



IN THE MATTER OF an application submitted by The Ader Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 6c:

1. changing from an M1-1 District to an R8A District property bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue; and
2. establishing within the proposed R8A District a C2-4 District bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue;

Borough of the Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 30, 2017, and subject to the conditions of CEQR Declaration E-413.

This application for a zoning map amendment was filed by the Ader Group, LLC (the applicant) on September 9, 2016. The applicant is proposing to change an M1-1 zoning district to an R8A/C2-4 zoning district at the intersection of Whitlock Avenue and East 165th Street (Block 2756, Lots 85 and 90). This application, in conjunction with the related action (N 170088 ZRX), would facilitate the development of two new 14-story mixed-use buildings containing approximately 474 affordable dwelling units in the Longwood neighborhood of Community District 2 in the Bronx.

RELATED ACTION

In addition to the zoning map amendment (C 170087 ZMX) 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:

N 170088 ZRX Zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area.

BACKGROUND

The applicant is proposing a zoning map change and a zoning text change to facilitate the development of two new 14-story mixed-use buildings containing approximately 474 affordable dwelling units, at the intersection of Whitlock Avenue and East 165th Street (Block 2756, Lots 85 and 90).

The project site is located in the Longwood neighborhood in the southwestern portion of the Bronx. It comprises approximately 61,586 square feet in area and is bounded on the east by Whitlock Avenue, on the south by Aldus Street, fronting Longfellow Avenue, and on the north by East 165th Street. It has been zoned M1-1 since 1961 and is currently occupied by auto repair shops, storage facilities, and a light industrial plastics facility. M1-1 zoning district allow a maximum floor area ratio (FAR) of 1.0 for both commercial and manufacturing uses, and 2.4 for community facility uses. Residential uses are not permitted as-of-right in M1-1 districts.

Two-story semi-detached residential buildings, located in an R7-1 zoning district, abut the site to the west. R7-1 districts permit a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses. There is a C1-4 commercial overlay mapped 100 feet deep along East 165th Street within the R7-1 district, west of the project site

The areas north and south of the development site are also within M1-1 and M1-2 zoning districts. These areas are predominately developed to the north with one-story light manufacturing buildings, auto repair shops, and neighborhood retail. One- and two-story light industrial buildings in the Special Hunts Point District and the Industrial Business Zone characterize the area to the south, below the Bruckner Expressway.

The area is well-served by transit. The Whitlock station for the No. 6 elevated subway line is one block north of the project site. The Nos. 2 and 5 subway lines on Southern Boulevard and Westchester Avenue, and stops for various bus lines including the Bx4, Bx5, Bx6, and Bx27, are also nearby. To the east is the Sheridan Expressway. Concrete Plant Park, which includes a portion of the Bronx River Greenway, is located along the banks of the Bronx River, to the east of the project site just beyond the expressway.

To facilitate the proposed project, the applicant is proposing to change the existing M1-1 district on the development site to an R8A zoning district. The proposed R8A district would permit residential uses, which are not allowed on the site today. It permits a maximum residential FAR of 7.2 for inclusionary housing and a maximum community facility FAR of 6.5. Also, a proposed

C2-4 overlay would permit commercial uses up to a maximum FAR of 2.0 and allow a broad range of commercial and retail uses to be developed at the ground level of the proposed building.

The applicant also proposes a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area, and is seeking to apply the requirements of Option 1. Option 1 requires that at least 25 percent of the residential floor area be reserved for tenants with incomes averaging up to 60 percent of Area Median Income (AMI), with at least 10 percent of the affordable floor area being affordable to tenants with incomes up to 40 percent of AMI.

The actions would facilitate the construction of two 14-story buildings with approximately 426,107 square feet of floor area built to a total FAR of 6.9. The first building would be constructed on the southern portion of the site and include 9,520 square feet of community facility floor area on the first floor, with 242 residential units above. The second building, on the northern portion of the site, would include 14,937 square feet of commercial floor area on the first story with 230 residential units above. The 474-unit proposed development would be 100 percent affordable and 119 units would be permanently affordable housing under the MIH area requirement.

