



CITY PLANNING COMMISSION

September 7, 2011 / Calendar No. 10

C 110384 ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1d, 2a, and 2b:

1. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - b) a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, Bronxwood Avenue, East 233rd Street, and Bronxwood Avenue;
 - c) East 228th Street, Bronxwood Avenue, East 226th Street, a line 150 feet southeasterly of Bronxwood Avenue, East 224th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 150 feet northwesterly of Bronxwood Avenue; and
 - d) a line 100 feet northeast of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
2. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Byron Avenue, East 233rd Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, a line 150 feet northwesterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road;
 - b) East 226th Street, the southwesterly and northwesterly boundary line of a playground and its northeasterly prolongation, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - c) East 227th Street, Laconia Avenue, East 225th Street, a line 250 feet southeasterly of Laconia Avenue, East 224th Street, and a line 150 feet northwesterly of Laconia Avenue;

- d) East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and
 - e) a line 100 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;
3. eliminating from within an existing R6 District a C1-2 District bounded by:
- a) East 220th Street, a line 150 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line midway between Willett Avenue and White Plains Road, East 219th Street, and a line 150 feet northwesterly of White Plains Road;
 - b) a line midway between East 212th Street and East 211th Street, a line 150 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road; and
 - c) Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
4. eliminating from within an existing R5 District a C2-2 District bounded by:
- a) East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
 - b) East 230th Street, a line 150 feet southeasterly of White Plains Road, East 226th Street, and a line midway between Lowerre Place and White Plains Road; and
 - c) East 224th Street, a line 150 feet southeasterly of White Plains Road, East 222nd Street, and a line 100 feet northwesterly of White Plains Road; and
5. eliminating from within an existing R6 District a C2-2 District bounded by:
- a) East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 150 feet southeasterly of White Plains Road, East 220th Street, and a line 150 feet northwesterly of White Plains Road; and
 - b) East 218th Street and its northwesterly centerline prolongation, a line 150 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willett Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line midway between White Plains Road and Willett Avenue;

6. changing from an R5 District to an R4 District property bounded by:
- a) a line midway between East 233rd Street and East 232nd Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 229th Street and East 228th Street, a line 400 feet southeasterly of Barnes Avenue, East 227th Street, Barnes Avenue, a line midway between East 227th Street and East 226th Street, a line 400 feet northwesterly of Barnes Avenue, East 227th Street, a line 500 feet northwesterly of Barnes Avenue, a line midway between East 228th Street and East 227th Street, a line 400 feet northwesterly of Barnes Avenue, a line midway between East 229th Street and East 228th Street, a line 500 feet northwesterly of Barnes Avenue, East 229th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 229th Street, a line 500 feet southeasterly of Barnes Avenue, East 230th Street, a line 150 feet southeasterly of White Plains Road, East 231st Street, Barnes Avenue, and Bussing Avenue; and excluding property bounded by East 231st Street, a line 250 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 231st Street, and Barnes Avenue;
 - b) a line midway between East 226th Street and East 227th Street, a line 150 feet northwesterly of Bronxwood Avenue, East 224th Street, Bronxwood Avenue, East 223rd Street, a line 500 feet northwesterly of Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 223rd Street and East 224th Street, a line 150 feet southeasterly of White Plains Road, a line midway between East 224th Street and East 225th Street, a line 500 feet northwesterly of Bronxwood Avenue, East 225th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 226th Street and East 225th Street, Barnes Avenue, East 225th Street, a line 100 feet northwesterly of Barnes Avenue, East 226th Street, and a line 400 feet southeasterly of Barnes Avenue;
 - c) East 227th Street, a line 100 feet northwesterly of Laconia Avenue, East 224th Street; and a line 150 feet northwesterly of Laconia Avenue;
 - d) a line midway between East 225th Street and East 224th Street, a line 340 feet northwesterly of Needham Avenue, East 224th Street, a line 225 feet northwesterly of Needham Avenue, a line midway between East 224th Street and East 223rd Street, a line 100 feet northwesterly of Needham Avenue, East 223rd Street, a line 100 feet northwesterly of Boston Road, a line midway between East 223rd Street and East 222nd Street, Needham Avenue, East 222nd Street, Eastchester Road, a line midway between East 224th Street and East 223rd Street, and a line 675 feet northwesterly of Schieffelin Place; and

- e) a line 100 feet southeasterly of Boston Road, a line midway between Gunther Avenue and Tiemann Avenue, a line 70 feet northwesterly of Tillotson Avenue, Gunther Avenue, Tillotson Avenue, a line midway between Wickham Avenue and Gunther Avenue, Givan Avenue, Eastchester Road, a line 100 feet northwesterly of Burke Avenue, a line midway between Corsa Avenue and Fenton Avenue, Givan Avenue, Fenton Avenue, a line 440 feet northwesterly of Givan Avenue, Eastchester Road, a line 70 feet southeasterly of Tillotson Avenue, Mickle Avenue, Tillotson Avenue, and Kingsland Avenue;
7. changing from an R4 District to an R4A District property bounded by:
- a) a line 100 feet southeasterly of Boston Road, Edson Avenue, the northwesterly boundary line of the MTA New York City Transit right-of-way, the northeasterly prolongation of a line 85 feet northwesterly of Tillotson Avenue, Grace Avenue, a line 210 feet northwesterly of Tillotson Avenue, a line midway between Grace Avenue and Ely Avenue and its southeasterly prolongation, the northwesterly boundary line of the MTA New York City Transit right-of-way, East 222nd Street, a line midway between Ely Avenue and Bruner Avenue, the southwestery prolongation of a line 170 feet northwesterly of Tillotson Avenue, Ely Avenue, a line 350 feet southeasterly of Boston Road, and a line midway between Grace Avenue and Ely Avenue;
 - b) the southeasterly boundary line of the MTA New York City Transit right-of-way, De Reimer Avenue and its northwesterly centerline prolongation, Tillotson Avenue, a line 100 feet southwestery of Boller Avenue, a line 250 feet northwesterly of Tillotson Avenue, Boller Avenue, a line 400 feet northwesterly of Tillotson Avenue, a line midway between Boller Avenue and Hunter Avenue, a line perpendicular to the northeasterly street line of Boller Avenue distant 160 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the northeasterly street line of Boller Avenue, Boller Avenue, a line perpendicular to the southwestery street line of Boller Avenue distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the southwestery street line of Boller Avenue, Palmer Avenue, a line 250 feet southeasterly of Tillotson Avenue, a line midway between Palmer Avenue and De Reimer Avenue, a line 325 feet southeasterly of Tillotson Avenue, De Reimer Avenue, a line 150 feet southeasterly of, Tillotson Avenue, a line midway between De Reimer Avenue and Baychester Avenue, a line 100 feet southeasterly of Tillotson Avenue, Baychester Avenue, Tillotson Avenue, and a line midway between De

Reimer Avenue and Baychester Avenue and its northwesterly prolongation;

8. changing from an R5 District to an R4A District property bounded by Burke Avenue, Edson Avenue, Hammersley Avenue, and Grace Avenue;
9. changing from an R4 District to an R5 District property bounded by East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 226th Street and East 227th Street; and a line 150 feet northwesterly of Bronxwood Avenue;
10. changing from an R6 District to an R5 District property bounded by East 222nd Street, a line 100 feet northwesterly of Bronxwood Avenue, East 213th Street, Barnes Avenue, East 215th Street, a line 125 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, Holland Avenue, East 215th Street, a line 350 feet southeasterly of White Plains Road, East 217th Street, a line 230 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th Street, and a line 100 feet southeasterly of White Plains Road;
11. changing from a C8-1 District to an R5 District property bounded by a line 100 feet southwesterly of East Gun Hill Road, a line midway between Lurting Avenue and Laconia Avenue, a line 100 feet northwesterly of Boston Road, a line 100 feet northerly of Burke Avenue, and Lurting Avenue;
12. changing from an R5 District to an R5A District property bounded by East 226th Street, a line 100 feet northwesterly of White Plains Road, East 225th Street; and a line 150 feet northwesterly of White Plains Road;
13. changing from a R6 District to an R5A District property bounded by:
 - a) a line midway between East 232nd Street and East 231st Street, a line 180 feet northwesterly of White Plains Road, a line midway between East 231st Street and East 230th Street, a line 150 feet northwesterly of White Plains Road, East 230th Street, Lowerre Place, East 229th Street, a line 100 feet northwesterly of White Plains Road, East 226th Street, a line 150 feet northwesterly of White Plains Road, East 225th Street, Carpenter Avenue, East 227th Street, a line 100 feet southeasterly of Carpenter Avenue, East 228th Street, a line 200 feet southeasterly of Carpenter Avenue, a line midway between East 229th Street and East 228th Street, a line 100 feet southeasterly of Carpenter Avenue, East 229th Street, a line 280 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 229th Street, a line 100 feet southeasterly of Carpenter Avenue, East 230th Street, a line 180 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East

231st Street, a line 350 feet southeasterly of Carpenter Avenue, East 231st Street, and a line 300 feet southeasterly of Carpenter Avenue; and

- b) East 222nd Street, a line 180 feet northwesterly of White Plains Road, a line midway between East 222nd Street and East 221st Street, a line 130 feet northwesterly of White Plains Road, East 221st Street, a line 100 feet northwesterly of White Plains Road, a line midway between East 220th Street and East 219th Street, and a line 100 feet southeasterly of Carpenter Avenue;
14. changing from an R7-1 District to an R5A District property bounded by East 228th Street, Carpenter Avenue, East 226th Street, Bronx Boulevard, a line 280 feet northeasterly of East 226th Street, and a line midway between Bronx Boulevard and Carpenter Avenue;
15. changing from an R4 District to an R5D District property bounded by:
- a) a line midway between East 234th Street and East 233rd Street, Bronxwood Avenue, East 233rd Street, and Barnes Avenue;
 - b) East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 130 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Bronxwood Avenue, East 228th Street, and Bronxwood Avenue;
 - c) East 233rd Street, Laconia Avenue, East 227th Street, and a line 100 feet northwesterly of Laconia Avenue; and
 - d) East 224th Street, Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, and a line 100 feet northwesterly of Laconia Avenue;
16. changing from an R5 District to an R5D District property bounded by:
- a) East 233rd Street, Bronxwood Avenue, East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Barnes Avenue;
 - b) East 223rd Street, Bronxwood Avenue, East 222nd Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 - c) East 233rd Street, a line 100 feet southeasterly of Laconia Avenue, East 231st Street, Grenada Place, and Laconia Avenue; and
 - d) East 227th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, a line 675 feet

northwesterly of Schieffelin Avenue, a line midway between East 224th Street and East 223rd Street, Eastchester Road, a line perpendicular to the southwesterly street line of Eastchester Road distant 200 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Eastchester Road and the southeasterly street line of Laconia Avenue, a line 100 feet southeasterly of Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;

