



## **CITY PLANNING COMMISSION**

March 12, 2008/Calendar No. 12

N 070060 ZRX

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**IN THE MATTER OF** an application submitted by the Parkchester Preservation Company, LP pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article X, Chapter 3 (Special Planned Community Preservation District) modifying Section 103-07 (Special Provisions for Demolition of Buildings), Borough of the Bronx, Community District 9.

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The application for an amendment to the New York City Zoning Resolution was filed by Parkchester Preservation Company, LP on August 17, 2006 to amend Section 103-07 of the Zoning Resolution regarding special provisions for demolition of buildings in Special Planned Community Preservation Districts in order to facilitate the demolition of a building in Parkchester in Bronx Community District 9.

### **BACKGROUND**

Parkchester Preservation Company, LP requests an amendment of the New York City Zoning Resolution relating to Section 103-07 (Special Provisions for Demolition of Buildings in Special Planned Community Preservation Districts, to facilitate the demolition of a building in Parkchester.

Parkchester is a residential complex containing approximately 12,000 dwelling units located in the East Bronx and built in 1939 by the Metropolitan Life Insurance Company. Originally built as rental housing, the property was converted to condominiums. Parkchester was one of the largest privately built housing developments in the country. It contains approximately 500,000 square feet of retail space, which serves as the retail hub of this community. The complex currently has three parking garages containing approximately 2,000 spaces.

In 1974 the City Planning Commission and the Board of Estimate created the Special Planned Community (PC) District. Concurrently with the creation of the district, four areas in the city, including Parkchester, were mapped as PC districts. The purpose of the district is to protect the planned communities, by controlling any additional development and demolition of buildings.

In its report approving the mapping of Parkchester as a PC district, the City Planning Commission noted that “Parkchester has long been considered a model of well-planned, high density urban housing developed without the conventional grid system of streets.”

Section 103-07 of the PC district regulations permits demolition of existing buildings only if an unsafe building determination has been made by the Department of Buildings (DOB), or in conjunction with an application for a special permit pursuant to Section 103-06 for a new development or enlargement within the district

The proposed text amendment would allow as-of-right demolition of buildings in PC districts that are located within a C8-4 district, have less than 10,000 square feet, and were constructed between January 1, 1956 and July 17, 1974. The other PC districts in the city, Harlem Houses in Manhattan, and Fresh Meadows and Sunnyside Gardens in Queens do not contain a C8-4 district.

The applicant proposes this zoning text amendment to Section 103-07 of the Zoning Resolution in order to permit the demolition of a vacant one-story structure of approximately 7,300 square feet at 2020 East Tremont Avenue (Block 3943, P/O Lot 205), which was previously used as an

automotive service center . The building, which is within a C8-4 zoning district, was constructed in 1961 and was not part of the original Parkchester development. It has been vacant for approximately 10 years and has a blighting influence on the area. The applicant currently has no plans for constructing anything on the site and the building has not been deemed as unsafe by DOB.

## **ENVIRONMENTAL REVIEW**

This application (N 070060 ZRX) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 07DCP005X. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 13, 2007.

## **PUBLIC REVIEW**

On November 13, 2007, this text change application (N 070060 ZRX) was duly referred to Community Board 9 and the Bronx Borough President in accordance with the procedure for referring Non-ULURP matters.

## **COMMUNITY BOARD REVIEW**

On December 20, 2007, Community Board 9 approved this application.

## **Borough President Review**

The Bronx Borough President did not submit a recommendation on this application.

## **City Planning Commission Public Hearing**

On January 30, 2008 (Calendar No. 13), the City Planning Commission scheduled February 13, 2008, for a public hearing on this application (N 070060 ZRX). The hearing was duly held on February 13, 2008 (Calendar No. 43). The applicant's attorney appeared in favor of the application.

There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this text amendment to the Zoning Resolution is appropriate.

Parkchester was designated a Special Planned Community Preservation District in 1974. The Special District designation protects Parkchester by controlling any development and demolition of buildings. In its original report establishing Parkchester as a planned community, the City Planning Commission stated that "Parkchester has long been considered a model of well-planned, high density urban housing developed without the conventional grid system of streets."

Current PC regulations permit demolition of existing buildings in PC districts under very limited

circumstances. The applicant wishes to demolish a vacant building that was not part of the original Parkchester development and which has a blighting influence on the surrounding area. The proposed text would allow demolition of the subject building, but would have a limited applicability since only buildings in C8-4 districts less than 10,000 square feet, constructed between January 1, 1956 and July 17, 1974 could be demolished pursuant to the proposed text. The other PC districts in the city, Harlem Houses in Manhattan, and Fresh Meadows and Sunnyside Gardens in Queens do not contain a C8-4 district.

The Commission believes that the proposed amendment would not affect the original purposes and goals of the Special Planned Community District.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter in *italics* is defined in the Zoning Resolution;

\*\*\* indicates where unchanged text appears in the Zoning Resolution.

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**103-07 (xx/xx/08)**

## **SPECIAL PROVISIONS FOR DEMOLITION OF BUILDINGS**

No demolition permit shall be issued by the Department of Buildings for any #building# within the Special District after July 18, 1974, unless it is an unsafe #building# and demolition is required pursuant to the provisions of Chapter 26, Title C, Part I Article 8 of the New York City Administrative Code, or its successor, except pursuant to a #development# plan for which a special permit has been granted under Section 103-06 (Special Permit Provisions).

In a C8-4 District, however, a demolition permit may be issued for any #building# that is less than 10,000 square feet and was constructed after December 31, 1955, but prior to July 18, 1974.

The above resolution (N 070060 ZRX), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 12), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, AICP, Chair  
KENNETH J. KNUCKLES, ESQ., Vice Chairman  
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,  
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA DEL TORO,  
NATHAN LEVENTHAL, SHIRLEY A. MCRAE, JOHN MERLO,  
KAREN A. PHILLIPS, COMMISSIONERS**

**RICHARD W. EADDY, Commissioner, RECUSED.**