Project Description (LR Item 3)
Project ID: 2020X0421

1959 Strang Avenue

November 2021

1. Introduction

Wharton Properties, LLC (the "Applicant") seeks a zoning map amendment the "Proposed Actions") that would affect the one property (Block 4981, Lot 94; the "Development Site" and "Project Area") in the Edenwald area of Bronx Community District #12. The proposed zoning map amendment would amend the Project Area which is zoned R4 and R4-1 to contain a C2-3 commercial overlay.

The Proposed Action would facilitate a new single-story commercial retail development on the Development Site with 3,610 square feet (0.36 FAR) and 12 accessory parking spaces.

2. Background

The Development Site was improved with a commercial building constructed in the 1930s. The commercial use was facilitated by a variance from the BSA through application 808-59-BZ in 1961. This approval subsequently lapsed, and the property has remained vacant. The R4 zoning remained until 2007 when a portion of the parcel was amended to R4-1 as a result of the Wakefield/Eastchester Rezoning (070409 ZMK). The larger rezoning amended all or parts of 134 blocks in the northeastern Bronx neighborhoods of Wakefield and Eastchester in Bronx Community District 12 in an area generally bounded by Carpenter Avenue on the west, East 233rd Street to the south, the Dyre Avenue subway right-of-way / Provost Avenue to the east, and the boundary line between New York and Mount Vernon on the north. The Wakefield/Eastchester Rezoning rezoned existing zoning to contextual R5A, R4A and R4-1 districts over most of the rezoning area. Additionally, fourteen block fronts along White Plains Road were rezoned to R6 in order to encourage higher-density residential and mixed-use development. Existing commercial overlays along White Plains Road were changed to better reflect existing patterns of land use. Mid-density contextual zoning districts were created from previous R6 districts, such as R4-1, R4A and R5B districts. Despite the history of commercial use in the Project Area, the area remained under residential zoning.

In terms of actions granted by the Boards of Standards and Appeals ("BSA") in the surrounding area, an extended term/waiver of a previously granted variance (371-29-BZ) was granted in 2001 for the operation of a Use Group 6 retail use at 1220 East 233rd Street (Block 4934, Lot 66), located a block to the south, contrary to the underlying R5 use regulations. In September 2004, the BSA granted a special (19-04-BZ) to permit the reestablishment of an expired variance previously granted under BSA Cal. No. 423-54-BZ, for a gasoline service station (Use Group 16) in a C2-1 within an R4 zoning district, as well as the legalization of the conversion of a portion of the gas station building to an accessory retail convenience store.

In October 2005 and June 2019, the BSA granted an extension of term (126-93-BZ and 126-93-BZII) for a variance of a gasoline service station located in an R4 zoning district. At 1225 East 233rd Street (Block 4995 Lot 1), located a block to the south, contrary to the underlying R4 use regulations.

There are no other relevant approved land use actions in the last ten years within 1,000 feet of the proposed Project Area.

3. Description of the Surrounding Area

The Project Area is located along Strang Avenue at Baychester Avenue. Baychester Avenue is a wide (100') arterial ('wide' in the ZR), while Strang Avenue, an east-west road is narrow in width is 60' in width ('narrow' in the ZR). Baychester Avenue is wide, divided mixed-use arterial for the surrounding area, which is otherwise predominantly residential to the north, east and west. Baychester Avenue is a north-south arterial thoroughfare and the area immediately to the south includes commercial, residential, and uses within 600 feet of the Development Site. The interior blocks moving north from Baychester Avenue are predominantly residential with one and two-family houses, along with some multi-family residential buildings. A block south is East 233rd Street, another arterial roadway (100' wide).

In addition to residential uses along side streets, there are limited community facility uses also present. Notable community facility uses in the area include the Baychester Church (Block 4981 Lot 74) which is located northeast of the Development Site on Baychester Avenue between Strang and Edenwald Avenues and Edenwald Library (Block 4956 Lot 1) which is located south west of the Development site at the corner of East 233rd Street and De Reimer Avenue. To the south of the Development Site at the corner of Baychester Avenue and East 233rd Street is Seton Falls Park located one block to the south.

As noted above, the Project Area is located in both R4 and R4-1 zoning districts, the latter of which was created as a result of the Wakefield-Eastchester Rezoning in 2007. As such, the immediate area to the north, east and west is predominantly residential. The block to the south contains R4/C1-1 and R4/C2-1 districts that have been present since the inception of the 1961 ZR, with a neighborhood commercial shopping center present (the Baychester Shopping Plaza). Further to the south and east are two automotive service stations located at East 233rd Street and Baychester Avenue.