17. changing from an R6 District to an R5D District property bounded by East 222nd Street, Bronxwood Avenue, East 213th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
18. changing from an R5 District to an R6 District property bounded by East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 222nd Street, a line 100 feet northwesterly of White Plains Road, East 230th Street, and a line 150 feet northwesterly of White Plains Road;
19. changing from an R4 District to an R6A District property bounded by a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
20. changing from an R5 District to an R6A District property bounded by:
 - a) a line midway between East 233rd Street and East 234th Street, Barnes Avenue, East 232nd Street, a line 140 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road; and excluding property bounded by a line 100 feet northeasterly of East 233rd Street, a line 70 feet southeasterly of Byron Avenue, East 233rd Street, and Byron Avenue;
 - b) East 225th Street, a line 100 feet northwesterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - c) East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and
 - d) a line 130 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;

21. changing from an R6 District to an R6A District property bounded by:
- a) East 233rd Street, a line 150 feet northwesterly of White Plains Road, a line midway between East 232nd Street and East 231st Street, a line 300 feet southeasterly of Carpenter Avenue, East 231st Street, a line 350 feet southeasterly of Carpenter Avenue, a line midway between East 231st Street and East 230th Street, a line 180 feet southeasterly of Carpenter Avenue, East 230th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 229th Street, a line 280 feet southeasterly of Carpenter Avenue, East 229th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 229th Street and East 228th Street, a line 200 feet southeasterly of Carpenter Avenue, East 228th Street, a line 100 feet southeasterly of Carpenter Avenue, East 227th Street, and Carpenter Avenue;
 - b) East 225th Street, a line 150 feet northwesterly of White Plains Road, East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 100 feet southeasterly of Carpenter Avenue and its southwesterly prolongation, a line 125 feet southwesterly of East 219th Street, a line midway between Olinville Avenue and Bronx Boulevard, a line 100 feet southwesterly of East 213th Street, Olinville Avenue, a line 100 feet northeasterly of East 213th Street, a line midway between Olinville Avenue and Willet Avenue, a line 350 feet southwesterly of East 213th Street, Willet Avenue, East 213th Street, a line 100 feet southeasterly of Willet Avenue, a line 100 feet northwesterly of White Plains Road, a line 400 feet southwesterly of East 213th Street, Willet Avenue, East Gun Hill Road, Olinville Avenue, East 211th Street, Bronx Boulevard, and Carpenter Avenue; and
 - c) East 215th Street, Barnes Avenue, East 213th Street, Bronxwood Avenue, East Gun Hill Road, Holland Avenue, a line 100 feet southwesterly of East 213th Street, Carlisle Place, East 213th Street, a line 100 feet southeasterly of Holland Avenue, East 214th Street, a line 275 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, and a line 125 feet southeasterly of Holland Avenue;
22. changing from an C8-1 District to an R6A District property bounded by East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Lurting Avenue;
23. changing from an R6 District to an R7A District property bounded by East 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th

Street, a line 230 feet southeasterly of White Plains Road, East 217th Street, a line 350 feet southeasterly of White Plains Road, East 215th Street, Holland Avenue, a line midway between East 215th Street and East 214th Street, a line 275 feet southeasterly of Holland Avenue, East 214th Street, a line 100 feet southeasterly of Holland Avenue, East 213th Street, Carlisle Place, a line 100 feet southwesterly of East 213th Street, Holland Avenue, East Gun Hill Road, Willett Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street);

24. establishing within an existing R4 District a C1-4 District bounded by a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street and Bronxwood Avenue;
25. establishing within a proposed R5D District a C1-4 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - b) East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, and Bronxwood Avenue;
 - c) East 228th Street, Bronxwood Avenue, East 226th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 - d) East 231st Street, Laconia Avenue, East 230th Street, and a line 100 feet northwesterly of Laconia Avenue; and
 - e) East 228th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;
26. establishing within existing and proposed R6 Districts a C1-4 District bounded by:
 - a) East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, and a line 100 feet northwesterly of White Plains Road;
 - b) East 226th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 100 feet northwesterly of White Plains Road; and

- c) East 220th Street, a line 100 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line 150 feet northwesterly of White Plains Road, East 219th Street, and a line 100 feet northwesterly of White Plains Road;
- 27. establishing within a proposed R6A District a C1-4 District bounded by Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, a line 130 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
 - 28. establishing within a proposed R7A District a C1-4 District bounded by a line midway between East 212th Street and East 211th Street, a line 100 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road;
 - 29. establishing within a proposed R5D District a C2-4 District bounded by East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
 - 30. establishing within existing and proposed R6 Districts a C2-4 District bounded by:
 - a) East 230th Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 226th Street, and a line 100 feet northwesterly of White Plains Road; and
 - b) East 224th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 220th Street, and a line 100 feet northwesterly of White Plains Road;
 - 31. establishing within a proposed R6A District a C2-4 District bounded by a line midway between East 233rd Street and East 234th Street, Byron Avenue, East 233rd Street, a line 70 feet southeasterly of Byron Avenue, a line midway between East 233rd Street and East 234th Street, Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White Plains Road, East 233rd Street; and a line 150 feet southeasterly of White Plains Road; and
 - 32. establishing within a proposed R7A District a C2-4 District bounded by 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willet Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willet Avenue, East 213th Street, a line 100

feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street);

Borough of The Bronx, Community District 12, as shown in a diagram (for illustrative purposes only) dated June 20, 2011, and subject to the conditions of CEQR Declaration E-279.

The application for an amendment to the Zoning Map was filed by the Department of City Planning on June 10, 2011 to rezone all or portions of 181 blocks in Community District 12 of the Bronx. The proposed rezoning from R4, R5, R6, R7-1 and C8-1 to R4A, R4, R5A, R5, R5D, R6, R6A, and R7A seeks to protect and preserve the Williamsbridge and Baychester residential neighborhoods while focusing growth opportunities around transit and along the major wide corridors.

BACKGROUND

The Department of City Planning proposes to amend the Zoning Map on all or portions of 181 blocks in Community District 12 in the Bronx. The rezoning seeks to protect and preserve residential areas while fostering vibrant, inviting and walkable residential and commercial corridors.

Williamsbridge and Baychester are stable residential communities in the northern Bronx, generally surrounded by Wakefield to the north, Olinville to the south, the Bronx River to the west and the New England Thruway to the east. Williamsbridge is generally located west of Laconia Avenue, and Baychester is generally located east of Laconia Avenue. The rezoning area spans these two neighborhoods and is generally bounded by the Bronx River to the west, Grenada Place, Needham Avenue, Marrola Place and the New England Thruway to the east, East 233rd Street to the north and East Gun Hill Road, and Lurting, Givan and Hammersley avenues to the south. The rezoning area, 181 full or partial blocks, is populated with a diverse mix of building types ranging from larger apartment buildings along Carpenter Avenue to single-family detached homes along Tillotson Avenue by the New England Thruway. Along Paulding Avenue there are a diversity of

building types; attached, semi-detached, detached and apartment buildings throughout this area.

Commercial uses and houses of worship are mainly concentrated along major transportation corridors like White Plains Road, East Gun Hill Road and Boston Post Road. To a lesser degree, these uses can be found in pockets along Bronxwood and Laconia Avenue. Institutional uses are spread throughout the rezoning area, with a higher concentration along White Plains Road. Industrial and manufacturing uses are mainly found around and along Boston Post Road and are less prevalent. Approximately 10 percent of the rezoning area is comprised of open space.

The rezoning area is served by the 2 and 5 trains at four stations along White Plains Road and one along Baychester Avenue and supplemented by two Metro-North stations and thirteen bus lines crisscrossing the neighborhoods. The rezoning area also is served by a number of wide commercial corridors, including White Plains Road, East Gun Hill and Boston Post Road, and East 233rd Street.

The Williamsbridge/Baychester rezoning area is currently composed of three main zoning districts, R4, R5, R6, with small areas zoned R4-1, R7-1 and C8-1. These zoning districts have remained unchanged since their initial implementation in 1961. To better comprehend the area the following description of the affected areas is broken into three categories, Major Residential/Commercial Corridors, The Williamsbridge Neighborhood and the Baychester Neighborhood. The area description is followed by a detailed description of the current zoning.

MAJOR RESIDENTIAL/COMMERCIAL CORRIDORS

White Plains Road

White Plains Road is a major north-south arterial and the longest street in The Bronx,

running from the southern end of the Soundview Peninsula to the Mount Vernon border. The portion which traverses the western edge of Williamsbridge between East 233rd Street and East Gun Hill Road is used by pedestrian and vehicular traffic, the local Bx-39 bus, the express BxM-11 bus, and the number 2 and 5 trains which operate on an elevated structure above the street. The street is 100-foot wide from East 233rd until East 217th Street where it widens out as several islands are located between the north and southbound traffic lines. These islands are generally underutilized public spaces except for the immediate area at East Gun Hill Road, which contains a newly reconstructed entry to the elevated train station. At East Gun Hill Road the street is nearly 200 feet wide. Buildings along the corridor are generally one and two-story commercial structures and some small, two- to four-story apartment buildings. Typical uses include grocery stores, beauty parlors, discount stores, eating and drinking establishments and houses of worship. The more active uses are located within two blocks of subway stations at East Gun Hill Road, East 225th Street and East 233rd Street. The underlying residential zoning is R5 north of East 222nd Street and R6 to the south. Such zoning has not provided incentive to promote significant development, and White Plains Road, in general, sees little pedestrian activity, except at the previously discussed transit nodes.

East Gun Hill Road

East Gun Hill Road is a major 100-foot wide east-west corridor running from Mosholu Parkway at its western terminus to the New England Thruway on the east. Within the rezoning area, between Olinville Avenue and Boston Road, the street contains several institutional uses, including religious and educational facilities, but is generally lined with low density commercial uses, accessory parking lots and occasional residences. The Bx-28, Bx-30 and Bx-38 bus runs along this portion of Gun Hill Road. The portion within the study area lacks a distinct character and streetwall due to the various general zoning districts on either side of the street, which include R6, R5, R4, and C8-1.

East 233rd Street

East 233rd Street is similarly a 100 foot-wide east-west corridor running from Jerome Avenue on the west to the Hutchinson River in the east. While there are several apartment buildings along this street including a 13-story apartment building west of Bronxwood Avenue, the street is generally under built and contains several parcels of vacant land. The portion of East 233rd Street between White Plains Road and Paulding Avenue is predominately developed with single-story commercial uses, several of which provide on-site parking. The Bx-31 serves the portion of East 233rd Street within the study area. East 233rd Street is primarily zoned R6, R5 and R4.

Bronxwood and Laconia Avenues

Bronxwood and Laconia Avenues are local 100-foot wide arterials and span the rezoning area between East 233rd and East Gun Hill Road. These wide avenues are predominately low- to mid-rise residential buildings with pockets commercial structures. Bronxwood avenue south of East 226th Street is served by the Bx-8 bus while a few blocks of Laconia Avenue near East 233rd Street are served By the Bx-31 route. Bronxwood and Laconia Avenues are currently zoned R4 or R5 along their entire length.

