ARTHUR AVENUE HOTEL REZONING
2461 HUGHES AVENUE, THE BRONX, NEW YORK
JUNE 12, 2020

LR ITEM 3 DESCRIPTION OF PROPOSAL

1. INTRODUCTION

2461 Hughes Associates LLC (the "Applicant"), the owner of Block 3077, Lots 29, 31, 53, 54, 55, 56, and 58 (the "Development Site") in the Belmont/Little Italy neighborhood of Bronx Community District 6, requests approval of the following two actions (the "Proposed Actions") from the New York City Planning Commission (the "CPC"):

1. Zoning map amendment to rezone Bronx Block 3077, Lots 29, 31, 33, p/o 34, 53, 54, 55, 56, 58 ("Rezoning Area 1") from R6 and R6/C2-4 zoning districts to a C6-1 zoning district and to rezone Bronx Block 3077, Lots p/o 4, p/o 6 ("Rezoning Area 2") from an R6 zoning district to an R6/C1-4 zoning district; and

2. Zoning text amendment to Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing ("MIH") Area coterminous with Rezoning Area 1.

The Proposed Actions would facilitate the redevelopment of the Development Site with a new, mixed use commercial (hotel) and residential development (the "Proposed Development"). The Proposed Development would include approximately 122,694 square feet of floor area (6.0 FAR), including approximately 70,027 square feet of hotel floor area and 52,667 square feet of residential floor area. The Proposed Development would contain a total of approximately 146 hotel rooms, 56 dwelling units, and 156 parking spaces on the cellar level.

2. BACKGROUND

In 2013, an approximately 12 block area along East Fordham Road and Arthur Avenue, including portions of Rezoning Area 1 (Block 3077, Lots 29, 31, 33, and 34), was rezoned as part of the East Fordham Road Rezoning (C 130273 ZMX). The rezoning replaced all or portions of C8-1, R6, R6/C2-3, and R6/C2-4 zoning districts with C4-5D, R6, and R6B zoning districts to better reflect prevailing land use trends in the area and facilitate new opportunities for growth and development in the area while reinforcing the established commercial character and preserving the existing neighborhood character. Similarly, the new commercial overlays mapped along Arthur Avenue north of East 187th Street were intended to reinforce the existing commercial character and create retail continuity along Arthur Avenue between the commercial core of Belmont and East Fordham Road. While the overlay allowed commercial uses, existing development between East 187th Street and East Fordham Road still lacks the distinctive commercial character of Arthur Avenue south of East 187th Street.

The 1961 Zoning Resolution mapped an approximately 10 block area between East 187th and East 183rd Streets with C1-4 and C2-4 commercial overlays. To the north of East 187th Street a C1-4 overlay was mapped to a depth of 100 feet immediately south of Rezoning Area 2. Zoning designations within these areas has remained unchanged since 1961. Zoning designations in this area remain unchanged since 1961.

The Third Avenue – Tremont Avenue Rezoning (C 100407 ZMX), approved by the CPC in 2010, rezoned an approximately 75 block area along Third Avenue and Tremont Avenue to the southwest of Rezoning Area 1 and 2. The rezoning replaced all or portions of C8-3, C4-4, R7-1, M1-1, and M1-4 zoning districts with C4-5X, C4-4A, C4-4D, M1-4/R7A (MX), M1-4/R7X (MX), and R7X/C1-4. The rezoning was intended to strengthen the Third Avenue and Tremont Avenue corridors by promoting a mix of affordable housing, retail, and commercial uses while preserving the surrounding neighborhood character.