A parking facility containing 69 accessory parking spaces would connect the two buildings underground. Landscaping and recreational areas would be provided for tenants on the southern and western portions of the site.

The applicant is seeking Department of Housing and Development Corporation (HDC) financing for this project through their Extremely Low and Low-Income Affordability (ELLA) and Mix & Max programs and would provide housing at AMI levels from 27 percent of AMI up to 80 percent of AMI. The units reserved for formerly homeless families would be part of the Department of Housing, Preservation, and Development's (HPD) Our Space program.

ENVIRONMENTAL REVIEW

This application (C 170087 ZMX), in conjunction with the application for the related action (N 170088 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 is the City Planning Commission. The designated CEQR number is 17DCP078X.

After a study of the potential environmental impact of the proposed actions, a Negative Declaration was issued on January 30, 2017. The Negative Declaration included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-413), as described below:

The (E) designation requirements related to hazardous materials would apply to the project site:

- **Block 2756, Lots 85 and 90**

The (E) designation text related to hazardous materials is as follows:

Task I-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting

sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

The (E) designation requirements related to air quality would apply to the Project Site:

- **Block 2756, Lots 85 and 90**

The (E) designation text related to air quality is as follows:

Block 2756, Lots 85 and 90 (Projected Development Site 1)

Building 1: Block 2756, Lot 85: Any new residential and/or commercial development on the above-referenced properties must use natural gas for HV AC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest

tier or 156 feet high and at most 392 feet from Aldus Avenue to avoid any potential significant adverse air quality impacts.

Building 2: Block 2756, Lot 90: Any new residential and/or commercial development on the above-referenced properties must use natural gas for HV AC systems and ensure that the heating, ventilating and air conditioning stack is located at the highest tier or 156 feet high and at most 133 feet from East 165th Street to avoid any potential significant adverse air quality impacts.

The (E) designation requirements related to noise would apply to the Project Site:

- **Block 2756, Lots 85 and 90**

The (E) designation text related to noise is as follows:

- **Block 2756, Lots 85 and 90 (Projected Development Site 1)**

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with minimum attenuation of 41 dB(A) window /wall attenuation on northern, eastern and southern facades in order to maintain an interior noise level of 45 dB(A). To achieve 41 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

With the assignment of the above-referenced (E) designation for noise, the Proposed Actions would not result in significant adverse impacts.

The City Planning Commission has determined that the proposed action will have no significant

effect on the environment.

UNIFORM LAND USE REVIEW

This application (C 170087 ZMX) was certified as complete by the Department of City Planning on January 30, 2017, and was duly referred to Bronx Community Board 2 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 application for the related action (N 170088 ZRX), which was duly referred to Bronx Community Board 2 and the Bronx Borough President in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Bronx Community Board 2 held a public hearing on this application (C 170087 ZMX) on March 9, 2017. On March 29, 2017, by a vote of 24 in favor, four opposed, and no abstentions, the Community Board adopted a recommendation to approve the application with conditions.

Those requests included a reduction in the number of Our Space units for formerly homeless families by half and a transparent HPD lottery process for the 50 percent community preference; minimization of traffic impacts during construction; compliance with MTA regulations for building permits; and that the applicant team explore hiring local unionized workers and paying fair wages. The Board asked that the applicant engage qualified property management that would keep a 30-day recording of surveillance videos accessible by the NYPD and make space on the building façade for new murals by local artists. The Board also requested that the applicant give a 90 days' notice to current tenants, explore relocation assistance for existing businesses within the community, and negotiate a Community Benefit Agreement for local schools.

Borough President Recommendation

The Bronx Borough President held a public hearing on this application (C 170087 ZMX) on April 20, 2017, and on May 8, 2017 issued a recommendation approving the application.

City Planning Commission Public Hearing

On April 26, 2017 (Calendar No. 8), the CPC scheduled May 10, 2017 for a public hearing on this application (C 170087 ZMX), in conjunction with the related application (N 170088 ZRX). The hearing was duly held on May 10, 2017 (Calendar No. 41). There were four speakers from the applicant team that spoke in favor of the application and one speaker in opposition.