WILLIAMSBRIDGE NEIGHBORHOOD

Except for the aforementioned residential/commercial thoroughfares, the Williamsbridge neighborhood is predominately developed with detached two-story single family homes and row houses, with some small, three- to five-story apartment buildings and the occasional larger multi-family structures found mainly between White Plains Road and Carpenter Avenue. As a general pattern, the oldest housing, some of which dates back to the pre-annexation era of the Village of Williamsbridge, is found in the area closest to White Plains Road. Both density levels and the age of the housing stock decreases further east from White Plains Road. Over the last decade, demolition of sound and older housing has occurred and the replacement housing is very often taller, bulkier and architecturally out-of-context with the surrounding neighborhood character.

The Williamsbridge neighborhood consists of R4, R5 and R6 districts. The denser portion of Williamsbridge is zoned either as a R6 district, south of East 222nd Street and west of Bronxwood Avenue and White Plains Road or a R5 district east of White Plains Road, west of Bronxwood Avenue and north of East 222nd Street. The lower density area of Williamsbridge, east of Bronxwood Avenue and west of Laconia Avenue, is zoned R4. A R7-1 district is zoned between Bronx Boulevard and Carpenter Avenue from East 219th Street to East 233rd Street.

BAYCHESTER NEIGHBORHOOD

Unlike the Williamsbridge neighborhood in the western part of the study area, the Baychester neighborhood (generally east of Laconia Avenue) was largely developed during the middle of the 20th century. Although several early 20th century houses are located in this area, a substantial amount of housing dates to the post World War II era, when the area became developed as an automobile oriented suburb. Although existing zoning is generally of a lower density than in Williamsbridge, there are similar issues of out-of-context development as existing infill provisions (explained below in the R4 and R5 district explanations) allow for housing to be built at much greater densities than is found in many parts of the area. Just adjacent to the rezoning area, between East Gun Hill Road and Boller Avenue, Boston Road is the main commercial corridor and contains a variety of uses, including numerous auto-related facilities such as showrooms and auto repair centers. The northern portions of this neighborhood (which included the remnants of the historic Eastchester Village) were rezoned in 2007 as part of the Wakefield rezoning.

The Baychester neighborhood consists of R4, R5 and R6 districts. There are also three C8-1 districts, one C4-2 district and one M1-1 district mapped along Boston Road (one M1-1 district is mapped along East 222nd and Givan Avenue).

EXISTING ZONING

R4 districts allow a variety of housing types, including garden apartments, row houses, semi-detached and detached houses. The maximum FAR is 0.9, which includes a 0.15 attic allowance. However, on a block entirely within an R4 district, optional regulations may be used to develop infill housing in predominately built-up areas at a maximum FAR of 1.35. The maximum building height is 35 feet with a maximum perimeter wall height of 25 feet. Community facilities are permitted at an FAR of 2.0. One parking space is required for each dwelling unit.

R5 districts allow all housing types including detached, semi-detached, attached and multi-family residences. The maximum FAR for all housing types is 1.25. On a block entirely within an R5 district, optional regulations may be used to develop infill housing in predominately built-up areas. On blocks that are predominantly built up, a maximum FAR of 1.65 is permitted through the R5 infill provision. R5 districts require a minimum front yard depth of 10 feet, which is increased to 18 feet if front yard parking is provided. The maximum building height is 40 feet with a maximum perimeter wall height of 30 feet. Community facilities are permitted an FAR of 2.0. Off-street parking in a grouped facility is required for at least 85 percent of the dwelling units.

R6 is a height factor district wherein residential and community facility uses are permitted with no fixed height limits and building envelopes are regulated by a sky exposure plane. A maximum FAR of up to 2.43 is allowed for residential uses and up to 4.8 FAR is allowed for buildings containing community facility uses. Residential development under the Quality Housing Program within an R6 District has a maximum FAR of 2.2 on narrow streets (defined as less than 75 feet wide) with a 55-foot building height limit and a maximum of 3.0 FAR on wide streets (defined as 75 feet wide or greater) with a height limit of 70 feet. Off-street parking is required for 70 percent of the dwelling units. This requirement is lowered to 50 percent of the units if Quality Housing provisions are used. If fewer than five spaces are required, then the off-street parking requirement is waived.

An R7-1 District covers a small portion of the rezoning area between Bronx Boulevard and Carpenter Avenue between 233rd Street and 219th Street. R7-1 zoning districts permit residential and community facility uses (Use Groups 1-4) with a maximum floor area ratio (FAR) of 3.44 for residential uses and 4.8 FAR for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. Off-street parking is required for 60 percent of the dwelling units. Off-street parking is waived if five spaces or less are required. Developers can also use the Quality Housing Program, which permits a 3.44 FAR on a narrow street with a base height of between 40 and 60 feet and a maximum building height of seventy five feet and 4.0 FAR on wide streets with a base height of between 40 and 65 feet, and a maximum building height of 80 feet. Off-street parking is required for 50 percent of the dwelling units under Quality Housing.

Along Boston Road are three C8-1 districts. C8-1 districts are general service districts that allow commercial and community facility uses in Use Groups 4 through 14 and 16. The most prevalent uses in C8 districts are automotive and heavy commercial uses such as auto repair and showrooms, warehouses, gas stations and car washes. Residential uses are not permitted. The maximum commercial FAR in C8-1 districts is 1.0. The maximum building height is determined by its sky exposure plane, which begins 30 feet above the street line. Community facilities are permitted at an FAR of 2.4. Off-street parking requirements vary with the use, but generally most uses require one accessory parking space per 300 square feet of commercial space.

C1-2 and C2-2 districts are mapped within residential districts and allow a range of local retail and service establishments needed in residential neighborhoods. C1- districts permit Use Groups 1 through 6, while C2- districts permit Use Groups 1 through 9 and 14.

In the rezoning area, C1- and C2- districts are mapped within R4, R5 and R6 districts. These overlays' maximum commercial FAR of 1.0 is permitted in R4 and R5 zones, and

a maximum FAR of 2.0 is permitted in R6 zones. The maximum community facility FAR allowed when C1- or C2- overlays are mapped in R4 and R5 districts is 2.0 and 4.80 when mapped in R6 districts. Residential FAR is determined by the underlying residential zone.

Parking requirements for commercial uses in C1 and C2 districts are indicated by the district's suffix. In C1-2 and C2-2 districts, most retail uses require one accessory parking space per 300 square feet of commercial floor space. C1-2 and C2-2 food stores require only one parking space per 200 square feet of floor area.

ZONING MAP CHANGES

The proposed rezoning would change all or portions of 181 blocks (between the Bronx River to the west, Grenada Place, Needham Avenue, Marrola Place and the New England Thruway to the east, East 233rd Street to the north and East Gun Hill Road, and Lurting, Givan and Hammersley avenues to the south) from R4, R5, R6, R7-1 and C8-1 to lower-density, lower density contextual, neighborhood contextual or growth opportunity zoning districts R4A, R4, R5A, R5, R5D, R6, R6A, and R7A. The intent of the proposed rezoning is to reflect and reinforce existing land use patterns while encouraging growth and moderate density increases along wider streets and by transit hubs. In addition, changes to the commercial overlay districts are intended to reflect existing land uses and reduce the potential for commercial encroachment on residential streets.

Four R4 districts are proposed for the areas currently zoned R5. The first R4 District is generally bounded by East 222nd Street, Needham Avenue, Boston Post Road, East 225th Street, and East Chester Road. The second R4 District is generally bounded by Givan Avenue, Corsa Avenue, Burke Avenue, Gunther Avenue, Boston Post Road, and Fenton Avenue. The third area is generally between Bronxwood Avenue and White Plains Road and East 227th Street and East 223rd Street. The fourth district is also between Bronxwood Avenue and White Plains Road and between East 233rd Street and East 227th Street.

These areas are characterized, in the main, by attached two-story, one- and two-family homes with relatively low lot coverage. The proposed R4 District would allow a maximum building height up to 35 feet and a maximum FAR of 0.9 (including a 0.15 FAR attic allowance). The “infill” provisions, where R4 districts permit a FAR increase to 1.35, only apply on blocks that are fully within an R4 zone and are not split by any other zone. The proposed R4 districts have few places where this provision would apply. One parking space would be required for each dwelling unit. The proposed R4 Districts more closely match existing FARs and limit out-of character development on these blocks.

R4A districts are proposed on all or portions of 10 blocks southeast of Boston Post Road along Tillotson Avenue and between Burke, Hammersley, Grave and Edson Avenues that are currently zoned R5. These areas are characterized by small two-story one- and two family detached homes with pitched roofs. R4A districts permit only one- and two-family detached residences at a maximum FAR of 0.9 (including the attic allowance). A minimum lot width of 30 feet and a minimum lot area of 2,850 square feet are required. The perimeter wall may rise 21 feet before being setback to the maximum height of 35 feet. Front yards must be at least 10 feet and at least as deep as an adjacent front yard up to a depth of 20 feet. One off-street parking space is required for each dwelling unit.

Two R5 districts are proposed for 18 full or partial blocks along Barnes Avenue between White Plains Road and Bronxwood Avenue and along Lurting Avenue, which are currently located within R6 or C8-1 zones. The R5 along Lurting Avenue will bring the East side of the street into conformance.

These areas are characterized by an assortment of attached and semi-detached two to four-story, one-, two-, and multi-family homes. One- and two-family homes are also in these areas. The R5 district permits all types of residential buildings at a maximum FAR

of 1.25. The “infill” provisions, where R5 districts permit a FAR increase to 1.65, only apply on blocks that are fully within an R5 zone and are not split by any other zone. The proposed R5 districts have few places where this provision would apply. The perimeter wall of all housing types may rise to 30 feet before sloping or being set back to a maximum building height of 40 feet. Front yards must be exactly 10 feet deep or a minimum of 18 feet in order to ensure that cars parked in front yard driveways do not protrude onto sidewalks. One parking space is required for each dwelling unit, or 85% if in a group parking facility.

Two R5A districts are proposed for 13 full or partial blocks west of White Plains bounded generally by Carpenter Avenue between E. 231st Street and E. 225th Street and between E. 222nd Street and E. 219th Street, currently zoned R6. These areas are characterized by large one- and two-family detached homes. R5A districts permit only one- and two-family detached residences at a maximum FAR of 1.10 (plus 300 square feet for a backyard garage). The perimeter wall may rise 25 feet before being setback to the maximum height of 35 feet. Front yards and rear yards must be at least 10 feet and 30 feet respectively. A minimum of 8 feet is required between buildings on adjacent zoning lots. One off-street parking space is required for each dwelling unit.

R5D districts are proposed for 86 full or partial blocks along Bronxwood and Laconia Avenues and along E. 233rd Street that are currently within R4, R5, and R6 zoning districts. These areas characterized by an assortment of attached and semi-detached two to four-story, one-, two-, and multi-family homes. One- and two-family homes are also in these areas. R5D districts allow housing types at a maximum FAR of 2.0. A front yard of at least 5 feet is required and must be as deep as an adjacent front yard up to 20 feet. A maximum building height of 40 feet is allowed. Parking is required for 66% of the total dwelling units. Community facilities are permitted at an FAR of 2.0.