3. DESCRIPTION OF THE SURROUNDING AREA

Land Uses

The area within a 600-foot radius of Rezoning Area 1 and 2 (the "Surrounding Area") is generally characterized by a mix of multi-family and one- to two-family residential buildings, public facilities and institutions, retail, office buildings, and open space. Rezoning Area 1 has frontage on East 188th Street, Arthur Avenue, and Hughes Avenue. Rezoning Area 2 has frontage on Arthur Avenue and Hughes Avenue and is separated from Rezoning Area 1 by Ciccarone Park, an approximately 0.55 acre public open space with bocce courts, playgrounds, fitness equipment, and social seating including game tables for the community. The area to the south consists primarily of three- to six-story commercial and mixed residential/commercial buildings. Immediately to the west of Rezoning Area 1 and 2 is Arthur Avenue, an active commercial corridor with numerous historic Italian cultural institutions, restaurants, and bakeries with residential uses above. Mixed residential/commercial buildings along Arthur Avenue range from two to six stories in height. Areas to the north and east of Rezoning Area 1 and 2 consist primarily of two- to six-story residential and mixed residential/commercial buildings.

There are several notable public facilities and institutional uses located just beyond the Surrounding Area including St. Barnabas Hospital, Montefiore Medical Center, MedAlliance Medical Center, Fordham University, PS 205 Fiorello LaGuardia, and Bronx Academy for Software Engineering. Other notable uses include the Bronx Zoo and the New York Botanical Gardens, which is listed on the State and National Register of Historical Places.

The Surrounding Area is well-served by public transportation including local and express bus service along Fordham Road (Bx9, Bx12 SBS, Bx19, Bx22), Crotona Avenue (Bx17), and Third Avenue (Bx15). Additionally, the Fordham Metro-North Railroad station is located approximately 0.4 miles west of Rezoning Area 1 and 2 and the Fordham Road Station on the B and D subway line is located approximately 0.6 miles west of Rezoning Area 1 and 2.

Zoning

The primary zoning districts mapped within the Surrounding Area include R6, R6/C1-4, R6/C2-4, and C4-5D. R6 is mapped throughout most of the Surrounding Area, with C1-4 overlays mapped along East 187th Street and portions of Arthur and Hughes Avenues south of East 187th Street, and C2-4 overlays mapped along Arthur Avenue north of East 187th Street. C4-5D is mapped along East Fordham Road to the north of Rezoning Area 1 and 2.

R6, R6/C1-4, R6/C2-4

R6 is a widely mapped, non-contextual medium density district that allows a wide variety of building types. R6 districts generally allow residential (Use Group 1 and 2) uses and community facility (Use Group 3 and 4) uses. No industrial/manufacturing uses are permitted within R6 districts. Developments in R6 districts can be constructed pursuant to height factor or Quality Housing regulations. Under height factor regulations, a maximum residential FAR of 2.43 is permitted. There are no height limits for height factor buildings, and building height and setback are governed by a sky exposure plane, which begins 60 feet above the street line. Accessory parking is required for 70 percent of dwelling units and for 25 percent of income-restricted housing units. The optional Quality Housing regulations produce high lot coverage buildings set at or near the street line. For buildings within 100 feet of a wide street, the maximum residential FAR is 3.6, the maximum base height before setback is 65 feet, and the maximum permitted building height is 70 feet. On a narrow street, the maximum residential FAR is 2.2, the maximum base height before setback is 45 feet, and the maximum permitted building height is 55 feet. Accessory parking is required for 50 percent of dwelling units and for 25 percent of income-restricted housing units.

C1-4 commercial overlays are typically mapped within residential districts and have low off-street parking requirements. These overlays are mapped along streets that serve local retail needs, and are found widely throughout the City's medium- and higher-density districts. C1 districts generally only permit Use Group 6 retail and service establishments. Within the R6/C1-4 zoning district, the maximum FAR for commercial uses is 2.0.

C2 districts permit a wider range of retail and service establishments than C1 districts. Within R6/C2-4 zoning districts, the maximum FAR for commercial uses is 2.0. However, in mixed residential and commercial buildings, commercial uses are limited to one floor and must always be located below residential use. Off-street parking requirements vary by use, but are generally calculated based on the amount of floor area with C2-4 districts requiring one parking space per 1,000 square feet of floor area for general retail or service uses. A waiver is available for required commercial parking fewer than 40 spaces.

