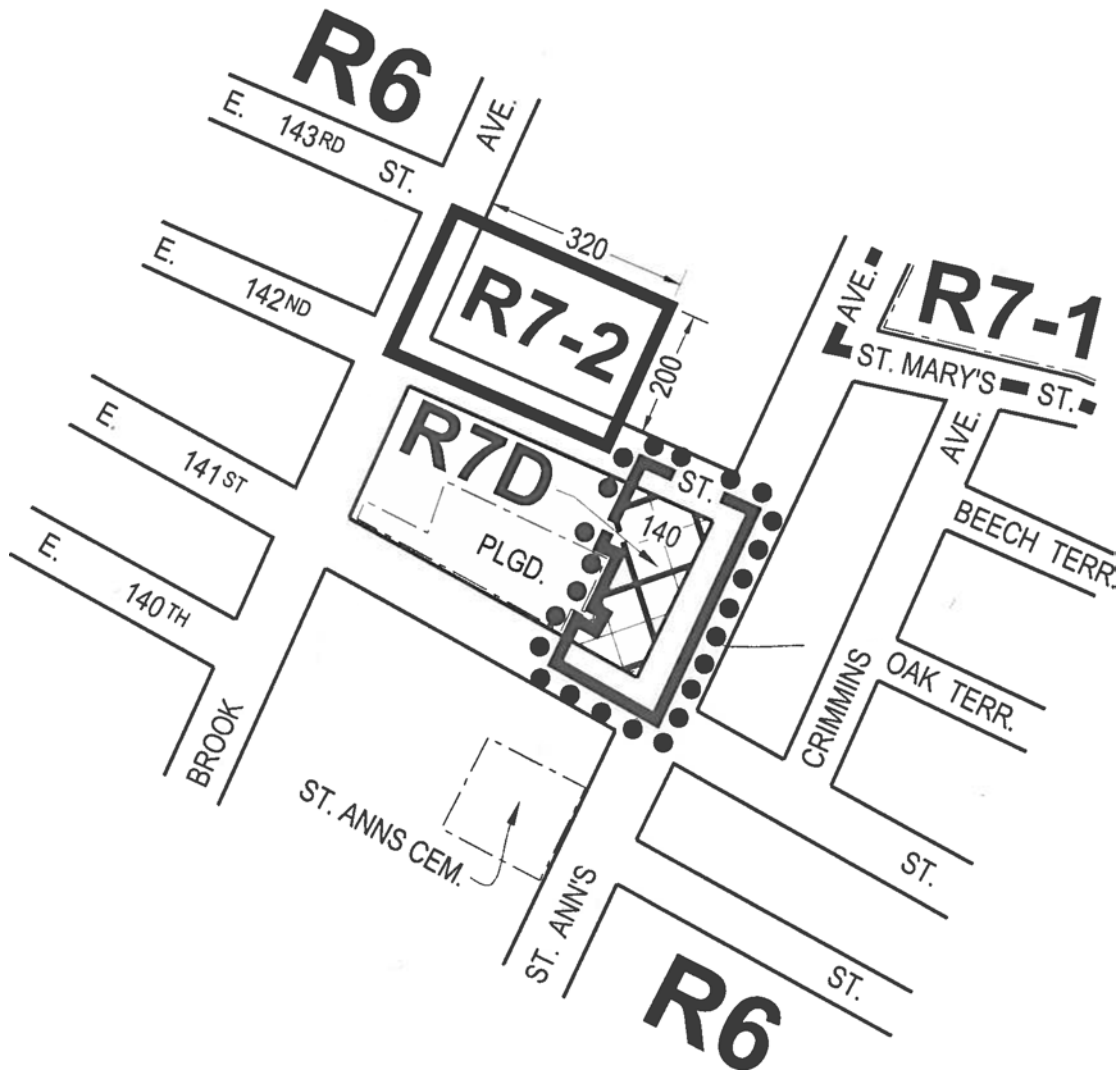
Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 30, 2017.

The above resolution (C 180131 ZMX), duly adopted by the City Planning Commission on March 14, 2018 (Calendar No. 4), 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*

**RAYANN BESSER, ALFRED C. CERULLO, III, RICHARD EADDY,  
CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,  
ORLANDO MARIN, LARISA ORTIZ** *Commissioners*



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

**6a**

BOROUGH OF  
**BRONX**

New York, Certification Date  
OCTOBER 30, 2017

  
 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 R6 District to an R7D District and by establishing a C1-4 District within the proposed R7D District.