Four R6A districts are proposed for 39 full or partial blocks currently zoned R6, R5, and

R4, and located along E. Gun Hill Road from Holland Avenue to Boston Post Road up to E. 215th Street, along Carpenter Avenue and along E. 233rd Street. The R6A districts between Carpenter Avenue and White Plains Road from E. 219th Street to E. 233rd Street and the area east of Holland Avenue to Bronxwood Avenue are considered neighborhood contextual districts. These areas are characterized by larger multi-family homes and multi-family apartment buildings of four to six stories. They are currently zoned R6 which has no height limit and the difference between maximum FARs is much smaller than the difference between the growth opportunities R6As described below. The R6A districts along East Gun Hill Road from Bronxwood Avenue to Boston Road and along E. 233rd Street from White Plains Road to Bronxwood Avenue are considered growth opportunity districts. These areas are currently zoned R5 and R4 and are characterized by underutilized or vacant lots, one- to two-story residential and commercial structures and an inconsistent streetwall. As discussed previously, R5 and R4 districts have a maximum FAR of 1.25 and .90, respectively. The R6A districts follow the R6 Quality Housing regulations and allow all housing types and have a max FAR of 3.00. The maximum base and building height is 60 and 70 feet, respectively. Parking is required for 50 percent of the total dwelling units. Community facilities are permitted at an FAR of 3.00.

An R6 district is proposed along White Plains Road between E. 222nd Street and E. 233rd Street, currently zoned R5. The rest of White Plains Road was recently rezoned to R6 and this will make the street a continuous R6 district from Olinville to Wakefield. The R6 was chosen to allow buildings to set back from the elevated train.

This area is characterized mainly by one- and two-story local businesses and some multi-family homes. The elevated train along White Plains Road is a defining characteristic of the area. R6 districts allow all housing types at a maximum FAR of 2.43-3.0. Detached residences require a minimum lot width of 40 feet and a minimum lot area of 3,800 square feet. Semi-detached and attached residences require a minimum lot width of 18 feet and a minimum lot area of 1,700 square feet. A regular R6's maximum building height is dictated by the Sky Exposure Plain after a maximum base height of 60 feet. An

R6 “Quality Housing” has a maximum base and building height of 60 and 70 feet, respectively, along a wide street. Depending on the size of the lot, parking is required for 70% of the total dwelling units, or 50% for Quality Housing buildings. Community facilities are permitted at an FAR of 4.80.

One R7A district is proposed along White Plains Road from E. Gun Hill Road to E. 218th Street and along parts of Holland Avenue, which are currently zoned R6. This area is characterized by two- to three-story commercial and office buildings, mixed-used two-story buildings, vacant lots, and some multi-family apartment buildings. R7A districts follow the Quality Housing regulations for R7 districts. R7A districts allow all housing types at a max FAR of 4.00. The maximum base and building height is 65 and 80 feet, respectively. Parking is required for 50% of the total dwelling units. Community facilities are permitted at an FAR of 4.00.

C1-2 and C2-2 districts currently mapped along White Plains Road and other corridors are excessively deep at 150 feet. C1-4 and C2-4 overlays are proposed on properties with depths closer to 100 feet and no deeper than 124 feet. Furthermore, the proposed C1-4 and C2-4 overlays will update the parking requirements along East Gun Hill Road, E. 233rd Street, Bronxwood and Laconia Avenues and White Plains Road. Requirements vary depending on the type of use with Food and Retail establishments required to provide one accessory space per 200 and 300 square feet, respectively in C1-2 and C2-2 districts. The proposed C1-4 and C2-4 overlays will require one accessory space per 1,000 square feet for all types of commercial uses.

Lastly, five new C1-4 and two C2-4 overlays are proposed at locations where commercial uses operate without a mapped overlay. These new overlays are located along the south and north side of E. 233rd Street between White Plains Road and Barnes Avenue, along the western side of Laconia Avenue between E. 227th and E. 228th Streets and E. 230th and E. 231st Streets and along East Gun Hill Road between Lurting and Yates Avenues.

These changes are intended to increase the conformance of properties that serve the community and to permit future expansions of commercial uses. The intent of the new overlays would be to allow more development options that complement adjacent businesses and residential communities.

ENVIRONMENTAL REVIEW

This application (C 110384 ZMX), 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 11DCP148X. The lead is the New York City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on June 20, 2011. The Negative Declaration included (E) designations (E-279) to avoid the potential for hazardous material, air quality, and noise impacts.

To avoid any potential impacts associated with hazardous materials, as part of the proposed rezoning, an (E) designation for hazardous materials will be placed on the following properties:

- Block 4613, Lots 8, 43, 48
- Block 4657, Lots 42, 67, 69, 71, 72, 90
- Block 4660, Lots 19, 20, 25
- Block 4671, Lot 4
- Block 4693, Lot 33
- Block 4835, Lots 36, 37, 39, 43, 45, 49
- Block 4997, Lot 1
- Block 4997, Lots 2, 3, 6, 8
- Block 4829, Lot 11

Block 4852, Lots 1, 6
Block 4871, Lot 1
Block 4637, Lots 30, 34, 36
Block 4639, Lots 17, 26
Block 4643, Lots 1, 37
Block 4645, Lots 4, 6, 25, 34, 36, 39, 42
Block 4647, Lots 43, 46, 54, 55
Block 4649, Lots 13, 26, 28, 30
Block 4651, Lots 67, 70, 91
Block 4655, Lot 6
Block 4657, Lots 4, 17, 94, 96
Block 4658, Lot 1
Block 4659, Lots 22, 25, 75, 78
Block 4660, Lots 47, 48, 53, 54
Block 4657, Lots 88, 89
Block 4661, Lot 1
Block 4662, Lots 6, 24, 25, 28, 46, 48
Block 4663, Lots 10, 11, 12, 24, 26
Block 4664, Lots 42, 44
Block 4665, Lots 41, 42, 49, 52, 53, 55
Block 4670, Lots 2, 5
Block 4671, Lots 3, 9, 10, 64, 66, 67
Block 4681, Lots 1, 7, 20, 72
Block 4682, Lots 39, 41
Block 4693, Lots 4, 20, 21
Block 4695, Lot 70
Block 4705, Lots 5, 11, 26, 29, 32, 33
Block 4824, Lots 7, 25, 26, 29, 31, 73, 75
Block 4825, Lots 7, 9, 12, 17, 19, 20, 47, 48, 63, 66
Block 4826, Lots 26, 27, 28, 77, 79, 80
Block 4827, Lot 3
Block 4829, Lots 1, 16, 21, 26
Block 4831, Lot 11
Block 4832, Lot 1
Block 4833, Lot 41
Block 4834, Lots 7, 40, 58, 60, 82
Block 4835, Lots 1, 6
Block 4837, Lot 41
Block 4838, Lots 44, 47
Block 4840, Lots 42, 48
Block 4841, Lots 43, 44
Block 4842, Lots 38, 45, 50
Block 4843, Lots 34, 45
Block 4844, Lots 35, 42
Block 4845, Lots 36, 42, 48
Block 4846, Lots 42, 64, 65, 70, 79, 85

Block 4849, Lot 1
Block 4851, Lot 79
Block 4853, Lots 9, 11
Block 4856, Lots 7, 13
Block 4857, Lots 1, 5, 10, 49, 59, 63, 85, 89
Block 4860, Lots 51, 56
Block 4862, Lots 55, 58
Block 4865, Lots 44, 47
Block 4868, Lots 30, 54, 55, 62
Block 4872, Lots 1, 75
Block 4874, Lot 1
Block 4877, Lots 1, 73
Block 4877, Lot 73
Block 4900, Lots 15, 24, 33
Block 4903, Lot 42
Block 4997, Lots 38, 42
Block 5000, Lots 33, 43, 42

The text for the (E) designation will be as follows:

Task 1-Sampling Protocol

A. Petroleum

A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum

The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the

three generic NYCDEP soil and ground-water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtain, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

With the placement of the (E) designations on the above block and lots, no impacts related to hazardous materials are anticipated.

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

- Block 4635, Lots 22, 24, 26, 28, 33, 34
- Block 4637, Lots 30, 34, 36
- Block 4639, Lots 17, 26
- Block 4645, Lots 25, 34, 36, 39, 42
- Block 4647, Lots 74, 79, 87, 90
- Block 4651, Lot 91
- Block 4657, Lots 88, 89, 94
- Block 4662, Lots 6, 28, 30
- Block 4663, Lots 24, 26
- Block 4670, Lot 5
- Block 4671, Lots 3, 9, 10, 64, 66, 67
- Block 4681, Lot 7
- Block 4684, Lot 32
- Block 4693, Lots 1, 4, 6, 20, 21, 33
- Block 4705, Lots 5, 32, 33
- Block 4820, Lot 11
- Block 4824, Lots 7, 25, 26, 29, 31, 73, 75
- Block 4826, Lots 77, 79, 80
- Block 4825, Lots 63, 66
- Block 4827, Lot 3
- Block 4829, Lots 1, 26
- Block 4831, Lot 11
- Block 4832, Lot 1
- Block 4833, Lot 41
- Block 4834, Lot 40, 58, 60
- Block 4835, Lot 1, 6
- Block 4840, Lots 42, 48

Block 4841, Lots 43, 44
Block 4842, Lots 38, 45, 50
Block 4843, Lots 34, 37, 45
Block 4844, Lots 35, 42
Block 4845, Lots 36, 42
Block 4846, Lot 70, 79, 85
Block 4647, Lots 43, 46
Block 4849, Lot 1
Block 4860, Lots 51, 56
Block 4872, Lots 1, 75
Block 4877, Lots 1, 73
Block 4900, Lot 33
Block 4997, Lots 38, 42
Block 5000, Lots 33, 42, 43

The text for the (E) designations is as follows:

Block 4693, Lot 33 (Projected Development Site 7)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the lot's line facing Barnes Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4693, Lots 1, 6 (Projected Development Site 11)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot's line facing Barnes Avenue and at least 65 feet from the lot's line facing East 227 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4635, Lots 22, 24 (Potential Development Site 101)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing Colden Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4635, Lots 26, 28 (Potential Development Site 102)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot's line facing Bronxwood Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4635, Lots 34, 133 (Potential Development Site 103)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot's line facing Colden Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4637, Lot 30 (Potential Development Site 104)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet from the lot's line facing Hone Avenue and at least 40 feet from the lot's line facing Duncan Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4637, Lots 34, 36 (Potential Development Site 105)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet from the lot's line facing Paulding Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4639, Lot 17 (Potential Development Site 106)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4639, Lot 26 (Potential Development Site 107)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing Duncan Street and at least 60 feet from the lot's line facing Lurting Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4643, Lot 37 (Potential Development Site 109)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the lot's line facing East Gun Hill Road and at least 70 feet from the lot's line facing Willett Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4645, Lot 25 (Potential Development Site 111)

