CITY PLANNING COMMISSION

August 15, 2016/Calendar No. 1 C 160267 ZMX

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

1. changing from an M1-1 District to a C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right Of Way, and the northwesterly prolongation of the northerly street line of former 150th Street; and

2. changing from a C4-4 District to a C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150th Street, the centerline of a Rail Road Right Of Way, and a line 90 feet northeasterly of East 149th Street;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated April 11, 2016.

An application for an amendment to the Zoning Map (C 160267 ZMX) was filed by the NYC Department of Housing Preservation and Development on April 6, 2016, in conjunction with several related actions, to facilitate the development of five mixed-use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space, in Borough of the Bronx, Community District 1.

RELATED ACTIONS

In addition to the application for a designation, project approval and disposition of city-owned property (C 160267 ZMX), which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 160268 HAX Designation of property as an Urban Development Action Area and Urban Development Action Area Project; and pursuant to Section 197-c, disposition of such property to a developer selected by HPD.

C 160270 ZSX — Special Permit, pursuant to ZR Section 74-743(a)(1), to permit distribution of required open space within the Large Scale General Development without regard to zoning lot lines and pursuant to ZR Section 74-743(a)(2) to permit location of buildings without regard for applicable yard, court, and height regulations.

C 160271 ZSX — Special Permit, pursuant to ZR Section 74-744(b), to permit residential and non-residential uses to be arranged on the second floor within building B without regard for the location regulations of ZR Section 32-42.

N 160269 ZRX — Zoning Text Amendment pursuant to Appendix F, to add the project area to the list and maps of Mandatory Inclusionary Housing Areas.

BACKGROUND

A full background discussion and description of this application appears in the report for the related UDAAP action (C 160268 HAX).

ENVIRONMENTAL REVIEW

This application (C 160267 ZMX), in conjunction with the related actions (C 160268 HAX, N 160269 ZRX, C 160270 ZSX, C 160271 ZSX), 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 15HPD041X. The Lead Agency is the Department of Housing Preservation and Development.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS), issued on July 29, 2016, appears in the report on the related application for the UDAAP action (C 160268 HAX).

UNIFORM LAND USE REVIEW

This application (C 160267 ZMX), in conjunction with the related actions (C 160268 HAX, C 160270 ZSX, C 160271 ZSX), was certified as complete by the Department of City Planning on April 11, 2016, and was duly referred to Community Board 1 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the related application for a zoning text amendment, (N 160269 ZRX) which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 1 held a public hearing on the application (C 160267 ZMX), on April 28, 2016, and on that date, by a vote of 23 in favor, 0 in opposition, and 1 abstention, adopted a resolution recommending approval of the application with modifications/conditions.

A summary of the recommendations of Community Board 1 appears in the report on the related application for a UDAAP designation (C 160268 HAX).

Borough President Recommendation

This application (C 160267 ZMX), was considered by the Bronx Borough President, who issued a recommendation approving the application on June 20, 2016.

City Planning Commission Public Hearing

On June 8, 2016 (Calendar No. 1), the City Planning Commission scheduled June 22, 2016, for a public hearing on this application (C 160267 ZMX) and related actions. The hearing was duly held on June 22, 2016 (Calendar No. 18), in conjunction with the application for the related actions. There were a number of appearances, as described in the report for the related action (C 160268 HAX), and the hearing was closed.

CONSIDERATION

The Commission believes that this application (C 160267 ZMX) is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appear in the related report (C 160268 HAX).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein will have that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 29th, 2016, with respect to this application (CEQR No. 15HPD041X) the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section No. 6a:

1. changing from an M1-1 District to a C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right Of Way, and the northwesterly prolongation of the northerly street line of former 150th Street; and

