

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NOS:
C 220334 ZMX - 893 EAGLE AVENUE REZONING
C 220336 ZSX - 893 EAGLE AVENUE REZONING

DOCKET DESCRIPTION

C 220334 ZMX:

IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an R6 District to a R7-2 District property bounded by a line 100 feet northerly of East 161st Street, Eagle Avenue, East 161st Street and a line midway between Third Avenue and Eagle Avenue, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 13, 2023, and subject to conditions of CEQR Declaration E-667.

C 220336 ZSX:

IN THE MATTER OF an application submitted by the Housing Options and Geriatric Association Resources, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 11-story building on property located at 893 Eagle Avenue (Block 2620, Lots 49, 50, 52 & 56), in an R7-2* District, Borough of The Bronx, Community District 3.

*Note: This site is proposed to be rezoned by changing an R6 District to an R7-2 District under a concurrent related application for a Zoning Map change (C 220334 ZMX).

Plans for this proposal are on file with the City Planning Commission and may be seen on the Zoning Application Portal at <https://zap.planning.nyc.gov/projects/P2018X0270>, or at the Department of City Planning, 120 Broadway, 31st Floor, New York, N.Y. 10271.

BACKGROUND

The site (the Project Area) these applications pertain to is located on the west side of Eagle Avenue at the intersection of East 161st Street, (Block 2620, Lots 47, 48, 49, 50, 52 and 56). This site approximates 12,690 square feet. Street boundaries include East 163rd Street to the north, East 161st Street on the south, Eagle Avenue to the east and Third Avenue to the west. Approval of these applications will:

- Amend the Zoning Map, Section No. 6c by changing the current R6 District to a proposed R7-2 District
- Establish a Mandatory Inclusionary Housing Area (MIH)
- Grant a special permit to ZR 74-903 to permit the proposed development to utilize the community bulk facility provisions of Article II, Chapter 4.
- Increase the Maximum Floor Area Ratio (FAR) from 2.2 to 3.44 for residential uses (Quality Housing Buildings)
- Increase the Maximum FAR from 4.8 to 6.5 for community facility uses.

Existing development within the Project Area includes:

- 897 Eagle Avenue (Block 2620, Lot 48) contains a four-story, four-unit residence approximating 4,520 square feet of floor area
- 899 Eagle Avenue (Block 2620, Lot 47) contains a four-story, six-unit residence approximating 4,532 square feet of floor area

Located within the Project Area is the Development Site. It includes four vacant tax lots (Block 2620, Lots 49, 50, 52 and 56). This site approximating 8,943 square feet of property is directly accessible at East 161st Street. Owing to a notable rock outcropping the site includes a significant elevation difference of approximately 30 feet. Consequently, Eagle Avenue passes over East 161st Street at this junction via a bridge. This site offers approximately 63 feet of frontage on Eagle Avenue and 127 feet of frontage on East 161st Street.

Approval of these applications will facilitate construction of an eleven-story residential building composed of approximately 55,324 square feet. It will offer 83 units, of which 50 units will be supportive housing serving individuals with HIV/AIDS. The remaining 33 units will accommodate families with a maximum Area Median Income (AMI) of 60%. These units will be integrated into the supportive housing development, sharing common areas and amenities. A professional staff of approximately 25 employees will provide support and assistance to all residents 24/7. Total development cost will be approximately \$52 million.

Features of this project include:

Studio Units: 50 Supportive Housing Approximating 380 Square Feet at or below 50% AMI
 Studio Units: 9 Affordable Housing Approximating 380 Square Feet at or below 60% AMI
 1 Bedrooms: 12 Affordable Housing Approximating 540 Square Feet at or below 60% AMI
 2 Bedrooms: 12 Affordable Housing Approximating 780 Square Feet at or below 60% AMI
 Exterior Passive Recreation Area Approximating 1,200 Square Feet
 Interior Recreation/Area: Approximating 700 Square Feet
 Bicycle Storage Room will accommodate 12 bicycles

Due to the unique topography of this site, the proposed building will also feature two lobby areas. The main lobby will access East 161st Street. It will be monitored by full-time security personnel. The secondary lobby will offer access from Eagle Avenue. Entering at this location will require a key while being monitored by security camera operations. The proposed building will also feature a cellar and sub-cellar. No off-street parking will be provided.

Pursuant to Passive House environmental standards, it is anticipated that this proposed building will feature all electric climate control systems and a full array of energy efficient electric appliances.

An additional amenity to this proposed development will be an exterior staircase providing the public with 24/7 access between East 161st Street and Eagle Avenue. This feature will be fully maintained by the applicant pursuant to a Restrictive Declaration for the maintenance and operation of the stairs.

Residential development on Eagle Avenue and on the adjacent sites located on East 161st Street is typified by mid-rise, multi-unit buildings, none exceeding eight stories. So too, both Eagle Avenue and East 161st Street are measured as narrow streets in the area surrounding the Development Site. High-rise residences and a wide variety of retail options are located on Third Avenue.