Any new residential and/or commercial development on the above-referenced

properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4645, Lots 34, 36 (Potential Development Site 112)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 feet from the lot's line facing East 213 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4645, Lots 39, 42 (Potential Development Site 113)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing East 213 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4647, Lot 43 (Potential Development Site 114)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4647, Lot 46 (Potential Development Site 115)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing East 213 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4647, Lots 74, 79 (Potential Development Site 117)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 85 feet from the lot's line facing East 213 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4647, Lots 87, 90 (Potential Development Site 118)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot's line facing East 216 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4651, Lot 91 (Potential Development Site 122)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 70 feet from the lot's line facing East 219 Street and 20 feet from the lot's line facing East 216 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4657, Lot 94 (Potential Development Site 126)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing East 213 Street and 60 feet from the lot's line facing Holland Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4657, Lots 88, 89 (Potential Development Site 133)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4662, Lot 6 (Potential Development Site 135)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must be located at least 60 feet from the lot's line facing East 214 Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4662, Lots 28, 30 (Potential Development Site 137)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot's line facing East 215 Street and 15 feet from the lot's line facing Holland Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4663, Lot 24 (Potential Development Site 140)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4663, Lot 26 (Potential Development Site 141)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water

(HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4670, Lot 5 (Potential Development Site 148)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4671, Lot 3 (Potential Development Site 149)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4671, Lots 9, 10 (Potential Development Site 150)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4671, Lots 64, 66, 67 (Potential Development Site 151)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4681, Lots 7 (Potential Development Site 153)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 45 feet from the lot's line facing Barnes Avenue and 45 feet from Tilden Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4684, Lot 32 (Potential Development Site 156)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet from the lot's line facing Paulding Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4693, Lot 4 (Potential Development Site 157)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing Laconia Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC)

systems, to avoid any potential significant adverse air quality impacts.

Block 4693, Lots 20, 21 (Potential Development Site 158)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 35 feet from the lot's line facing Paulding Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4705, Lot 5 (Potential Development Site 160)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing Laconia Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4705, Lots 32, 33 (Potential Development Site 163)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet from the lot's line facing East Gun Hill Road for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4824, Lot 7 (Potential Development Site 167)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet from the lot's line facing Carpenter Avenue and at least 90 feet from the lot's line facing East 223 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4824, Lots 25, 26 (Potential Development Site 168)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 feet from the lot's line facing Carpenter Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4824, Lots 29, 31 (Potential Development Site 169)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 55 feet from the lot's line facing White Plains Road for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4824, Lots 73, 75 (Potential Development Site 170)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 10 feet from the lot's line facing East 233 Street and at least 60 feet from the lot's line facing East 222 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4826, Lots 77, 79, 80 (Potential Development Site 174)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing Carpenter Avenue and at least 45 feet from the lot's line facing White Plains Road for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4825, Lots 63, 66 (Potential Development Site 176)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot's line facing White Plains Road for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4827, Lot 3 (Potential Development Site 177)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 50 feet from the lot's line facing Carpenter Avenue and at least 50 feet from the lot's line facing East 225 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4829, Lot 1 (Potential Development Site 178)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 5 feet from the lot's line facing East 228 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4820, Lot 11 (Potential Development Site 179)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4829, Lot 26 (Potential Development Site 181)

Any new residential and/or commercial development on the above-referenced

properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 40 feet from the lot's line facing East 228 Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4831, Lot 11 (Potential Development Site 182)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 50 feet from the lot's line facing Lowerre Place or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4832, Lot 1 (Potential Development Site 183)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 50 feet from the lot's line facing East 229 Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4833, Lot 41 (Potential Development Site 184)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4834, Lot 40 (Potential Development Site 186)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4834, Lots 58, 60 (Potential Development Site 187)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4835, Lot 1 (Potential Development Site 189)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 55 feet from the lot's line facing East 232 Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4835, Lot 6 (Potential Development Site 190)

Any new residential and/or commercial development on the above-referenced

properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 55 feet from the lot's line facing East 233 Street or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4842, Lot 38 (Potential Development Site 195)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 60 feet from the lot's line facing East 229 Street and at least 60 feet from the lot's line facing Barnes Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4843, Lot 34 (Potential Development Site 197)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 85 feet from the lot's line facing East 230 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4843, Lot 45 (Potential Development Site 198)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 60 feet from the lot's line facing East 229 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4844, Lot 35 (Potential Development Site 199)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 65 feet from the lot's line facing Barnes Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4844, Lot 42 (Potential Development Site 1100)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 70 feet from the lot's line facing East 230 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4845, Lot 36 (Potential Development Site 1101)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 60 feet from the lot's line facing East 232 Street for Oil No. 2 and at least 60 feet from the lot's line facing Barnes Avenue or use Natural

Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4845, Lot 42 (Potential Development Site 1103)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 35 feet from the lot's line facing East 232 Street for Oil No. 2 and at least 60 feet from the lot's line facing Barnes Avenue or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4846, Lot 70 (Potential Development Site 1105)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 65 feet from the lot's line facing White Plains Road for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4846, Lots 79, 85 (Potential Development Site 1106)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 40 feet from the lot's line facing Byron Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4849, Lot 1 (Potential Development Site 1107)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 5 feet from the lot's line facing East 224 Street and at least 55 feet from the lot's line facing East 225 Street and at least 55 feet from the lot's line facing Barnes Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4860, Lots 51, 56 (Potential Development Site 1116)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 55 feet from the lot's line facing Paulding for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4872, Lot 1 (Potential Development Site 1122)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must are located at least 60 feet from the lot's line facing Paulding and at least 60 feet from the lot's line facing East 226 Street for Oil No. 2 or use Natural Gas

as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4872, Lot 75 (Potential Development Site 1123)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must be located at least 40 feet from the lot's line facing Paulding and at least 45 feet from the lot's line facing East 225 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4877, Lots 1, 73 (Potential Development Site 1125)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must be located at least 50 feet from the lot's line facing East 230 Street and at least 4 for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4900, Lot 33 (Potential Projected Development Site 1127)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet from the lot's line facing Laconia Avenue at least 30 feet from the lot's line facing East 222 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4997, Lots 38, 42 (Potential Development Site 1128)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 feet from the lot's line facing White Plains Road and at least 20 feet from the lot's line facing Byron Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 4997, Lots 38, 42 (Potential Development Site 1130)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 100 feet from the lot's line facing White Plains Road and at least 20 feet from the lot's line facing Byron Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5000, Lot 33 (Potential Development Site 1131)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s)

must be located at least 65 feet from the lot's line facing Barnes Street and at least 65 feet from the lot's line facing East 234 Street for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 5000, Lots 42, 43 (Potential Development Site 1132)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) must be located at least 5 feet from the lot's line facing Bussing Avenue for Oil No. 2 or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

With the placement of the (E) designations on the above blocks and lots, no impacts related to stationary source air quality are expected.

To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

The following sites require 31 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties which include two (2) projected development sites:

Block 4657, Lots 42, 67, 69, 71, 72, 90

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The following sites require 33 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E)

designations on the following properties which include five (5) projected and 53 potential development sites:

Block 4635, Lots 22, 24, 34, 133
Block 4637, Lots 30, 34, 36
Block 4639, Lots 17, 26
Block 4643, Lots 1, 37, 43, 48
Block 4647, Lots 43, 46, 54, 55, 74, 79, 87, 90
Block 4651, Lots 67, 70, 91
Block 4657, Lots 4, 17, 94, 96
Block 4658, Lot 1
Block 4659, Lots 75, 78
Block 4662, Lots 6, 28, 30
Block 4663, Lots 10, 11, 12
Block 4665, Lots 49, 52, 53, 55
Block 4670, Lots 2, 5
Block 4681, Lots 1, 7, 20, 72
Block 4693, Lots 4, 20, 21, 33
Block 4705, Lots 5, 11, 29, 26
Block 4824, Lot 7
Block 4825, Lots 12, 79
Block 4827, Lot 3
Block 4835, Lots 36, 37, 39, 43, 45, 49
Block 4837, Lot 41
Block 4838, Lot 44, 47
Block 4846, Lots 64, 65, 70, 85, 79
Block 4857, Lots 1, 63, 49, 59, 85, 89
Block 4868, Lots 54, 55, 62
Block 4997, Lots 1, 2, 3, 6, 8
Block 5000, Lots 33, 42, 43

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 33 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The following sites require 35 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties which include one (1) projected and fifteen (15)

potential development sites:

Block 4820, Lot 11
Block 4828, Lot 16
Block 4829, Lots 1, 11, 26
Block 4831, Lot 11
Block 4832, Lot 1
Block 4840, Lots 42, 48
Block 4841, Lots 43, 44
Block 4842, Lots 38, 45, 50
Block 4843, Lots 34, 45
Block 4844, Lots 35, 42

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The following sites require 39 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties which include six (6) potential development sites:

Block 4835, Lots 1, 6
Block 4836, Lot 42
Block 4845, Lots 36, 42, 48
Block 4997, Lots 38, 42

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 39 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

With the placement of the (E) designation for noise, no impacts related to noise are expected and no further analysis is warranted.

With the implementation of the above (E) designation (E-279), no significant adverse impacts related to air quality, noise and hazardous materials would occur.

UNIFORM LAND USE REVIEW

This application (C 110384 ZMX), was certified as complete by the Department of City Planning on June 20, 2011, and was duly referred to Bronx Community Board 12, and the Bronx Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 12 held a public hearing on this application (C 110384 ZMX) on June 23, 2011 and, on that day, by a vote of 32 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application (C 110384 ZMX) was considered by the Borough President of the Bronx which issued a recommendation approving the application on August 4, 2011.

City Planning Commission Public Hearing

On August 10, 2011 (Calendar No. 1) the City Planning Commission scheduled August 24, 2011 for a public hearing on this application (C 110384 ZMX). The hearing was duly held on August 24, 2011 (Calendar No. 24).

There were ten speakers in favor of the application, and none opposed.

A number of community board members and residents of CD 12's community board spoke in favor of the Williamsbridge/Baychester rezoning. They expressed strong approval of the rezoning. They all noted and approved the rezoning's preservation and protection components. Many speakers noted their approval for encouraging appropriate growth along the wide, major corridors and around mass transit. Several speakers requested that the Commission not delay the rezoning.

Two speakers, a property owner and the property owner's architect, stated their approval of the rezoning but requested a C2-4 district instead of a C1-4 district along the east side of White Plains Road between E. 212th Street and East Gun Hill Road, which would affect Lots 17, 20, 51, and 55 on Block 4657.

A third speaker, representing a property owner, approved of the rezoning but requested the opportunity in the future to work with the community to develop a day care center.

A representative of the State Senator's office, representing the 36th District, spoke in favor of the proposed rezoning, noting that communities are being decimated by out of context development.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Plan Review

This application (C 110384 ZMX) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 22, 2002, pursuant to the New York

State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 11-025.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application to amend the Zoning Map (C 110384 ZMX) is appropriate.

The Commission notes that the rezoning proposal is a city-sponsored initiative that has been formulated in close collaboration with Community Board 12, the East 222nd Street Association, and local elected officials.