A representative from the project's architecture firm spoke about the details of the proposed project. Other representatives from the applicant team described the affordable housing components of the proposed project, stating that it would serve a broad range of incomes and include units for formerly homeless families. The representatives also said that the project's regulatory agreements with HPD would remain in effect for 50 to 60 years.

Based on conversations with the community and the presence of existing local graffiti on the site, the applicant's representative stated the team would work to find space on the south side of the building for new graffiti murals created by local artists. He also said that incoming residents of the project would provide critical mass to support a retail store, the developer would maintain the public area, and, if necessary, the retail and community facility could be combined together.

A representative from 32BJ SEIU spoke in opposition to the application, stating that the developer should pay the building service industry's standard wage, including benefits, to the eight full-time employees the proposed project would create.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning map amendment (C 170087 ZMX) is appropriate.

The R8A/C2-4 district is consistent with other nearby zoning districts mapped along the Sheridan Expressway and will enable new development appropriate for the location. The current M1-1

zoning district does not allow for residential uses on the site today, while the R8A zoning district will allow for medium-density residential development. Directly west of the site are two-story semi-detached residential buildings, located in an R7-1 zoning district. The project area is located on a wide street with good transit access. The C2-4 district will allow for ground floor commercial and retail uses that will be supported by residents of the area and the future tenants of the building and will create a transparent, active ground-floor.

The proposed zoning text amendment (N 17088 ZRX) is appropriate. The zoning text amendment will designate an MIH area coterminous with the rezoning area, requiring permanent affordability for a portion of the units on the site. While the development that the requested actions would facilitate is proposed to be 100 percent affordable, mapping an MIH area on the site would require approximately 119 units of permanently affordable housing. The new housing will help address the need for more affordable housing in the Bronx and in the City overall and would be consistent with the City's objectives for housing production and affordability.

The Commission acknowledges recommendations by Community Board 2 including the management of the housing lottery process, building maintenance, garage operations, and other community benefits. While the Commission recognizes that the application is for a zoning map amendment, and not for review of a specific building or site plan, the Commission is pleased nonetheless that, at the public hearing, the applicant has indicated a willingness to work with the community to address many of Community Board's requests.

The developer has stated that the proposed buildings would step down toward the lower density residential dwellings along Longfellow Avenue and that most of their bulk would be located along Whitlock Avenue, a wide street. The Commission believes that there is a strong planning rationale for this proposed building configuration, but recognizes that it is not a condition of the requested actions.

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 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. 6c:

1. changing from an M1-1 District to an R8A District property bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue; and
2. establishing within the proposed R8A District a C2-4 District bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue;

Borough of the Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 30, 2017, and subject to the conditions of CEQR Declaration E-413.

The above resolution (C 170087 ZMX), duly adopted by the City Planning Commission on June 7, 2017 (Calendar No. 8), 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*