R4 districts generally permits contextual two- to three-story residential buildings at a maximum FAR of 0.75, with an attic allowance of 20% for inclusion of space under a pitched roof usually produces buildings with three stories. Front yards of 10 feet and rear yards 30 feet are required, with side yards of at least 8 feet. The maximum building height is 35 feet and one parking space is required per dwelling unit. Commercial uses are not permitted. The R4/C1-1 and R4/C2-1 are mixed-use districts and permit 1.0 FAR for commercial uses. R4/C1-1 only permits commercial Use Group 6, while R4/C2-1 permits a wider range of commercial uses (Use Groups 5-9 & 14).

The R4-1 district primarily permits contextual one and two-family detached and semi-detached houses at a maximum FAR of 0.75, with an attic allowance of 20%. Front yards of 10 feet and rear yards 30 feet are required, with side yards of at least four feet. The maximum building height is 35 feet and one parking space is required per dwelling unit. Commercial uses are not permitted.

The Rezoning Area is served by public transit with the New York City Transit (NYCT) Bx16 bus line, which provides service between Norwood and Pelham, with stops along Baychester Avenue near Strang Avenue. The closest subway station is present approximately a mile to the east, at Dyre Avenue near 233rd Street.

4. Description of the Proposed Project Area

The Proposed Project Area and the Development Site are the same and is discussed in greater detail below.

5. Description of Proposed Development Site

The Development Site is a single rectangular lot (Block 4981, Lot 94) that contains 10,000 square feet of lot area with frontage along two streets: approximately 100 feet along Baychester Avenue and approximately 100 feet of frontage along the north side of Strang Avenue. As noted above, Baychester Avenue is a 'wide' street with 100 feet in width, while Strang Avenue south is 60 feet in width, a 'narrow' street. The underlying R4 district encompasses a majority the majority of the

development site and extends approximately 90 feet from Strang Avenue, with the remaining 10-foot portion of the lot zoned R4-1.

The lot is currently improved with a 2,750 square foot vacant commercial building constructed in the 1930s or approximately 0.27 FAR. The lot currently has two existing curb cuts: a drop curb on Baychester Avenue and a drop curb on Strang Avenue.

6. Description of Proposed Development

The Proposed Actions would facilitate the new commercial development of the Development Site with a single-story commercial retail building to contain approximately 3,610 square feet or 0.36 FAR. The Proposed Development would provide 12 accessory parking spaces accessed via a new 12.5-foot curb cut along Baychester Avenue, approximately 88 feet north of the intersection and vehicles exit the lot via a new 14-foot curb cut onto Strang Avenue, approximately 66 feet west of the intersection.

7. Actions Necessary to Facilitate the Project

The Proposed Actions consist of a zoning map amendment, that is primarily intended to facilitate the Proposed Development. The zoning map amendment would create a C2-3 commercial overlay at a depth of 100 feet from Strang Avenue on the Development Site that is currently zoned R4 and R4-1. As such, the current residential zoning district does not permit commercial use and is needed to facilitate the Proposed Development.

The proposed new C2-3 commercial district would facilitate an active commercial use on the Development Site and would recognize the history of commercial use at this corner since the 1930s and serve to attract new investment to this area, which is currently improved with a vacant obsolete commercial building. It would also serve to provide a desired neighborhood service for the surrounding residential community in an appropriate location, along a mixed-use arterial adjacent a pre-existing shopping center.

The C2-3 commercial overlay in R4 districts permits a maximum commercial FAR of 1.0. Absent a residential use, the C2-3 commercial overlay permits two-stories of commercial use and permits a range of neighborhood commercial uses (Use Groups 5-9 & 14) which include local retail, funeral homes and repair services. C2-3 districts require one accessory parking space per 300 or 400 square feet for most retail uses (depending on the use) and reflects the automobile dependent nature of the surrounding area, with no immediate access to mass transit present, aside from a bus line present along Baychester Avenue. The C2-3 commercial overlay waives the parking

requirement where under 25 spaces are required. However, 12 spaces are voluntarily provided in the Proposed Development, given the automobile dependent nature of the surrounding area.

The proposed C2-3 district would result in the highest and best use for this area, and serve to permit a commercial use that has existed since the 1930's. The proposed C2-3 commercial overlay would enable the property owner to redevelop the long-vacant property with a viable new commercial retail building, consistent with the commercial shopping center present immediately to the south.

As such, the Proposed Actions would result in a new viable commercial development in an area otherwise present with similar uses and would serve to activate a long-dormant property along a vibrant thoroughfare.

8. Conclusion

The Proposed Action would map a commercial overlay along a heavily trafficked wide thoroughfare with a history of commercial use, consistent with the character of the surrounding area. The proposed new C2-3 commercial overlay would serve to activate the dormant corner of Strang Avenue and Baychester Avenue with new neighborhood services for the surrounding residential community. As such, the Proposed Action would result in the highest and best use for the Project Area and would be consistent with the surrounding area.