The Commission believes that the current zoning in the Williamsbridge and Baychester neighborhoods, which has been largely unchanged since 1961, allows and has encouraged out-of-character development. The current zoning, mainly R6, R5, and R4 districts, promotes unpredictable building types incongruous to the existing neighborhood character. The Commission also notes that R4- and R5-infill densities are inappropriate and unnecessary in these areas and have led to over-built and out-of-context building types. The other districts mapped in the area are: R4-1, R7-1, C4-2, C8-1, and M1-1. The Commission believes that the proposed lower density and neighborhood contextual districts, R4, R4A, R5, R5A, R5D, and R6A will preserve and promote appropriate development in these residential neighborhoods.

The Commission believes that the current zoning has not encouraged suitable development along the major, wide corridors and around mass transit. East Gun Hill Road, White Plains Road and a section of E. 233rd Street lack a consistent street wall and scale. The current zoning has led to incongruous setbacks and uses along the commercial

spines of the aforementioned residential neighborhoods. The Commission believes that the proposed R6, R6A, and R7A districts will direct more investment and promote appropriate development around these critical nodes of activity. North of E. 222nd Street to E. 233rd Street, the lots on White Plains Road are only 30 feet from the elevated 2 and 5 trains. The R6 district, regulated by the sky exposure plane and open space ratio, will allow development to step back from the elevated trains. South of E. 219th Street White Plains Road widens to around 200 feet by East Gun Hill Road. The Commission believes that, here, an R7A would encourage a consistent, inviting and dynamic streetwall. Similarly, along the wide E. 233rd Street and East Gun Hill Road corridors, the Commission believes that the proposed R6A districts with C1-4 and C2-4 overlays will promote a dynamic mixed use corridor. The Commission believes that these contextual growth opportunity districts would promote and encourage vibrant, inviting, and walkable corridors along corridors suitable for redevelopment.

The Commission believes that the current C1-2 and C2-2 districts along White Plains Road and other corridors are mapped excessively deep at 150 feet and have high parking requirements. The Commission believes that the depth of these 150 foot overlays encourages commercial encroachment along residential side streets and that the high parking requirements hamper new commercial development along White Plains Road. The Commission believes that the C1-4 and C2-4 updates, generally mapped 100 feet deep, to the commercial zoning districts will reduce the potential for commercial encroachment on residential streets, while encouraging new commercial development along these suitable corridors. Along with the contextual zoning districts these updates will encourage suitable development for the adjacent businesses and residential community.

The Commission recognizes the two speakers at the public hearing on August 24 who stated their approval of the rezoning, but requested a C2-4 district instead of a C1-4 district along the east side of White Plains Road between E. 212th Street and East Gun Hill Road. The request is out of scope.

The Commission believes that the proposed C1-4 is appropriate. The C1 overlays are mapped at least a block in each direction from every 2 and 5 train subway stop on White Plains Road, whereas C2 overlays are generally mapped after a block in either direction from the train stations. The Commission believes that the proposed R7A district would add residents and commuters to this area who would need the variety of locally oriented goods and services that a C1 overlay encourages, whereas C2 overlays are intended for more regional commercial uses.

The Commission also notes the addition of five new commercial overlays mapped where commercial uses operate without a current overlay. These new C1-4 and C2-4 overlays will bring these lots into conformance and allow future development options for the surrounding residential neighborhoods.

The Commission believes that the proposed rezoning will represent a comprehensive zoning strategy that will help preserve and protect the residential neighborhoods of Williamsbridge and Baychester and foster dynamic mixed-use corridors centered around mass transit.

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, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further;

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the 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 by changing the Zoning Map, Section Nos.1d, 2a, and 2b:

1. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - b) a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, Bronxwood Avenue, East 233rd Street, and Bronxwood Avenue;
 - c) East 228th Street, Bronxwood Avenue, East 226th Street, a line 150 feet southeasterly of Bronxwood Avenue, East 224th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 150 feet northwesterly of Bronxwood Avenue; and
 - d) a line 100 feet northeast of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
2. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Byron Avenue, East 233rd Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, a line 150 feet northwesterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road;
 - b) East 226th Street, the southwesterly and northwesterly boundary line of a playground and its northeasterly prolongation, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - c) East 227th Street, Laconia Avenue, East 225th Street, a line 250 feet southeasterly of Laconia Avenue, East 224th Street, and a line 150 feet northwesterly of Laconia Avenue;
 - d) East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and

- e) a line 100 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;
3. eliminating from within an existing R6 District a C1-2 District bounded by:
- a) East 220th Street, a line 150 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line midway between Willett Avenue and White Plains Road, East 219th Street, and a line 150 feet northwesterly of White Plains Road;
 - b) a line midway between East 212th Street and East 211th Street, a line 150 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road; and
 - c) Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
4. eliminating from within an existing R5 District a C2-2 District bounded by:
- a) East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
 - b) East 230th Street, a line 150 feet southeasterly of White Plains Road, East 226th Street, and a line midway between Lowerre Place and White Plains Road; and
 - c) East 224th Street, a line 150 feet southeasterly of White Plains Road, East 222nd Street, and a line 100 feet northwesterly of White Plains Road; and
5. eliminating from within an existing R6 District a C2-2 District bounded by:
- a) East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 150 feet southeasterly of White Plains Road, East 220th Street, and a line 150 feet northwesterly of White Plains Road; and
 - b) East 218th Street and its northwesterly centerline prolongation, a line 150 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willett Avenue, a line 400 feet southwest of East 213th Street, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line midway between White Plains Road and Willett Avenue;
6. changing from an R5 District to an R4 District property bounded by:

- a) a line midway between East 233rd Street and East 232nd Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 229th Street and East 228th Street, a line 400 feet southeasterly of Barnes Avenue, East 227th Street, Barnes Avenue, a line midway between East 227th Street and East 226th Street, a line 400 feet northwesterly of Barnes Avenue, East 227th Street, a line 500 feet northwesterly of Barnes Avenue, a line midway between East 228th Street and East 227th Street, a line 400 feet northwesterly of Barnes Avenue, a line midway between East 229th Street and East 228th Street, a line 500 feet northwesterly of Barnes Avenue, East 229th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 229th Street, a line 500 feet southeasterly of Barnes Avenue, East 230th Street, a line 150 feet southeasterly of White Plains Road, East 231st Street, Barnes Avenue, and Bussing Avenue; and excluding property bounded by East 231st Street, a line 250 feet southeasterly of Barnes Avenue, a line midway between East 230th Street and East 231st Street, and Barnes Avenue;
- b) a line midway between East 226th Street and East 227th Street, a line 150 feet northwesterly of Bronxwood Avenue, East 224th Street, Bronxwood Avenue, East 223rd Street, a line 500 feet northwesterly of Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Barnes Avenue, a line midway between East 223rd Street and East 224th Street, a line 150 feet southeasterly of White Plains Road, a line midway between East 224th Street and East 225th Street, a line 500 feet northwesterly of Bronxwood Avenue, East 225th Street, a line 200 feet southeasterly of Barnes Avenue, a line midway between East 226th Street and East 225th Street, Barnes Avenue, East 225th Street, a line 100 feet northwesterly of Barnes Avenue, East 226th Street, and a line 400 feet southeasterly of Barnes Avenue;
- c) East 227th Street, a line 100 feet northwesterly of Laconia Avenue, East 224th Street; and a line 150 feet northwesterly of Laconia Avenue;
- d) a line midway between East 225th Street and East 224th Street, a line 340 feet northwesterly of Needham Avenue, East 224th Street, a line 225 feet northwesterly of Needham Avenue, a line midway between East 224th Street and East 223rd Street, a line 100 feet northwesterly of Needham Avenue, East 223rd Street, a line 100 feet northwesterly of Boston Road, a line midway between East 223rd Street and East 222nd Street, Needham Avenue, East 222nd Street, Eastchester Road, a line midway between East 224th Street and East 223rd Street, and a line 675 feet northwesterly of Schieffelin Place; and

- e) a line 100 feet southeasterly of Boston Road, a line midway between Gunther Avenue and Tiemann Avenue, a line 70 feet northwesterly of Tillotson Avenue, Gunther Avenue, Tillotson Avenue, a line midway between Wickham Avenue and Gunther Avenue, Givan Avenue, Eastchester Road, a line 100 feet northwesterly of Burke Avenue, a line midway between Corsa Avenue and Fenton Avenue, Givan Avenue, Fenton Avenue, a line 440 feet northwesterly of Givan Avenue, Eastchester Road, a line 70 feet southeasterly of Tillotson Avenue, Mickle Avenue, Tillotson Avenue, and Kingsland Avenue;
7. changing from an R4 District to an R4A District property bounded by:
- a) a line 100 feet southeasterly of Boston Road, Edson Avenue, the northwesterly boundary line of the MTA New York City Transit right-of-way, the northeasterly prolongation of a line 85 feet northwesterly of Tillotson Avenue, Grace Avenue, a line 210 feet northwesterly of Tillotson Avenue, a line midway between Grace Avenue and Ely Avenue and its southeasterly prolongation, the northwesterly boundary line of the MTA New York City Transit right-of-way, East 222nd Street, a line midway between Ely Avenue and Bruner Avenue, the southwesterly prolongation of a line 170 feet northwesterly of Tillotson Avenue, Ely Avenue, a line 350 feet southeasterly of Boston Road, and a line midway between Grace Avenue and Ely Avenue;
 - b) the southeasterly boundary line of the MTA New York City Transit right-of-way, De Reimer Avenue and its northwesterly centerline prolongation, Tillotson Avenue, a line 100 feet southwesterly of Boller Avenue, a line 250 feet northwesterly of Tillotson Avenue, Boller Avenue, a line 400 feet northwesterly of Tillotson Avenue, a line midway between Boller Avenue and Hunter Avenue, a line perpendicular to the northeasterly street line of Boller Avenue distant 160 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the northeasterly street line of Boller Avenue, Boller Avenue, a line perpendicular to the southwesterly street line of Boller Avenue distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Tillotson Avenue and the southwesterly street line of Boller Avenue, Palmer Avenue, a line 250 feet southeasterly of Tillotson Avenue, a line midway between Palmer Avenue and De Reimer Avenue, a line 325 feet southeasterly of Tillotson Avenue, De Reimer Avenue, a line 150 feet southeasterly of, Tillotson Avenue, a line midway between De Reimer Avenue and Baychester Avenue, a line 100 feet southeasterly of Tillotson Avenue, Baychester Avenue, Tillotson Avenue, and a line midway between De Reimer Avenue and Baychester Avenue and its northwesterly prolongation;

