



## **CITY PLANNING COMMISSION**

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April 10, 2013 / Calendar No. 8

N 130065 ZRX

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**IN THE MATTER OF** an application submitted by NR Property 2 LLC pursuant to Section 201 of the New York City Charter for the amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary Housing Designated Areas) in Community District 4, Borough of the Bronx.

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The application for an amendment to the Zoning Resolution was filed by NR Property 2 LLC on September 5, 2012. The proposed text amendment will make the Inclusionary Housing Program applicable in a proposed R7A zoning district to facilitate the development of a seven-story 147,821 square foot mixed use development with 100 residential units and 24 affordable units located at the corner of East 150<sup>th</sup> Street and Gerard Avenue (Block 2353, Lot 1) in the Borough of the Bronx, Community District 4.

### **RELATED ACTIONS**

In addition to the amendment to the Zoning Resolution, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 130064 ZMX      Zoning Map amendment changing from M1-2 to an R7A zoning district with a C2-4 overlay.

### **BACKGROUND**

A full background discussion and description of the proposal appears in the report on the related Zoning Map amendment (C 130064 ZMX).

### **ENVIRONMENTAL REVIEW**

This application (N 130065 ZRX) in conjunction with the related application (C 130064 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 11DCP143X. The lead agency is the Department of City Planning.

A full summary of the environmental review appears in the report on the related application for the zoning map amendment (C 130064 ZMX).

## **PUBLIC REVIEW**

This application (N 130065 ZRX) was duly referred to Bronx Community Board 4 and the Bronx Borough President on November 13, 2012 in accordance with the procedures for non-ULURP matters, along with the application for the Zoning Map amendment (C 130064 ZMX) which was certified as complete by the Department of City Planning on November 13, 2012 in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b)..

## **Community Board Public Hearing**

Community Board 4 held a public hearing on this application (N 130065 ZRX) and on the application for the related action (C 130064 ZMX) and on January 22, 2013 and by a vote of 26 in favor and 1 in opposition with 0 abstentions, adopted a resolution recommending approval of the application with conditions.

A summary of the recommendations of Community Board 4 appears in the report for the related application for the zoning map amendment (C 130064 ZMX).

## **Borough President Recommendation**

This application (N 130065 ZRX), in conjunction with the related action was considered by the Bronx Borough President, who recommended approval of the application on on February 14, 2013.

A summary of the recommendations of the Borough President appears in the report on the related application for a zoning map amendment (C 130064 ZMX),

### **City Planning Commission Public Hearing**

On February 20, 2013 (Calendar No.2), the City Planning Commission scheduled March 6, 2013, for a public hearing on this application (N 130065 ZRX). The hearing was duly held on March 6, 2013 (Calendar No. 12) in conjunction with the related application for a zoning map amendment (C 130064 ZMX). There was one speaker in favor and no speakers in opposition, as described in the report on the related application for a zoning map amendment (C 130064 ZMX), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the zoning text amendment (N 100365 ZRX), in conjunction with the related application is appropriate.

A full consideration and analysis of the issues and reason for approving this application appears in the related report for a zoning map amendment (C 130064 ZMX).

### **RESOLUTION**

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

**RESOLVED**, by the City Planning Commission, pursuant to 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 as follows:

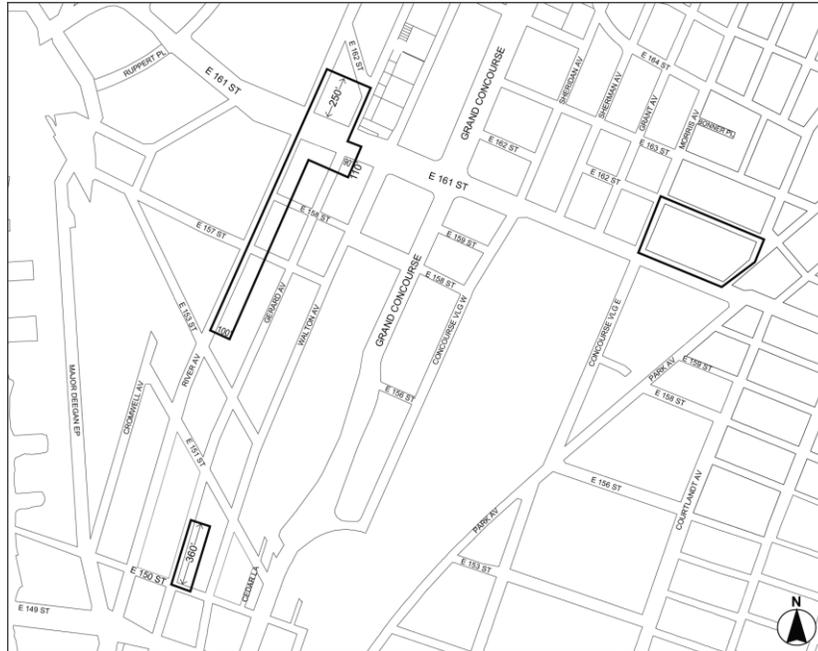
### **APPENDIX F**

#### **Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has



**PROPOSED  
(TO REPLACE EXISTING)  
Map 1 (x/xx/xx)**



Portion of Community District 4, The Bronx

The above resolution (N 100365 ZMX), duly adopted by the City Planning Commission on April 10, 2013 (Calendar No. 8 ), 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**  
**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MICHELLE DE LA UZ,**  
**MARIA M. DEL TORO, JOSEPH DOUEK, RICHARD W. EADDY,**  
**ANNA HAYES LEVIN, ORLANDO MARIN Commissioners**