DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

February 3, 2025

New York City Council
City Hall
New York, NY 10007

Re: 438 Concord Ave
ULURP No. N 240105 ZRX
Related Applications: C 240104 ZMX
Borough of Bronx

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated January 30, 2025, from the City Council regarding the proposed modification to the above-referenced application submitted by BronxCo, LLC for a Zoning Text amendment to Appendix F to map Mandatory Inclusionary Housing (N 240105 ZRK).

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on February 3, 2025, determined that the City Council's proposed modification does not require additional review of environmental issues or pursuant to Section 197-c of the Charter.

Very truly yours,

Daniel R. Garodnick

c: P. Philps S. Amron D. DeCerbo D. Answini C. Delgado S. Avila

Daniel R. Garodnick, Director
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(212) 720-3200 FAX (212) 720-3303
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THE COUNCIL
THE CITY OF NEW YORK
LAND USE DIVISION
250 BROADWAY - ROOM 1602
NEW YORK NEW YORK 10007

PERRIS STRAUGHTER
DIRECTOR

January 30, 2025

Honorable Daniel Garodnick, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Application No. N 240105 ZRX (L.U. No. 211)
Related Application No. C 240104 ZMX (L.U. No. 210)

438 Concord Avenue Rezoning

Dear Chair Garodnick:

On January 30, 2025, the Land Use Committee of the City Council, by a vote of 9-0-0 for Application **N 240105 ZRX** recommended modifications of the City Planning Commission's decision in the above-referenced matter.

Pursuant to Section 197-d(d) of the City Charter I hereby file the proposed modifications with the Commission:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use District

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

* * *

#Special Mixed Use District#	Designated #Residence District#
* * *	
MX 16 - Community Districts 5 and 16, Brooklyn	R6A R7A R7D R8A
MX 18 - Community District 1, The Bronx	R7D R7X
MX 19 - Community District 16, Brooklyn	R6A R7A
* * *	

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

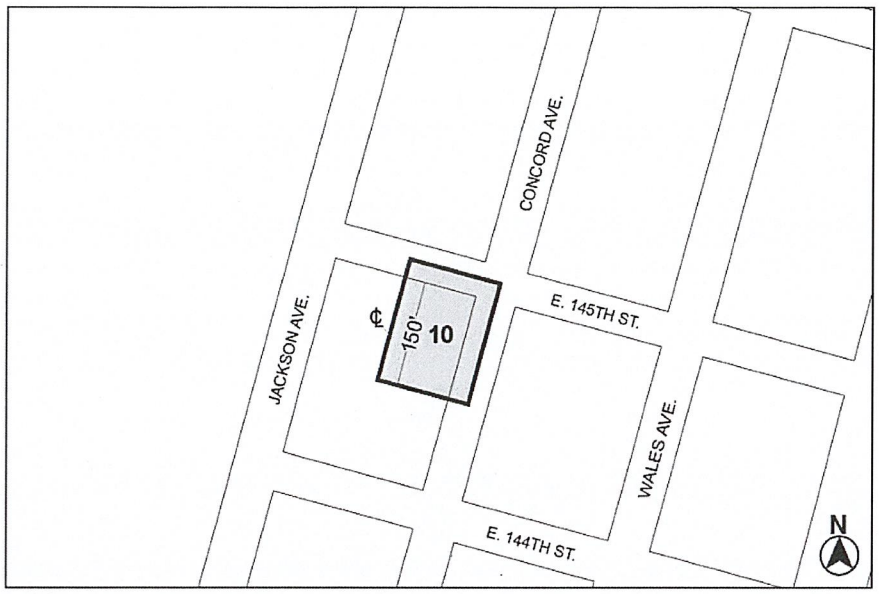
The Bronx

Community District 1

* * *

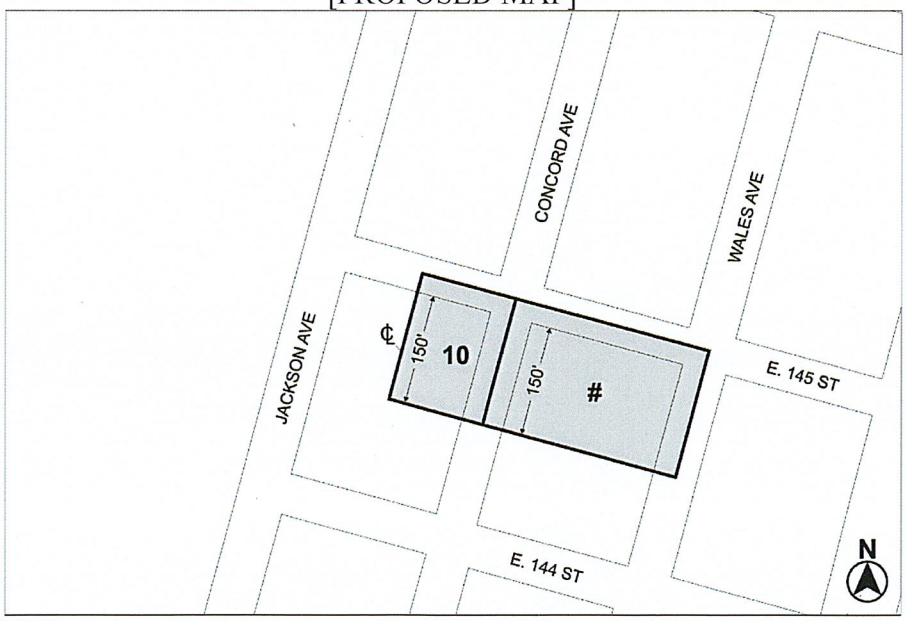
Map 9 — [date of adoption]

