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Automotive use to affordable apartments: The Jerome Ave. rezoning - by Nora Martins and Joshua Rinesmith

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With the city council's approval of the comprehensive Jerome Ave. rezoning this past March, the DeBlasio administration took another long stride toward achieving its goal of building or preserving 300,000 affordable housing units by 2026.

This was the fourth and most recent neighborhood rezoning undertaken by the current administration, with the department of city planning estimating that over 4,000 new housing units will come online over the next decade as a result of the rezoning.

It is likely that new development in this neighborhood will outpace that of the city's other outer borough neighborhood rezonings in Downtown Far Rockaway (approved Sept. 2017) and East New York (approved April 2016), given the easy access to mass transit and relative proximity to Manhattan (25 minutes to Grand Central on the 4 train, and 35 minutes to Times Sq. on the D and B train).

As background, the Jerome Ave. Neighborhood Plan, which was undertaken by the department of city planning and not by private applicants, was the culmination of planning efforts and community outreach that began in 2014. Comprised of 151 acres on 95 blocks in the Bronx, running along a two-mile stretch of Jerome Ave. from 165th St. in Highbridge to 184th St. in University Heights, the existing Jerome Ave. corridor is characterized by low scale development occupied by automotive and parking-related uses, located on either side of the elevated 4 train line running down the center

of Jerome Ave. The majority of the properties included in the rezoning were formerly zoned for either moderate density, non-contextual residential development or for heavy commercial/automotive and light industrial uses and historically underutilized. These properties have now been rezoned to districts allowing residential use and higher floor area, in some cases more than tripling the buildable floor area previously permitted.

This increased density and development potential comes with the obligation to provide affordable housing pursuant to the city's Mandatory Inclusionary Housing (MIH) regulations, in accordance with the administration's policy to require MIH when increasing the maximum residential floor area permitted.

The MIH area that was established for the Jerome Ave. rezoning requires new residential development to provide permanently affordable housing in accordance with MIH Option 1 (which requires 25% of residential floor area be available to households with an average AMI of 60%) or MIH Option 3 (which requires 20% of residential floor area be available to households with an average AMI of 40%). A one-bedroom apartment at 60% AMI can be rented for \$1,058 per month, while a one-bedroom at 40% AMI can be rented for \$667, based on HPD's published 2018 rents.

In addition to the rezoning and MIH designation, the city adopted a text amendment to establish the Special Jerome Ave. District, which contains additional regulations that further modify what would otherwise be permitted in the newly rezoned areas. Several underlying bulk regulations (such as height and street wall location) are modified to simplify development along the elevated train line and on irregular lots.

The special district text also created a city planning commission special permit requirement for any new hotel development, which would otherwise be permitted as of right. The special permit requires that a proposed hotel go through the city's Uniform Land Use Review Procedure (ULURP) and obtain approval from city planning commission and the city council (if called up). The Special District text also eliminated an existing special permit requirement for fitness centers (known as "physical culture or health establishments") and health clubs. In the Special District, these types of uses are now permitted as of right without requiring a special permit from the city's Board of Standards and Appeals, which previously added significant delay and cost to the process of opening and operating a fitness center. Given the residential development and density that is expected over the next decade on Jerome Ave., this will facilitate and even incentivize the opening of new fitness centers in these neighborhoods.

While concerns were voiced throughout the public review process regarding gentrification and higher rents, as well as displacement of existing auto-related uses and jobs, the Jerome Ave. rezoning is expected to result in thousands of new apartments, additional school seats, park improvements, and new retail and community facility development. It is anticipated that new housing built within the rezoning area in the immediate future will be 100%affordable and developed with public subsidy, but it is not infeasible that the area may eventually support market rents (the MIH designation will ensure that a certain percentage of units remain permanently affordable).

Development is booming in the Bronx (albeit generally affordable housing projects), and certain areas, such as Mott Haven in the South Bronx, are already seeing market rate development.

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