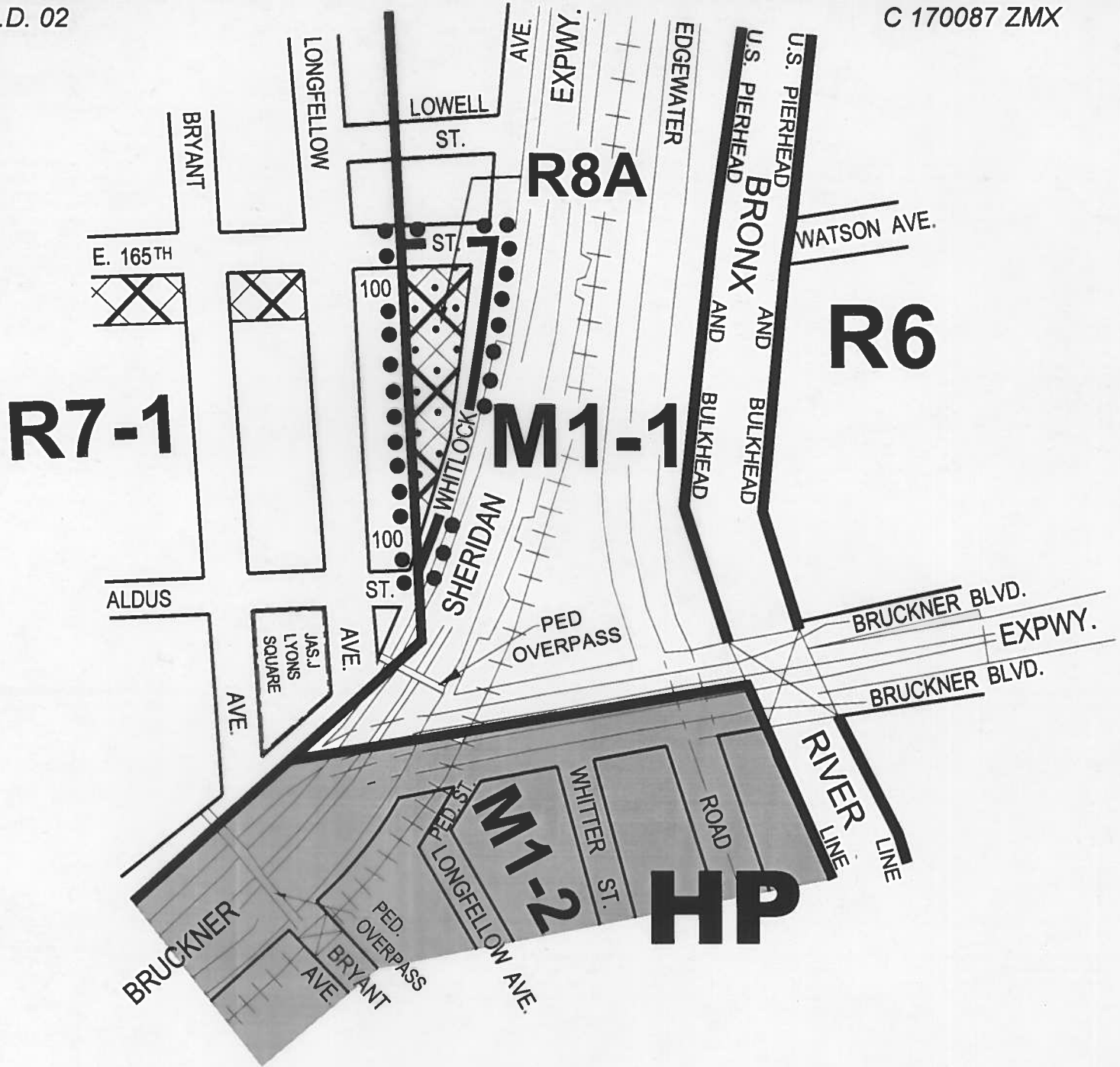
KENNETH J. KNUCKLES, Esq., *Vice Chair*

RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,

JOSEPH I. DOUEK, RICHARD W. 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
6c

BOROUGH OF
BRONX

S. Lenard, Director
 Technical Review Division

New York, Certification Date
 JANUARY 30, 2017

SCALE IN FEET



NOTE:

- Indicates Zoning District Boundary.
- The area enclosed by the dotted line is proposed to be rezoned by changing an M1-1 District to an R8A District, and by establishing a C2-4 District within the proposed R8A District.
- Indicates a C1-4 District.
- Indicates a C2-4 District.
- Indicates a Special Hunts Point District.

Application #: **C 170087 ZMX**

Project Name: **Whitlock Avenue & 165th Street Rezoning**

CEQR Number: 17DCP078X

Borough(s): Bronx

Community District Number(s): 2

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 The Ader Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 6c:

- changing from an M1-1 District to an R8A District property bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue; and
- establishing within the proposed R8A District a C2-4 District bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue;

Borough of the Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 30, 2017, and subject to the conditions of CEQR Declaration E-413.