[EXISTING MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area **10** – 5/27/21 MIH Program Option 1

[PROPOSED MAP]



Mandatory Inclusionary Housing ~~Program~~ Area ~~see Section 23-154(d)(3)~~
Area **10** — 5/27/21 MIH Program Option 1
Area **#** — [date of adoption] MIH Program Option 1 and ~~Option 2~~ Deep Affordability Option

[*Non-substantive changes to terminology have been made to reflect the City of Yes for Housing Opportunity text amendment (N 240290 ZRY) adopted on December 5, 2024.*]

* * *

Please feel free to contact me at AMcCaughey@council.nyc.gov if you or your staff have any questions in this regard.

Sincerely,

.....
Anne F. McCaughey
General Counsel

AFM:kg

CC: Susan Amron, DCP General Counsel
Danielle DeCerbo, DCP
James Harris, DCP
Perris Straughter, Director, Planning and Land Use Division
Brian Paul, PLU Deputy Director
Deborah Kerzhner, PLU Senior Counsel
Ryan Cote, PLU Senior Planner
File

File #:	Res 0770-2025 **Version:** *	**Name:**	LU 211 - Zoning, 438 Concord Avenue, Bronx (N 240105 ZRX).
Type:	Resolution	**Status:**	Adopted
		Committee:	Committee on Land Use
On agenda:	2/13/2025		
Enactment date:		**Law number:**	
Title:	Resolution approving with modifications the decision of the City Planning Commission on Application No. N 240105 ZRX, for an amendment of the text of the Zoning Resolution (L.U. No. 211).		
Sponsors:	Rafael Salamanca, Jr., Kevin C. Riley		
Council Member Sponsors:	2		
Attachments:	1. 438 Concord Avenue Rezoning Presentation, 2. January 8, 2025 - Charter Meeting Agenda, 3. Calendar of the Zoning Subcommittee Meeting - January 9, 2025, 4. Hearing Transcript - Charter Meeting 1-8-24, 5. 01-09-25 Zoning Appearance Cards, 6. Calendar of the Zoning Subcommittee Meeting - January 29, 2025, 7. Calendar of the Land Use Meeting - January 30, 2025, 8. City Planning Commission Approval Letter, 9. Committee Report, 10. Res. No. 770, 11. February 13, 2025 - Stated Meeting Agenda		

History (2) | Text

2 records | Group | Export

Date	Ver.	Prime Sponsor	Action By	Action	Result	Action Details	Meeting Details	Multimedia
2/13/2025	*	Rafael Salamanca, Jr.	City Council	Approved, by Council	Pass	Action details	Meeting details	Not available
1/30/2025	*	Rafael Salamanca, Jr.	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC		Action details	Meeting details	Not available

File #:	Res 0769-2025 **Version:** *	**Name:**	LU 210 - Zoning, 438 Concord Avenue, Bronx (C 240104 ZMX).
Type:	Resolution	**Status:**	Adopted
		Committee:	Committee on Land Use
On agenda:	2/13/2025		
Enactment date:		**Law number:**	
Title:	Resolution approving the decision of the City Planning Commission on ULURP No. C 240104 ZMX, a Zoning Map amendment (L.U. No. 210).		
Sponsors:	Rafael Salamanca, Jr., Kevin C. Riley		
Council Member Sponsors:	2		
Attachments:	1. 438 Concord Avenue Rezoning Presentation, 2. January 8, 2025 - Charter Meeting Agenda, 3. Calendar of the Zoning Subcommittee Meeting - January 9, 2025, 4. Hearing Transcript - Charter Meeting 1-8-24, 5. 01-09-25 Zoning Appearance Cards, 6. Calendar of the Zoning Subcommittee Meeting - January 29, 2025, 7. Calendar of the Land Use Meeting - January 30, 2025, 8. City Planning Commission Approval Letter, 9. Committee Report, 10. Res. No. 769, 11. February 13, 2025 - Stated Meeting Agenda		

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