8. changing from an R5 District to an R4A District property bounded by Burke Avenue, Edson Avenue, Hammersley Avenue, and Grace Avenue;
9. changing from an R4 District to an R5 District property bounded by East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 226th Street and East 227th Street; and a line 150 feet northwesterly of Bronxwood Avenue;
10. changing from an R6 District to an R5 District property bounded by East 222nd Street, a line 100 feet northwesterly of Bronxwood Avenue, East 213th Street, Barnes Avenue, East 215th Street, a line 125 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, Holland Avenue, East 215th Street, a line 350 feet southeasterly of White Plains Road, East 217th Street, a line 230 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th Street, and a line 100 feet southeasterly of White Plains Road;
11. changing from a C8-1 District to an R5 District property bounded by a line 100 feet southwesterly of East Gun Hill Road, a line midway between Lurting Avenue and Laconia Avenue, a line 100 feet northwesterly of Boston Road, a line 100 feet northerly of Burke Avenue, and Lurting Avenue;
12. changing from an R5 District to an R5A District property bounded by East 226th Street, a line 100 feet northwesterly of White Plains Road, East 225th Street; and a line 150 feet northwesterly of White Plains Road;
13. changing from a R6 District to an R5A District property bounded by:
 - a) a line midway between East 232nd Street and East 231st Street, a line 180 feet northwesterly of White Plains Road, a line midway between East 231st Street and East 230th Street, a line 150 feet northwesterly of White Plains Road, East 230th Street, Lowerre Place, East 229th Street, a line 100 feet northwesterly of White Plains Road, East 226th Street, a line 150 feet northwesterly of White Plains Road, East 225th Street, Carpenter Avenue, East 227th Street, a line 100 feet southeasterly of Carpenter Avenue, East 228th Street, a line 200 feet southeasterly of Carpenter Avenue, a line midway between East 229th Street and East 228th Street, a line 100 feet southeasterly of Carpenter Avenue, East 229th Street, a line 280 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 229th Street, a line 100 feet southeasterly of Carpenter Avenue, East 230th Street, a line 180 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 231st Street, a line 350 feet southeasterly of Carpenter Avenue, East 231st Street, and a line 300 feet southeasterly of Carpenter Avenue; and

- b) East 222nd Street, a line 180 feet northwesterly of White Plains Road, a line midway between East 222nd Street and East 221st Street, a line 130 feet northwesterly of White Plains Road, East 221st Street, a line 100 feet northwesterly of White Plains Road, a line midway between East 220th Street and East 219th Street, and a line 100 feet southeasterly of Carpenter Avenue;

- 14. changing from an R7-1 District to an R5A District property bounded by East 228th Street, Carpenter Avenue, East 226th Street, Bronx Boulevard, a line 280 feet northeasterly of East 226th Street, and a line midway between Bronx Boulevard and Carpenter Avenue;

- 15. changing from an R4 District to an R5D District property bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Bronxwood Avenue, East 233rd Street, and Barnes Avenue;

 - b) East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 130 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, East 224th Street, a line 100 feet northwesterly of Bronxwood Avenue, East 228th Street, and Bronxwood Avenue;

 - c) East 233rd Street, Laconia Avenue, East 227th Street, and a line 100 feet northwesterly of Laconia Avenue; and

 - d) East 224th Street, Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, and a line 100 feet northwesterly of Laconia Avenue;

- 16. changing from an R5 District to an R5D District property bounded by:
 - a) East 233rd Street, Bronxwood Avenue, East 228th Street, a line 100 feet northwesterly of Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Barnes Avenue;

 - b) East 223rd Street, Bronxwood Avenue, East 222nd Street, and a line 100 feet northwesterly of Bronxwood Avenue;

 - c) East 233rd Street, a line 100 feet southeasterly of Laconia Avenue, East 231st Street, Grenada Place, and Laconia Avenue; and

 - d) East 227th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, a line 675 feet northwesterly of Schieffelin Avenue, a line midway between East 224th Street and East 223rd Street, Eastchester Road, a line perpendicular to the southwesterly street line of Eastchester Road distant 200 feet

southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Eastchester Road and the southeasterly street line of Laconia Avenue, a line 100 feet southeasterly of Laconia Avenue, a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;

17. changing from an R6 District to an R5D District property bounded by East 222nd Street, Bronxwood Avenue, East 213th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
18. changing from an R5 District to an R6 District property bounded by East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 222nd Street, a line 100 feet northwesterly of White Plains Road, East 230th Street, and a line 150 feet northwesterly of White Plains Road;
19. changing from an R4 District to an R6A District property bounded by a line 130 feet northeasterly of East Gun Hill Road, Laconia Avenue, East Gun Hill Road, and Bronxwood Avenue;
20. changing from an R5 District to an R6A District property bounded by:
 - a) a line midway between East 233rd Street and East 234th Street, Barnes Avenue, East 232nd Street, a line 140 feet northwesterly of Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White Plains Road, East 233rd Street, and a line 150 feet southeasterly of White Plains Road; and excluding property bounded by a line 100 feet northeasterly of East 233rd Street, a line 70 feet southeasterly of Byron Avenue, East 233rd Street, and Byron Avenue;
 - b) East 225th Street, a line 100 feet northwesterly of White Plains Road, East 224th Street, and a line 150 feet northwesterly of White Plains Road;
 - c) East Gun Hill Road, Lurting Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Bronxwood Avenue; and
 - d) a line 130 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, and Laconia Avenue;
21. changing from an R6 District to an R6A District property bounded by:

- a) East 233rd Street, a line 150 feet northwesterly of White Plains Road, a line midway between East 232nd Street and East 231st Street, a line 300 feet southeasterly of Carpenter Avenue, East 231st Street, a line 350 feet southeasterly of Carpenter Avenue, a line midway between East 231st Street and East 230th Street, a line 180 feet southeasterly of Carpenter Avenue, East 230th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 230th Street and East 229th Street, a line 280 feet southeasterly of Carpenter Avenue, East 229th Street, a line 100 feet southeasterly of Carpenter Avenue, a line midway between East 229th Street and East 228th Street, a line 200 feet southeasterly of Carpenter Avenue, East 228th Street, a line 100 feet southeasterly of Carpenter Avenue, East 227th Street, and Carpenter Avenue;
 - b) East 225th Street, a line 150 feet northwesterly of White Plains Road, East 224th Street, a line 100 feet northwesterly of White Plains Road, East 222nd Street, a line 100 feet southeasterly of Carpenter Avenue and its southwesterly prolongation, a line 125 feet southwesterly of East 219th Street, a line midway between Olinville Avenue and Bronx Boulevard, a line 100 feet southwesterly of East 213th Street, Olinville Avenue, a line 100 feet northeasterly of East 213th Street, a line midway between Olinville Avenue and Willet Avenue, a line 350 feet southwesterly of East 213th Street, Willet Avenue, East 213th Street, a line 100 feet southeasterly of Willet Avenue, a line 100 feet northwesterly of White Plains Road, a line 400 feet southwesterly of East 213th Street, Willet Avenue, East Gun Hill Road, Olinville Avenue, East 211th Street, Bronx Boulevard, and Carpenter Avenue; and
 - c) East 215th Street, Barnes Avenue, East 213th Street, Bronxwood Avenue, East Gun Hill Road, Holland Avenue, a line 100 feet southwesterly of East 213th Street, Carlisle Place, East 213th Street, a line 100 feet southeasterly of Holland Avenue, East 214th Street, a line 275 feet southeasterly of Holland Avenue, a line midway between East 215th Street and East 214th Street, and a line 125 feet southeasterly of Holland Avenue;
22. changing from an C8-1 District to an R6A District property bounded by East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, and Lurting Avenue;
23. changing from an R6 District to an R7A District property bounded by East 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 218th Street and East 217th Street, a line 230 feet southeasterly of White Plains Road, East 217th Street, a line 350 feet southeasterly of White Plains Road, East 215th Street, Holland Avenue, a line midway between East 215th Street and East 214th Street, a line 275 feet

- southeasterly of Holland Avenue, East 214th Street, a line 100 feet southeasterly of Holland Avenue, East 213th Street, Carlisle Place, a line 100 feet southwesterly of East 213th Street, Holland Avenue, East Gun Hill Road, Willett Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willett Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street);
24. establishing within an existing R4 District a C1-4 District bounded by a line 100 feet northeasterly of East 233rd Street, Digney Avenue, East 233rd Street and Bronxwood Avenue;
 25. establishing within a proposed R5D District a C1-4 District bounded by:
 - a) a line midway between East 234th Street and East 233rd Street, Bussing Avenue, East 233rd Street, and Barnes Avenue;
 - b) East 233rd Street, Paulding Avenue, a line midway between East 233rd Street and East 232nd Street, and Bronxwood Avenue;
 - c) East 228th Street, Bronxwood Avenue, East 226th Street, a line 100 feet southeasterly of Bronxwood Avenue, a line 100 feet southwesterly of East 224th Street, Bronxwood Avenue, East 224th Street, and a line 100 feet northwesterly of Bronxwood Avenue;
 - d) East 231st Street, Laconia Avenue, East 230th Street, and a line 100 feet northwesterly of Laconia Avenue; and
 - e) East 228th Street, Laconia Avenue, East 225th Street, a line 100 feet southeasterly of Laconia Avenue, East 224th Street, and a line 100 feet northwesterly of Laconia Avenue;
 26. establishing within existing and proposed R6 Districts a C1-4 District bounded by:
 - a) East 233rd Street, a line 100 feet southeasterly of White Plains Road, East 231st Street, a line 150 feet southeasterly of White Plains Road, East 230th Street, and a line 100 feet northwesterly of White Plains Road;
 - b) East 226th Street, a line 100 feet southeasterly of White Plains Road, East 225th Street, a line 150 feet southeasterly of White Plains Road, East 224th Street, and a line 100 feet northwesterly of White Plains Road; and
 - c) East 220th Street, a line 100 feet southeasterly of White Plains Road, East 218th Street and its northwesterly centerline prolongation, a line 150 feet

northwesterly of White Plains Road, East 219th Street, and a line 100 feet northwesterly of White Plains Road;

27. establishing within a proposed R6A District a C1-4 District bounded by Tilden Street, Barnes Avenue, a line 100 feet northeasterly of East Gun Hill Road, Bronxwood Avenue, a line 130 feet northeasterly of East Gun Hill Road, a line 100 feet northwesterly of Boston Road, East Gun Hill Road, Yates Avenue, a line 100 feet southwesterly of East Gun Hill Road, Bronxwood Avenue, and East Gun Hill Road;
28. establishing within a proposed R7A District a C1-4 District bounded by a line midway between East 212th Street and East 211th Street, a line 100 feet southeasterly of White Plains Road, East Gun Hill Road, and White Plains Road;
29. establishing within a proposed R5D District a C2-4 District bounded by East 233rd Street, Bronxwood Avenue, a line midway between East 233rd Street and East 232nd Street, and Bussing Avenue;
30. establishing within existing and proposed R6 Districts a C2-4 District bounded by:
 - a) East 230th Street, a line 150 feet southeasterly of White Plains Road, East 229th Street, a line 100 feet southeasterly of White Plains Road, East 226th Street, and a line 100 feet northwesterly of White Plains Road; and
 - b) East 224th Street, a line 150 feet southeasterly of White Plains Road, East 223rd Street, a line 100 feet southeasterly of White Plains Road, East 220th Street, and a line 100 feet northwesterly of White Plains Road;
31. establishing within a proposed R6A District a C2-4 District bounded by a line midway between East 233rd Street and East 234th Street, Byron Avenue, East 233rd Street, a line 70 feet southeasterly of Byron Avenue, a line midway between East 233rd Street and East 234th Street, Barnes Avenue, a line midway between East 233rd Street and East 232nd Street, a line 100 feet southeasterly of White Plains Road, East 233rd Street; and a line 150 feet southeasterly of White Plains Road; and
32. establishing within a proposed R7A District a C2-4 District bounded by 218th Street and its northwesterly centerline prolongation, a line 100 feet southeasterly of White Plains Road, a line midway between East 212th Street and East 211th Street, White Plains Road, East Gun Hill Road, Willet Avenue, a line 400 feet southwesterly of East 213th Street, a line 100 feet northwesterly of White Plains Road, a line 100 feet southeasterly of Willet Avenue, East 213th Street, a line 100 feet northwesterly of White Plains Road, and a line 150 feet northwesterly of White Plains Road and its southwesterly prolongation (at East 217th Street);

Borough of The Bronx, Community District 12, as shown in a diagram (for illustrative purposes only) dated June 20, 2011, and subject to the conditions of CEQR Declaration E-279.