C4-5D

C4-5D is a contextual commercial zoning district typically mapped outside of central business districts. C4-5D has an R7D residential district equivalent and allows residential (Use Group 1 and 2), community facility (Use Group 3 and 4), and commercial (Use Groups 5, 6, 8, 9, 10, and 12) uses. No manufacturing uses are permitted. The maximum permitted FAR is 4.2 for commercial uses, 5.6 FAR for residential uses, and 4.2 FAR for community facility uses. C4-5D zoning permits a maximum base height of 95 feet and a maximum building height of 115 feet. Accessory parking is generally required at a rate of 1 space per 1,000 square feet of floor area for commercial uses, for 50 percent of dwelling units, and for 15 percent of income-restricted housing units. Special rules apply for residential-only buildings located in commercial districts and mixed commercial/residential buildings in commercial districts.

4. DESCRIPTION OF THE PROPOSED REZONING AREAS

Rezoning Area 1

Rezoning Area 1 is comprised of all or portions of nine tax lots on Block 3077 including Lots 29, 31, 33, 34, 53, 54, 55, 56, and 58. Rezoning Area 1 is an approximately 24,650 square foot area that is generally bounded by Arthur Avenue to the west, East 189th Street to the north, Hughes Avenue to the east, and East 188th Street to the south. Rezoning Area 1 has approximately 145 feet of frontage on Arthur Avenue, a 70-foot wide one-way street, 170 feet of frontage on East 188th Street, a 60-foot wide one-way street, and 145 feet of frontage on Hughes Avenue, a 50-foot wide one-way street. Rezoning Area 1 is zoned R6 with a C2-4 mapped to the centerline of the block along the Arthur Avenue frontage. R6 is a medium density district with a maximum permitted FAR of 2.43 under height factor regulations or 3.6 FAR pursuant to the optional Quality Housing regulations. As set forth in more detail below, Rezoning Area 1 is characterized by a mix of commercial and residential uses.

2450 Arthur Avenue (Block 3077, Lot 29) is a corner lot with an area of approximately 3,279 square feet that is improved with a three-story approximately 7,510 gross square foot mixed commercial/residential building containing four dwelling units and a funeral home (2.29 FAR). Lot 29 has approximately 82 feet of frontage along East 188th Street and 40 feet of frontage along Arthur Avenue.

2452 Arthur Avenue (Block 3077, Lot 31) is an interior lot with an area of approximately 4,492 square feet that is improved with a two-story approximately 3,398 gross square foot residential walk-up building containing four dwelling units (0.76 FAR). Lot 31 has approximately 55 feet of frontage along Arthur Avenue. Vehicular access to the site is provided by an approximately 10 foot curb cut along the southern property line.

2456 Arthur Avenue (Block 3077, Lot 33) is an interior lot with an area of approximately 2,038 square feet that is improved with a four-story approximately 5,640 gross square foot residential walk-up building containing nine dwelling units (2.7 FAR). Lot 33 has approximately 25 feet of frontage along Arthur Avenue.

2458 Arthur Avenue (Block 3077, Lot 34) is an interior lot with an area of approximately 6,081 square feet, of which only an approximately 2,030 square foot southern portion is within Rezoning Area 1. The lot is improved with one two-story residential building with five dwelling units and two single-story commercial buildings, with a combined floor area of approximately 4,312 gross square feet (0.7 FAR). Portions of the residential building and southernmost commercial building are located within Rezoning Area 1. Lot 34 has approximately 75 feet of frontage along Arthur Avenue and vehicular access to the site is provided by one curb cut.

2461 Hughes Avenue (Block 3077, Lot 53) is an interior lot with an area of approximately 2,185 square feet that is improved with a two-story approximately 1,428 gross square foot single-family building (0.65 FAR). Lot 53 has approximately 25 feet of frontage along Hughes Avenue. Vehicular access to the site is provided by one curb cut.

2459 Hughes Avenue (Block 3077, Lot 54) is an interior lot with an area of approximately 2,185 square feet that is improved with a two-story approximately 1,890 gross square foot residential building with two dwelling units (0.8 FAR). Lot 54 has approximately 25 feet of frontage along Hughes Avenue. Vehicular access to the site is provided by one curb cut located in a shared side yard with the property to the south.