**K>C:8**

Indicates a C1-4 District.



# BRONX COMMUNITY BOARD #1

3024 THIRD AVENUE

BRONX, NEW YORK 10455

(718) 585-7117 • Fax (718) 292-0558 • E-mail: brxcb1@optonline.net

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**RUBEN DIAZ, JR.**  
BOROUGH PRESIDENT

**GEORGE L. RODRIQUEZ**  
CHAIRPERSON

**CEDRIC L. LOFTIN**  
DISTRICT MANAGER

December 21, 1017

## Conditions/Modifications as to the Park Haven Rezoning Development

- Bronx Community Board One Recommendation pursuant to the Uniform Land Use Review Procedure Project Name: Park Haven
 

Applicant #	: C180130 HAX C180131ZMX
CEQR Number	: 17HPD039X 17HPD039X
Recommendation	: Disapprove with Modifications/Conditions to the Park Haven Rezoning Development

Modifications :

- (1) For the Developer The Community Builders to work with the Church, Thessalonica Christian Church together on the Park Haven Project.
- (2) That the Developer The Community Builders not use Wavecrest Management on the Park Haven Project and seek to contract with a more qualified Property Manager. This condition is based on the Board's dealing with adverse issues and knowledge thereof Wavecrest Management's non-performance. This is in the management of several projects by the firm that it manages in Bronx Community Board One. The Board believes Wavecrest Management has not demonstrated an ability to manage its properties appropriately in the best interest of its tenants. These include insufficient site management of their properties, lax methods of cleanliness in their buildings. Weak security structures, and inattentiveness to quickly fixing and repairing broken building fixtures throughout their buildings and within apartments of their tenants.







**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 180130 HAX, C 180131 ZMX-Park Haven  
Spofford Campus Redevelopment**

**DOCKET DESCRIPTION-PLEASE SEE ATACHMENT FOR DOCKET DESCRIPTION**

**COMMUNITY BOARD NO. #1**

**BOROUGH: BRONX**

**RECOMMENDATION**

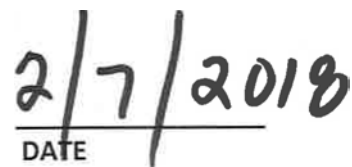
**D** APPROVE

**PPROVE WITH MODIFICATIONS/CONDITIONS (List below)**

**D** DISAPPROVE

**EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary): PLEASE SEE ATACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION**

**B**   
BOROUGH PRESIDENT

  
DATE

**BRONX BOROUGH PRESIDENT'S RECOMMENDATION  
ULURP APPLICATION NOS: C180130 HAX, C 180131 ZMX  
PARKHAVEN**

**DOCKET DESCRIPTION**

**CD #1: ULURP APPLICATION NO: C 180130 HAX: IN THE MATTER OF AN** application submitted by the New York City Department of Housing Preservation and Development (HPD):

- 1) Pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of property located at 335-349 St. Ann's Avenue and 542-544 East 142<sup>nd</sup> Street (Block 2268 Lots 23-32, 48 and 50) as an Urban Development Action Area; and
  - b) An Urban Development Action Area Project for such area; and
  
- 2) Pursuant to Section 197-c of the New York City Charter for the disposition of such property located at 225-349 St. Ann's Avenue and 542-544 East 142<sup>nd</sup> Street (Block 2268, Lots 23-32) to a developer to be selected by HPD;

To facilitate construction of a multi-story building containing residential, community facility and commercial space in Borough of The Bronx, Community District #1.

**CD #1: ULURP APPLICATION NO: C 180131 ZMX: IN THE MATTER OF AN** application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

- 1) Changing from an R6 District to an R7D District property bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue; and
  
- 2) Establishing within the proposed R7D District, a CI-4 District bounded by East 142<sup>nd</sup> Street; St. Ann's Avenue; East 141<sup>st</sup> Street, the southwesterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

Borough of The Bronx, Community District #1, as shown on a diagram (for illustrative purposes only) dated October 30, 2017.