The above resolution (C 110384 ZMX), duly adopted by the City Planning Commission on September 7, 2011 (Calendar No. 10), 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, *FAICP*, Chair

RICHARD W. EADDY, Vice Chairman

ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.

ALFRED C. CERULLO, *III*, BETTY Y. CHEN, MARIA M. DEL TORO,

NATHAN LEVENTHAL, ANNA HAYES LEVIN,

SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners

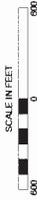
ORLANDO MARIN, Commissioner, Abstained

CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP

BRONX
BOROUGH OF
1d, 2a & 2b

S. Voyages
S. Voyages, R.A. Director
Technical Review Division

New York, Certification Date
JUNE 20, 2011



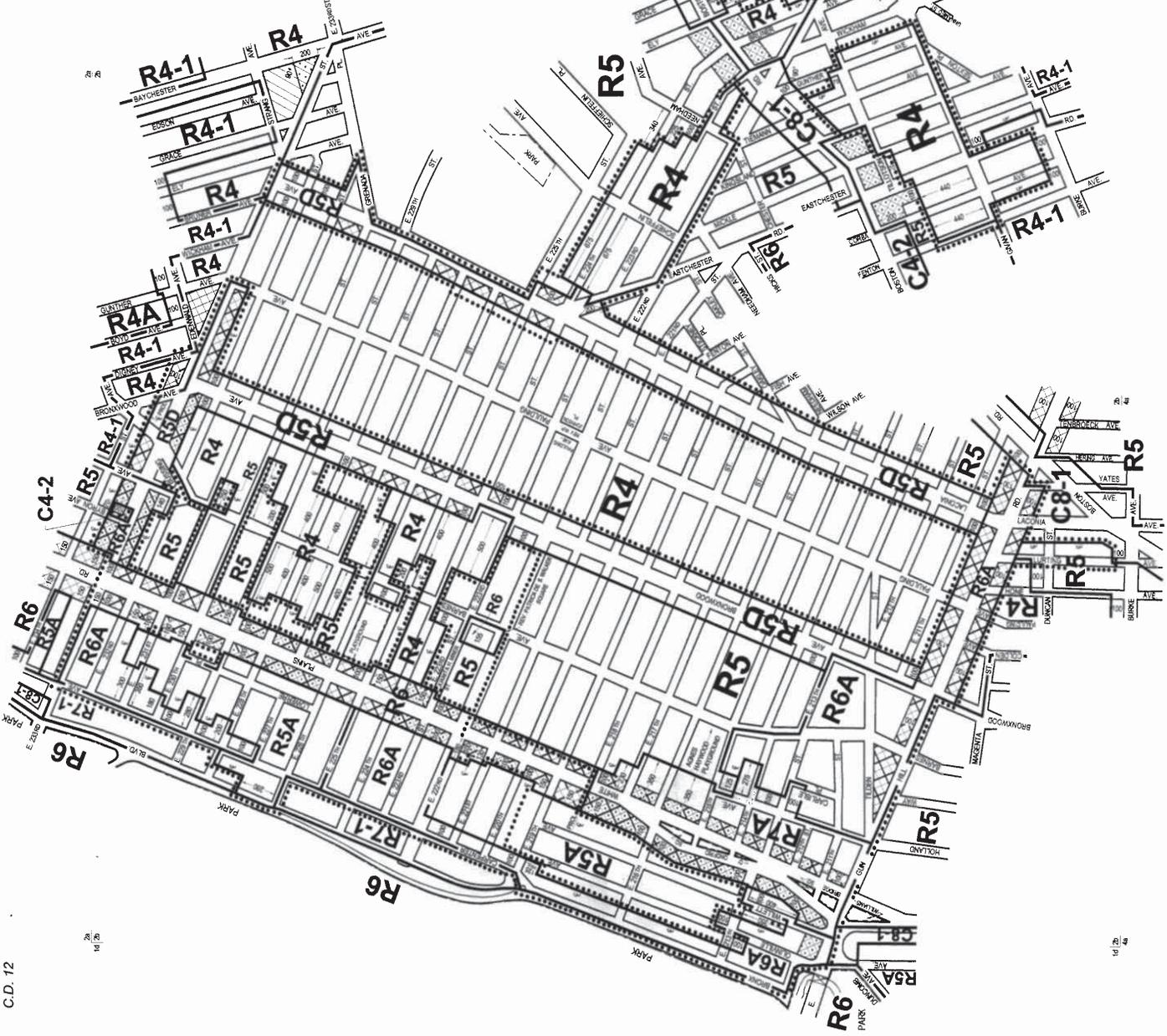
NOTE:

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Indicates Zoning District Boundary.

The area enclosed by the dotted line is proposed to be rezoned by eliminating C1-2 and C2-2 Districts from within existing R4, R5 and R6 Districts, by changing R4, R5, R6, R7-1 and C8-1 Districts to R4, R4A, R5, R5A, R5D, R6, R6A and R7A Districts, and by establishing C1-4 and C2-4 Districts within existing and proposed R4, R5D, R6, R6A and R7A Districts.

-  Indicates a C1-1 District.
-  Indicates a C1-2 District.
-  Indicates a C1-4 District.
-  Indicates a C2-1 District.
-  Indicates a C2-2 District.
-  Indicates a C2-4 District.



Application #: **C 110384 ZMX**

Project Name: **Williamsbridge / Baychester Rezoning**

CEQR Number: **11DCP018X**

Borough(s): **The Bronx**
Community District Number(s) **12**

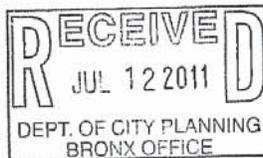
Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C10000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

SEE ATTACHED



Applicant(s): Department of City Planning One Fordham Plaza, Suite 502 Bronx, NY 10458		Applicant's Representative: Carol Samol, Director Bronx Borough Office Department of City Planning One Fordham Plaza, Suite 502 Bronx, NY 10458	
Recommendation submitted by: Bronx Community Board 12			
Date of public hearing: June 23, 2011		Location: Town Hall—4101 White Plains Road BX	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: June 23, 2011		Location: 4101 White Plains Road, Bx. NY 10466	
RECOMMENDATION			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor: 32		# Against: 0	
# Abstaining: 0		Total members appointed to the board: 49	
Name CARMEN ROSA		Title DISTRICT MANAGER	
Date July 08, 2011			

**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
Fax # (212)720-3356**

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

APPLICATION # C 110384 ZMX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

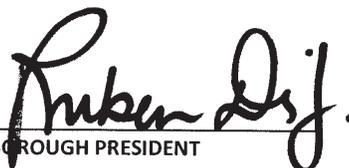
COMMUNITY BOARD NOS. 12 BOROUGH: THE BRONX

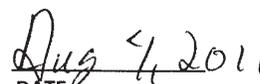
RECOMMENDATION

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR BOROUGH PRESIDENT'S RECOMMENDATION


BOROUGH PRESIDENT


DATE

Westchester County. The BX16 and 23, as well as the Bee Line 52 buses are within walking distance from the rezoned areas.

The area is very well-served by highways, abutting both the Bronx River Parkway, with ramps at East Gun Hill Road and East 233rd Street; and the New England Thruway with ramps at Baychester Avenue, Connor Street and East Gun Hill Road. Access to both the Major Deegan Expressway and Hutchison River Parkway are about a mile away.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to SEQRA and CEQR. An Environmental Assessment Statement was prepared for this application and designated as a Type I action, meaning there would be no adverse impact. The City Planning Commission certified this application as complete on June 20, 2011.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #12 held a public hearing and approved this application on June 23, 2011 with a vote of 32 in favor, 0 against, and 0 abstaining.

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President held a public hearing on this application on July 21, 2011. Representatives of the applicants were present and spoke in favor of this application. No members of the public attended and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The Williamsbridge-Baychester rezoning is long overdue. Williamsbridge, while historically a community of one-to-three family homes, has developed into a hodge-podge of housing over the last couple of decades due to antiquated zoning. As a result, many side streets have been overdeveloped and negatively changed the character of many blocks. A lot that had a stately stone house now has 4 four-story boxes with small rental apartments. Group homes have taken over the homes on many blocks, because existing zoning allows a greater number of unrelated people to live in a structure. Maintaining homeownership opportunities in the borough is critical, and preserving neighborhoods like Williamsbridge and Baychester will help do that.

At the same time we must encourage development in the borough. This is why I favor appropriate upzonings along the main corridors. East Gun Hill Road at White Plains Road is a major node for the IRT 2 and 5 trains, a number of bus lines, as well for its location near the Bronx River Parkway and the Williamsbridge Metro-North Station.

The intersection sees a lot of foot traffic, but mostly for people looking to transfer to another mode of transportation. Given its role as a gateway into the Northeast Bronx, this intersection and the surrounding blocks can serve as a vibrant mixed-use destination, not only for the residents of Williamsbridge, but Norwood and Wakefield. Upzoning along Laconia and Bronxwood Avenues to R5D allows for the R4 Infill development that has taken place along the side streets to be shifted to the wide avenues. The Infill provision has negatively impacted some of these blocks by allowing homes to be built at a higher FAR. This thinking may have been useful in the 1960's and 1970's when these areas of The Bronx were undeveloped, but is inappropriate for today. Placing the R5D zone along these streets removes the provisions from most of these blocks. I applaud the New York City Department of City Planning for their creativity here.

I am pleased that the areas of Baychester not covered by the Pelham Gardens rezoning were revisited, helping preserve one of the Bronx' more attractive and stable neighborhoods.

Finally, I fully acknowledge this was a difficult rezoning for the New York City Department of City Planning, given potential compliance issues. I commend their ability to service community concerns about overdevelopment in the neighborhood despite these obstacles, while allowing for appropriate growth, by developing a rezoning plan that ranges from 68-100 percent compliance, well within rezoning standards. I thank them for their hard work.

I recommend approval of this application.