Applicant(s): The Ader Group LLC 25 Robert Pitt Drive, Suite 215 Monsey, NY, 10952		Applicant's Representative: Ross F. Moskowitz Stroock & Stroock & Lavan LLP 180 Maiden Lane New York, NY, 10038	
Recommendation submitted by: Rafael Acevedo			
Date of public hearing: March 9th 2017		Location: 1029 E. 163rd St Bronx NY 10459	
Was a quorum present? YES <input checked="" 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: March 29th 2017		Location: 830 Union Avenue Bronx NY	
RECOMMENDATION			
<input type="checkbox"/> Approve		<input checked="" type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor: 24 # Against: 04 # Abstaining: NONE Total members appointed to the board: 31			
Name of CB/BB officer completing this form		Title	Date
Rafael Acevedo		District Manager	April 6th 2017

Bronx Community Board #2

Borough President Ruben Diaz, Jr.
 1029 East 163rd St.
 Bronx, NY 10459
 718-328-9125 • 718-991-4974 Fax
 E-mail: brxcb2@optonline.net



Dr. Ian Amritt
 Chairperson



Ralph Acevedo
 District Manager

April 6th 2017

Marisa Lago, Chairwoman
 City Planning Commission
 22 Reade Street
 New York NY 10007

RE: ULURP Application C 170087 ZMX
Whitlock Avenue & 165th Street Rezoning

Dear Chair Lago:

On March 29th, 2017, Bronx Community Board 2 (CB2) reviewed the Uniform Land Use Review Procedure (ULURP) application C 170087 ZMX for the rezoning of Whitlock Avenue and 165th Street, Bronx NY. The application relates to a proposal by The Ader Group LLC (applicant) to construct a Housing Development with commercial retail space (the proposed project). On March 9th 2017, CB2 held a public hearing on the application.

At its regularly scheduled Full Board Meeting on March 29th 2017, CB2, on the recommendation of its Board Members, and following a duly noticed public hearing, voted by roll call **24** for, **4** against, **0** abstaining and **3** not present eligible to approve with Modifications/Conditions. CB2 recommends the following stipulations and conditions enumerated below:

- The applicant will commit to the Area Medium Income (AMI), remaining as proposed. We would also like to see the Our Space units decrease in half from 48 to 24 to ensure more of the community residents have an opportunity to apply and be selected:

Phase 1

	Our Space	30% AMI	40% AMI	50% AMI	60% AMI	Total
Studio	10 (5)	2 (1)	2 (1)	2 (3)	33	49
1 Bedroom	19 (9)	5 (2)	5 (2)	5 (5)	51	95
2 Bedroom	12 (6)	3 (1)	3 (2)	3 (3)	39	60
3 Bedroom	7 (4)	2 (1)	2 (1)	2 (4)	25	38
Total	48 (24)	12	12	12	158	242

Phase 2

	30% AMI	40% AMI	70% AMI	80% AMI	Total
Studio	2	20	2	20	44
1 Bedroom	5	44	5	44	98
2 Bedroom	3	24	3	23	53
3 Bedroom	2	15	2	16	35
Total	12	103	12	103	230