2457 Hughes Avenue (Block 3077, Lot 55) is an interior lot with an area of approximately 2,185 square feet that is improved with a two-story approximately 2,835 gross square foot residential building with two dwelling units (1.3 FAR). Lot 55 has approximately 25 feet of frontage along Hughes Avenue. Vehicular access to the site is provided by one curb cut located in a shared side yard with the property to the north.

617 East 188th Street (Block 3077, Lot 56) is a corner lot with an area of approximately 3,080 square feet that is improved with a three-story approximately 5,580 gross square foot mixed commercial/residential building containing ground-floor retail and office space and two dwelling units (1.8 FAR). Lot 56 has approximately 44 feet of frontage along East 188th Street and 70 feet of frontage along Hughes Avenue.

609 East 188th Street (Block 3077, Lot 58) is an interior lot with an area of approximately 3,039 square feet that is improved with a three-story approximately 4,696 gross square foot mixed commercial/residential building containing ground-floor retail space and six dwelling units (1.5 FAR). Lot 58 has approximately 44 feet of frontage along East 188th Street.

Rezoning Area 2

Rezoning Area 2 is comprised of portions of Lots 4 and 6 on Block 3077. Rezoning Area 2 is an approximately 3,414 square foot area that is generally bounded by Arthur Avenue to the west, East 188th Street to the north, Hughes Avenue to the east, and East 187th Street to the south. Rezoning Area 2 has approximately 20 feet of frontage on Arthur Avenue, 20 feet of frontage on Hughes Avenue, and approximately 171 feet of frontage on Ciccarone Park. Rezoning Area 2 is zoned R6. As described above, R6 is a medium density district with a maximum permitted FAR of 2.43 under height factor regulations or 3.6 FAR pursuant to the optional Quality Housing regulations. As set forth in more detail below, Rezoning Area 2 is characterized by commercial uses.

2402 Arthur Avenue (Block 3077, Lot 4) is a through lot with an area of approximately 7,509 square feet, of which only an approximately 1,750 square foot eastern portion is within Rezoning Area 2. Lot 4 has approximately 37.5 feet of frontage along Arthur Avenue and 50 feet of frontage along Hughes Avenue. The lot is improved with a one-story commercial building (currently occupied as a bank) along the Arthur Avenue frontage (0.4 FAR). A curb cut along the Hughes Avenue frontage provides vehicular access to a parking lot with approximately nine spaces.

2410 Arthur Avenue (Block 3077, Lot 6) is an interior lot with an area of approximately 3,121 square feet, of which only an approximately 1,664 square foot northern portion is within Rezoning Area 2. Lot 6 has approximately 37.5 feet of frontage along Arthur Avenue. The lot is improved with a one-story commercial building (0.78 FAR), currently occupied by Tino's Delicatessen.

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT SITE

The Applicant-owned Development Site (Block 3077, Lots 29, 31, 53, 54, 55, 56, and 58) is irregularly shaped and has a total lot area of approximately 20,462 square feet. The Development Site has approximately 95 feet of frontage on Arthur Avenue, 170 feet of frontage on East 188th Street, and 145 feet of frontage on Hughes Avenue. As described above, the Development Site is

currently occupied by a mix of commercial and residential uses totaling approximately 27,337 gross square feet (1.3 FAR). Buildings on the Development Site range from one- to four-stories in height.

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Development would include approximately 122,694 square feet of floor area (6.0 FAR) between two buildings, including approximately 70,027 square feet of hotel floor area and 52,667 square feet of residential floor area. The Proposed Development would contain a total of approximately 146 hotel rooms, 56 dwelling units, and 156 parking spaces. The Proposed Development will be located within an MIH Area, upon approval of the proposed zoning text map amendment of ZR Appendix F, and the Applicant intends to provide permanently affordable housing pursuant to the MIH Workforce Option (Option 4). As such, 30 percent of residential floor area (approximately 17 units) would be permanently affordable at an average of 115 percent of the Area Median Income ("AMI"), with five percent of the residential floor area restricted at 70 percent AMI and five percent of the residential floor area restricted at 90 percent AMI.