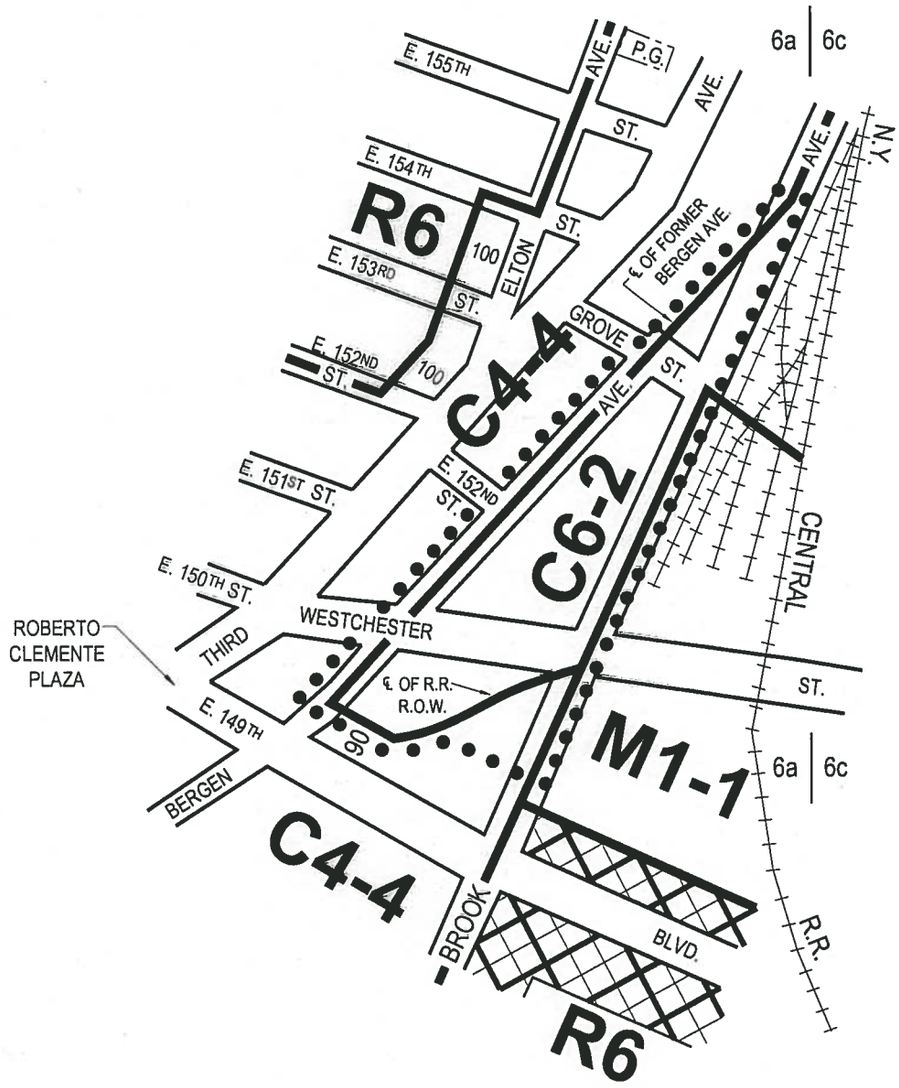
2. changing from a C4-4 District to a C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150th Street, the centerline of a Rail Road Right Of Way, and a line 90 feet northeasterly of East 149th Street;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated April 11, 2016.

The above resolution (C 160267 ZMX), duly adopted, by the City Planning Commission on August 15, 2016 (Calendar No. 1), 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.

CARL WEISBROD, Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III, JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARÍN, Commissioners

KENNETH J. KNUCKLES, Esq., Vice Chairman, Commissioner, Recused



CITY PLANNING COMMISSION

CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

6a

BOROUGH OF

BRONX

New York, Certification Date
April 11, 2016

for J. Miraglia, Director
Technical Review Division

SCALE IN FEET

400 0 400

NOTE:

Indicates Zoning District Boundary.

● ● ● ● ● The area enclosed by the dotted line is proposed to be rezoned by changing existing C4-4 and M1-1 Districts to a C6-2 District.

Indicates a C1-4 District.

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.