The Development Site is located in a Transit Zone which removes any parking requirements for affordable housing. Subway services via the #2 and #5 trains operate on Westchester Avenue, approximately six blocks east of the site. Bus services are found on Third Avenue via the Bx 15 and Bx 21. The Select Bus Service (SBS) #6 operates on East 163rd Street. Access to Metro North is found on Park Avenue at East 162nd Street approximately five blocks (1/2 mile) to the north.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These applications have been reviewed pursuant to CEQR and SEQR and received a Negative Declaration. The City Planning Commission certified these applications as complete on February 13, 2023.

BRONX COMMUNITY DISTRICT PUBLIC HEARING

A virtual public hearing was held by Bronx Community Board #3 on April 11, 2023. A vote recommending approval of these applications was 14 in favor, 6 against, 5 abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on May 18, 2023. Those representing the applicant spoke in favor of these applications. There being no other members of the public wishing to testify, the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

Perhaps more than any other borough, The Bronx takes on more than its fair share to ensure people with special needs have the supportive housing they need; this is especially notable within

Community Districts one through six. I offer this comment at the outset because I firmly believe that supportive housing is a responsibility that every community across the city must satisfy and it is not the sole responsibility of a few neighborhoods to support the entire city's special needs populations.

Regarding the 893 Eagle Avenue proposal, and the proposed development this application would facilitate, I am confident that the services provided for residents with special needs will be, competent, compassionate, and comprehensive. I offer this statement based on the years of good work that the applicant, HOGAR (Housing Options and Geriatric Association Resources), has provided to numerous Bronx communities since its founding in 1996. Acknowledging that these residents who are impoverished and live with from HIV/AIDS may be especially vulnerable, I am fully supportive of the wrap-around services that this new facility will provide.

I am pleased to note that the scope of this project includes affordable housing units for families at or below 60% of Area Median Income (AMI). I am further pleased that over 35% of the affordable housing units will be comprised of 2-bedroom units, though I will continue to advocate for larger units, both in terms of the square footage of the units and having some 3-bedroom units. I recognize the challenge within this development of providing 3-bedroom units when the development is trying to maximize the supportive housing, but note that any future changes to the development to accommodate some 3-bedroom units will further gain my support.

I want to note that the building is proposed to being close, or able to meet, *Passive House* levels and has been designed as a fully electric building that will be able to meet all upcoming Local Law 97 energy and sustainability requirements.

While this project has my general support, there are some general concerns I want to note. Many of these concerns are due to the challenging site conditions, but can be addressed to ensure the site works for the long-term betterment of the community. These include:

- The site is currently defined by rock outcroppings which can pose a challenge for construction. The applicant has stated they will only remove the rock through drilling and not blasting. It is important that any rock removal is done during normal DOB hours of work, as this rock removal work will be a disruption for the existing neighbors. I would ask the developer provide a notice to the adjacent building owners for when the drilling will occur, as a courtesy, while maintaining ongoing communication with neighbors during construction.
- To address some concerns of height that had been noted. The maximum height of the buildings on the block are at, or less, than six-stories, and the proposed building will be 11-stories. Recognizing that the 893 Eagle Avenue site is located on a corner lot with a significant grade change, the applicant has used setbacks to break-up the perimeter wall of the building to keep the height, but reduce the scale of the building along the street. This well thought out design allows for the increased density without feeling like the building is "towering over" the existing buildings in the area. I will note, the existing zoning for the adjacent lots would permit them to build the same height, even if a building of that height has not been built on the same block, the Boricua College and

adjacent residential buildings are all taller than 11-stories and are within one block of the proposed development site.

- I am very pleased that the scope of what will be constructed includes an exterior staircase for public use. Today people must walk around the entire block to reach Eagle Avenue, which is elevated in relation to 161st Street. The applicant team has stated the stairs will feature both plantings and art as a way to better tie the stairway into the local community, while also providing a positive deterrent to graffiti and vandalism that may occur if it was a blank wall. While the applicant team will be responsible for maintenance and operation of the stairway, I do have some concerns over the long-term maintenance of the stairs. I will remain optimistic that HOGAR will be able to continue to maintain the stairs, but recognize that over time the stairs may require capital support that a non-profit may not be able to provide on their own and will need city assistance. As these stairs are providing a public good, I will ask that the city supports HOGAR with any upkeep that is necessary, under the presumption that HOGAR is acting in good faith and the maintenance is not due to neglect.

I would be remiss if I did not mention the vote taken by Community Board 3. While the recommendation to support the project passed, eleven of twenty-five board members abstained from their vote. While I recommend approval of the application, I ask that the applicant continue to engage with the local community to allay any community concerns that may have been expressed.

Noting my observations, advice, and concerns on this project, I recommend approval of this application.