## BACKGROUND

Approving this application will amend the Zoning Map by eliminating an existing R6 zone and adopting the proposed R7D zone. This zoning map amendment will be applicable to property located on Block 2268, Lots 25-32, 48 and 50. This change-of-zone will increase the maximum FAR for residential use from 2.43 in an R6 zone, up to 4.2 FAR. With inclusionary housing FAR increases to 5.6 with inclusionary housing in the R7D/CI-4 zone. The CI-4 overlay, commercial FAR will be 2.0. FAR allowable for community use facilities will be 4.0. An additional key provision of this application is the inclusion of a FRESH food store which will be included as part of the commercial development for this site.

This proposed zoning change will facilitate construction of an 11-story residential building on the southwest corner of St. Ann's Avenue at East 142<sup>nd</sup> Street, (Block 2268, Lots 23-32). Lots 23 and 24 are vacant and front onto East 142<sup>nd</sup> Street. Lots 25-32 front onto St. Ann's Avenue and are used as an off-street parking lot. Together, this "L" shaped building site is composed of 24,150 square feet. The two remaining lots this zoning amendment will impact include 48 and 50. Currently, Lot 48 includes an active church, Thessalonica Christian Church (313 St. Ann's Avenue). It is located adjacent to the proposed development site, on the south. Lot 50 includes a vacant five-story privately owned building which is not abandoned. This site is bounded by East 142<sup>nd</sup> Street to the north St. Ann's Avenue to the east, East 141st Street to the south and Brook Avenue to the west.

The proposed development includes:

- 142,720 square feet of total floor area of which,
- 124,534 square feet residential space, plus
- 7,512 square feet for FRESH FOOD designation, equals
- 132,046 square feet of residential space, plus
- 3,162 square feet of community use facility, plus
- 7,512 square feet of commercial space (Fresh Food Supermarket).
- **Yields 142.720 square feet**

Features of this proposed development includes 169 units of affordable housing, including

- Studios: 43 units approximating 430 gross square feet
- 1 Bedroom: 54 units approximating 599 gross square feet
- 2 Bedrooms: 46 units approximating 820 gross square feet
- 3 Bedrooms: 26 units approximating 1,010 gross square feet

Area Median Income (AMI) allocations include:

30% of the units:	Formerly Homeless
5% of the units:	40% of AMI
5% of the units:	50% of AMI
40% of the units:	60% of AMI
20% of the units:	80% of AMI

Amenities to be provided include exterior courtyards and roof gardens specifically designed for passive recreational use as well as for the planting of vegetables. These areas are composed of:

- Ground floor court yard: 3,120 square feet
- 2<sup>nd</sup> floor terrace and terraced areas: 4,129 square feet
- 11<sup>th</sup> floor terrace farming garden: 1,011 square feet
- Roof: 2,463 square feet
- **TOTALS: 10,723 square feet**

As proposed, Park Haven will comply with Passive House Standards. Related features include:

- Triple-pane windows
- Rain water collection systems, for the purpose of irrigating garden areas
- Extensive installation of solar panels able to generate 58 kilowatts
- Climate control ventilation systems

A unique component of this development is the inclusion of a comprehensive array of social services specifically designed to assist those who require help in finding gainful employment. As now planned, Bronxworks will administer a Jobs-Plus program, the purpose of which is to offer participants earning and financial self-sufficiency, educational services, one-on-one financial counseling and job training opportunities. Additional highlights include:

- Comprehensive case management
- Parenting skills training
- Youth programming including after-school activities
- Life skills training
- Medical care management and referrals
- Mental health and substance abuse services
- Medication monitoring
- Domestic violence counseling
- Education and employment assistance
- Entitlements and benefits advocacy
- Housing stability support to prevent eviction

On-site professionals that will serve Park Haven include nine full time professionals;

- one program director
- one clinical coordinator
- two social workers
- two case managers
- one administrative assistant
- two advocacy coordinators

On-site offices will occupy the 3,162 square feet of community facility space.

Pursuant to Section 63-30, the Department of Housing Preservation and Development (the applicant) will be submitting a separate and related application for a FRESH food store composed of 7,512 square feet. Entrance to this fresh-food grocery store will be via St. Ann's Avenue. The staging of delivery vehicles will be provided on East 142<sup>nd</sup> Street.