- The applicant will commit to New York City Housing and Preservation Development (HPD) and Housing Development Corporation (HDC) lottery process transparency and will guarantee a minimum of 50% of the units reserved for CB2. A recommendation is to have the applicant report to CB2 once the lottery selection is completed.
- The applicant will notified CB2 once the lottery process begins and will provide a redacted report of residents of addresses in zip codes 10474, 10459 and 10455 being consider for the selection process. The Applicant will work with a Community Sponsor for the purpose of transparency in the Housing Connect process and to ensure a timely manner of the selection process through time of move in.
- The applicant will conduct a traffic study along Whitlock Avenue to minimize the amount of traffic congestion during construction phases. The study should include minimizing construction-related vehicle delay through the proposed project and enforcement of delay threshold on Whitlock Avenue and developing and implementing traffic management plans for the overall of Whitlock Avenue. It's extremely important for this study since the construction timeline will coincide with the redesign of the Sheridan Expressway, which is adjacent to the proposed project and will have a direct impact on the surrounding community.
- The applicant will provide Metropolitan Transit Authority (MTA) notice of approval for demolishing and construction around MTA property.
- The applicant will have a 30 day recording history of its video surveillance system, which will include surveillance of its parking garage. The surveillance system will also be accessible to the local New York Police Department 41st Precinct. The Applicant will also install a Stop sign upon exiting the parking garage.
- The applicant will create space along its exterior wall for a new mural created by the existing mural artists. The new mural(s) will capture the essence of the existing neighborhood while incorporating the proposed project.
- The applicant will explore hiring Unionize workers and/or will employ under the Fair Wages for New Yorkers Act. Also, the applicant will explore hiring local. This will ensure that tax dollars are invested back to the community, reduces the environmental impact of commuting, foster more community involvement and preserves local employment opportunities in construction.
- The applicant will address gentrification with the surrounding community, both business and residents. The proposed project will create benefits for the city in the form of additional tax revenue and the creation of temporary and permanent jobs, and for the applicant in the form of rent and an increase in property value. For the surrounding community, however, the proposed project will increase foot and vehicle congestion and a demand on public space; it will accelerate gentrification with its accompany effects on socioeconomic conditions, community character and indirect displacement of current businesses. The proposed project also will create shadows on, and limit views from homeowners on Longfellow Avenue.
- The applicant will give 90 day notice to the current garage tenants being evicted and explore assistance in relocation within the community.
- The applicant will have quality on-site property management to ensure the buildings are maintained to preserve assets and protect the building tenants. This will assist in keeping tenants long-term and will invest in timely building maintenance and repairs. Periodic inspections and maintenance of the roof, walls, gutters, drains, and foundation is an investment in controlling interior conditions as well as in preserving the building itself. A regular schedule for maintenance of the exterior and interior of the buildings should be created and maintained with an ongoing log of issues and resolutions.
- The applicant will engage in a public Community Benefit Agreement (CBA) which came as a result of community participation and feedback. CB2 strongly encourages the applicant communicates with schools in close proximity to the proposed project and offer revitalization, workshops, resources and services to the community. This will be requested to our local elected officials to ensure that the community benefit commitments are in fact implemented. The ability to enforce legal commitments is especially important in this context since community support at time of approval is needed.

NOW, THEREFORE, BE IT RESOLVED that:

- Bronx Community Board 2 recommends approve of ULURP application C 170087 ZMX if the proposed project adheres to the conditions set forth above.

Sincerely,



Dr. Ian Amritt
Chairman



Rafael Acevedo
District Manager

cc: DCP Carol Samol
Bronx Borough President Ruben Diaz Jr.
NYC Councilmember Rafael Salamanca
Congressman Jose E. Serrano
NYS Senator Rev. Ruben Diaz Sr.
NYS Assemblyman Marcos A. Crespo
Ross F. Moskowitz – Applicant Representative

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 170087 ZMX
Whitlock Avenue and East 165th Street Rezoning

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by The Ader Group LLC (the applicant) pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 6c:

1. Changing from an M1-1 District to an R8A District property bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue; and
2. Establishing within the proposed R8A District a C2-4 District bounded by East 165th Street, Whitlock Avenue, and a line 100 feet easterly of Longfellow Avenue;

Borough of The Bronx, Community District #2, as shown on a diagram (for illustrative purposes only) dated January 30, 2017, and subject to the conditions of CEQR Declaration E-413.

BACKGROUND

Approval of this application will eliminate an existing M1-1 District and adopt a R8A/C2-4 District. This amendment will facilitate construction of two mixed-use residential buildings which will offer a total of 472 units of affordable housing. This amendment also incorporates a commercial overlay to facilitate the inclusion of retail locations within these buildings. The site yields 61,586 square feet of property located on Block 2756, Lots 85 and 90. It is bounded by Whitlock Avenue on the east, East 165th Street to the north, Longfellow Avenue to the west, and Aldus Avenue on the south.

Existing development of this property includes one-story garages and auto-related facilities, all of which will require demolition. The applicant is committed to working with the Sunrise Cooperative to identify alternative locations for these businesses.