The hotel building would be located along the Proposed Development's Arthur Avenue and East 188th Street frontages. The building would be set at the street line and rise to a height of approximately 75 feet (7 stories). At a height of 75 feet, the building would set back 15 feet before rising to a final height of 135 feet (13 stories). Entrances to the proposed hotel would be located on both Arthur Avenue and East 188th Street. A new curb cut on Arthur Avenue would provide access to parking on the cellar floor, including 128 permitted spaces for the hotel use and 28 required residential accessory spaces. The area on top of the building's first floor would serve as a private outdoor recreation area for hotel guests.

The residential building would be located along the Hughes Avenue and East 188th Street frontages. The building would be set at the street line and rise to a height of approximately 45 feet (4 stories). At a height of 45 feet, the building would set back 15 feet before rising to a final height of 75 feet (7 stories). The residential entrance would be located on East 188th Street.

7. ACTIONS NECESSARY TO FACILITATE THE PROJECT

The Applicant is requesting approval of two land use actions to facilitate the Proposed Development, including: a zoning map amendment to rezone Rezoning Area 1 from R6 and R6/C2-4 zoning districts to a C6-1 zoning district and to rezone Rezoning Area 2 from an R6 zoning district to an R6/C1-4 zoning district; and a zoning text amendment to Appendix F of the Zoning Resolution to establish a MIH Area coterminous with Rezoning Area 1. The requested actions are described below in more detail.

1. Zoning Map Amendment

The proposed zoning map amendment to sectional map 3c would map Rezoning Area 1 with a C6-1 zoning district. C6-1 districts are commercial districts typically mapped in areas outside central business districts. C6-1 has an R7-2 residential district equivalent and allows residential (Use Group 1 and 2), community facility (Use Group 3 and 4), and commercial (Use Groups 5-12) uses. No manufacturing uses are permitted. The maximum permitted FAR is 6.0 for commercial uses, 4.8 FAR for residential uses, and 6.5 FAR for community facility uses. C6-1 zoning permits a maximum base height of 75 feet and a maximum building height of 135 feet. Accessory parking is not required. While commercial uses are permitted within a portion of Rezoning Area 1, existing development lacks the distinctive commercial character of Arthur Avenue south of East 187th Street. The proposed C6-1 zoning district, which would be bounded by Arthur Avenue, East 187th Street, Hughes Avenue and a line drawn 145 feet north of East 187th Street, would allow for sufficient new development to establish the character of the entire end of the block that is immediately north of Ciccarone Park, mirroring the area of commercial development that occupies the portion of the block that is immediately south of Ciccarone Park between Arthur Avenue and Hughes Avenue. The C6-1 zoning district would allow new, higher-density commercial uses along a key corridor linking the heart of Little Italy's commercial activity south of East 187th Street with East Fordham Road to the north. The proposed zoning

map amendment would encourage the extension of the commercial corridor northward and would be consistent with the goals and objectives of the 2013 East Fordham Road Rezoning, including fostering retail continuity and promoting commercial development along Arthur Avenue. Furthermore, the proposed zoning map amendment would be consistent with the existing land use and zoning character of the area, including the C4-5D (R7D equivalent) zoning district mapped along East Fordham Road to the north and the C4-4D (R8A equivalent) zoning district mapped along Third Avenue between East 184th and East 181st Streets.

The proposed C6-1 zoning district is appropriate as Rezoning Area 1 is located in the Belmont/Little Italy neighborhood of the Bronx, a regional destination for dining and shopping, in close proximity to public transportation as well as major cultural attractions and employment centers such as Fordham University, the Botanical Garden, the Bronx Zoo, St. Barnabas Hospital, and Montefiore Medical Center. The proposed zoning map amendment would facilitate the construction of affordable housing, providing opportunities for those that work or go to school in the area to live in the neighborhood. In addition, the proposed zoning map amendment would facilitate the construction of the only hotel in the Belmont/Little Italy area, and one of the few full-service hotels in the entire Bronx.