Development of the surrounding community is typified by mid-rise residential buildings. People's Park, composed of 1.35 acres, abuts the southern boundary line of the proposed development. This park is specifically designed to accommodate active recreation, most notably basketball. St. Mary's Park offers 35 acres and a comprehensive array of recreational venues including a recreation center in which a swimming pool is located. This pool is available throughout the year. St. Mary's Park is within a five-block radius of the site. Commercial activity is available at the HUB, a major Bronx retail community. Located here too is access to the #2 and #5 trains. Bus transportation operates on St. Ann's Avenue.

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

These applications were reviewed pursuant to CEQR and SEQR and received a Negative Declaration. The City Planning Commission certified these applications as complete on October 30, 2017.

### **COMMUNITY BOARD PUBLIC HEARING**

Community Board #1 held a public hearing on these applications on December 21, 2017. A vote on these applications was five recommending approval, 15 recommending disapproval with modifications, one abstaining.

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

The Bronx Borough President convened a public hearing on this application on January 11, 2018. Representatives of the applicant were present and spoke in favor of this application. There being no other members of the public offering testimony, the hearing was closed.

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

My overall review of the proposed Park Haven project is a favorable one. I am pleased to note that the ratio of unit sizes proposed for this development recognizes how essential it is that families with children are accommodated. Of the project's 169 units, 72 of these will be two and three-bedroom units reflecting the family makeup of the surrounding neighborhood. I appreciate the commitment being made to have a FRESH food store located in project. I do believe that as fresh produce and the availability of better quality grocery options become more available throughout The Bronx, an improvement in the health and quality of life is inevitable. Commendable as well is that a portion of the exterior "green" areas will be set aside for the planting of vegetables with over 10,000 square feet of exterior garden spaces and convenient access to the neighboring People's Park.

What makes this project especially unique is the inclusion of a comprehensive array of social services to be provided on site and administered by Bronx Works. I firmly believe that this collaboration has the potential of going well beyond providing folks with a place to reside. More so than that, the partnership presented here has the potential of providing people with a genuine opportunity to achieve success.

There is a history to the site these applications are considering. It originates in 1990 during the Ferrer administration when the congregation of Thessalonica Christian Church initially sought to advance development plans for a this property. This development site lies adjacent to the church. At that time, given the proliferation of vacant sites in this community, the church successfully negotiated a month-to-month lease with the city pursuant to the city's Adjacent Home Owners Program (AHOP). This agreement ultimately facilitated the installation of an off-street parking facility administered by the church.

During the intervening years the Thessalonica Christian Church sought to develop the adjacent site. Pursuant to this goal two key objectives were sought: first, construction of a residential building on the site, and second, construction of a new house of worship for the congregation. To this end, and with the assistance of the Department of Housing Preservation and Development, numerous developers were identified and two were subsequently selected by the church. Ultimately however, these efforts proved unsuccessful. More recently, it is my understanding the current developer for this project sought to reach out to the congregation without success.

There were concerns addressed by Bronx Community Board #1 regarding the property management firm for the development. My office has also been assured by the developer that the property management firm initially identified for Park Haven will be changed.

One of my primary concerns pertains to the exterior facade the developers propose using on their building. As noted at my public hearing, the stucco-type EFIS facade when installed offers a bold array of color that distinguishes the building. We also, however, having seen this treatment applied to older buildings in The Bronx, over time this colorful treatment fades. So too, as the building is exposed to air pollution mixed with humidity and rain, this combination of grime will adhere to the building's facade. I am gratified to know that alternatives to this facade treatment are being evaluated by the developer.

I am also not pleased with the anticipated unit sizes. I remain concerned that two- and three-bedroom units that are 820 and 1,010 gross square feet respectively do not afford the privacy necessary for families as youngsters grow into adulthood.

I am mindful of the recommendation to deny approving these applications as taken by Bronx Community Board #1. I give the utmost attention to the Community Board's decision. I also must consider the proposed development approval of these applications will facilitate. To that end, for reasons I have stated, I believe this project will be of benefit the neighboring community and therefore warrants my endorsement. Nonetheless, given the ongoing history of this site and

the expressed position as taken by Bronx Community Board #1, I must be assured that the developer and representatives of Thessalonica Christian Church meet.

Therefore, as a condition for my approval, the reasons noted by Bronx Community Board #1 must be satisfied.