The proposed development of this site includes construction of two residential buildings, each of which will rise 14-stories along the Whitlock Avenue frontage. The first of these buildings will commence construction during 2017, the second will commence following completion of the first. It is anticipated that all construction will conclude by 2022. The height of the building located on the northwest corner of Whitlock Avenue at East 165th Street, will gradually “step-down” from 14-stories on the east, to eight stories and then to six stories, going from east to west along East 165th Street. Taken together these two buildings will total of 426,107 square feet of space (6.79 FAR). Additional totals include:

- Total dwelling unit count: 474 dwelling units
- Community facility floor area: 9,520 square feet in Building #1
- Commercial floor area: 14,937 square feet in Building #2
- Garage vehicle parking space: 69 spaces
- Exterior garden & recreation space: 13,628 square feet

- Public accessible garden area: 4,776 square feet
- Community room: Building 1: 5,855 square feet
Building 2: 7,834 square feet

The percentage of units and their net square foot measurements for this project include:

20% studios at:	364 square feet
40% 1-bedroom units at:	520 square feet
24% 2-bedroom units at:	754 square feet
15% 3-bedroom units at:	1,015 square feet
Plus 2 units for superintendents	

The affordability of the units provided include:

10%:	Our Space
5%:	30% Area Median Income (AMI)
2.5%:	40% of AMI
25%:	50% of AMI
33%:	60% of AMI
2.5%:	70% of AMI
33%:	80% of AMI

Development in the surrounding community is typified by auto-related retail activity on Whitlock Avenue. Residential development includes low-rise, one and two family homes which are located on the western side of on Block 2756, and front on Longfellow Avenue. Numerous mid-rise residential development, including four and five story buildings are located within a three block radius of the development site. Retail activity and bus transportation are found on Westchester Avenue, approximately four blocks west of the site. The Sheridan Expressway and an elevated section of the #6 are both located on the east side of Whitlock Avenue, opposite the proposed building site. Access to the #6 train at the Whitlock Avenue station is conveniently available within a two block radius. Starlight Park, Concrete Plant Park and The Bronx River are all within six blocks of the building site.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to SEQR and CEQR and received a Type II Designation. This application was certified by the Planning Commission as complete on January 30, 2017.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board # 2 held a public hearing on this application on March 29, 2017. A vote recommending approval of this application with modifications/conditions was 24 in favor, four opposed and zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on this application on April 20, 2017. Representatives of the applicant were present and spoke on favor of this application. Representatives of Bronx Community Board #2 were also present and offered testimony noting the Community Board's record of support and the modifications/conditions submitted for consideration. No other members of the public were present and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The West Farms/Longwood community, located west of the Sheridan Expressway, is now experiencing one of the largest residential developments being constructed in The Bronx. Currently over 1,300 units of affordable housing are under construction, with the potential of 2,600 units, thanks to the rezoning starting a half-mile north of an area between Jennings Street and East Tremont Avenue along West Farms Road and Boone Avenue. I am therefore especially pleased the rezoning of Whitlock Avenue as this application proposes, will facilitate additional affordable housing development. When completed the two new buildings proposed herein will offer 472 units of needed accommodation. I also contend that given this site's proximity to mass transportation, access to multi-acre parkland that borders the Bronx River and retail activity found on Westchester Avenue, within the scope of this development accommodations specifically designed for our senior citizen community need to also be included. I believe that so doing not only will help to reduce the growing demand for good quality senior citizen housing, but affords all those residing here with benefits only realized through multi-generational living environments.

As I consider the merits of this application, I am also mindful of the automotive development that is currently in place. I strongly support the applicant's decision to engage the Sunrise Co-Op planned for Hunts Point to help identify alternative sites for those businesses now in place on Whitlock Avenue. I also applaud the applicant's decision allowing the general public access to a portion of the open space that will offer 4,776 square feet for passive recreation. The way by which building heights on East 165th Street "drop down" means that the surrounding community will not be subjected to a perpetual shadow. Owing to the installation of this development's exterior garden areas, the low-rise homes on Longfellow Avenue will not be "towered over."

As the need for an ever increasing number of affordable units continues to grow and construction costs continue to rise, I am aware of how developers are reducing the actual living space available in each unit. When necessary I have commented on such submissions. I am therefore pleased to point out that this project will yield units that exceed the minimum size allowed. To be sure, if families are to consider where they live their home, I believe it is essential that where they reside is safe, clean and comfortable.

I recommend approval of this application.