The proposed zoning map amendment would also extend an existing C1-4 commercial overlay 20 feet north along Arthur and Hughes Avenue to include Rezoning Area 2. The commercial overlay would be mapped to a depth of 120 feet from East 187th Street and would be paired with the existing R6 zoning district. C1-4 commercial overlays are typically mapped within the City's medium- and higher-density residential districts along streets that serve local retail needs. C1 districts generally only permit Use Group 6 retail and service establishments. Within R6 districts, C1-4 commercial overlays allow a maximum commercial FAR of 2.0. The proposed zoning map amendment would permit commercial uses within Rezoning Area 2, the only area fronting on Arthur Avenue between East 184th Street and East Fordham Road where commercial uses are not permitted as-of-right. The proposed zoning map amendment is intended to strengthen the commercial zoning framework along Arthur and Hughes Avenue and unify this block with those south of East 187th Street. Furthermore, the proposed zoning map amendment would be consistent with the goals and objectives of the 2013 East Fordham Road Rezoning, including fostering retail continuity and promoting commercial development along Arthur Avenue.

2. Zoning Text Amendment to Appendix F

The Applicant is requesting a zoning text amendment to Appendix F to designate Rezoning Area 1 as an MIH Area. According to the U.S. Census Bureau, approximately 50.5 percent of area households in Bronx Community District 6 are rent burdened and there is a strong need for affordable housing that reaches a broad range of incomes.[1]

The MIH program requires that permanently affordable housing be provided within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIH Areas. Within the MIH Area, all housing developments, enlargements and conversions that meet the criteria set forth in the MIH program must comply with the requirements of either Option 1 or Option 2 described below.

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.
- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

In addition to one or both of the options above, the City Council and the City Planning Commission could decide to apply one or both of the following options:

- Deep Affordability Option: 20 percent of the total residential floor area must be for housing units for residents with incomes averaging 40 percent of AMI and no direct

[1] Based on American Community Survey 2013-2017 5-Year Estimates for PUMA 3705, which is an approximation of Bronx Community Districts 6 and 3, available at: https://communityprofiles.planning.nyc.gov/bronx/6.

subsidies could be used for these units except where needed to support more affordable housing.

- Workforce Option: 30 percent of the total residential floor area must be for housing units for residents with incomes averaging 115 percent of AMI; no units could go to residents with incomes above 135 percent AMI; no direct subsidies could be used for these affordable housing units; and this could not apply to Manhattan Community Districts 1-8.

The Applicant proposes to map Rezoning Area 1 with both Option 2 and the Workforce Option, and intends to develop the Development Site pursuant to the Workforce Option. As such, 30 percent of residential floor area (approximately 17 units) would be permanently affordable at an average of 115 percent AMI, with five percent of the residential floor area restricted at 70 percent AMI and five percent of the residential floor area restricted at 90 percent AMI. The MIH requirement ensures that these 17 dwelling units, and a percentage of floor area in any future development within the MIH Area, are permanently affordable.

8. CONCLUSION

The Applicant, 2461 Hughes Associates LLC, is requesting approval of two discretionary actions: 1) a zoning map amendment to rezone Rezoning Area 1 from R6 and R6/C2-4 zoning districts to a C6-1 zoning district and to rezone Rezoning Area 2 from an R6 zoning district to an R6/C1-4 zoning district; and 2) a zoning text amendment to Appendix F of the Zoning Resolution to establish an MIH Area coterminous with Rezoning Area 1. The zoning map and text amendments would facilitate the construction of much needed housing, including approximately 17 units of permanently affordable housing at the Development Site, as well as a full-service hotel in close proximity to the commercial destination of the Belmont/Little Italy neighborhood and several of the Bronx's major cultural attractions and employment centers. The Proposed Development would provide much needed services and amenities to the existing and future residents of the area, enlivening the Arthur Avenue commercial corridor and creating a more vibrant streetscape. The zoning map amendment would also legalize existing commercial uses south of Ciccarone Park consistent with the character of the Arthur Avenue commercial corridor, and would facilitate the establishment of a sidewalk café at the property occupied by Tino's Delicatessen.