

CITY PLANNING COMMISSION

August 19, 1998/Calendar No. 12

C 980641 ZSX

IN THE MATTER OF an application submitted by the Fire Department and the Department of Citywide Administrative Services, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station to be located at 2175 Walton Avenue (Block 3186, Lot 37), Borough of the Bronx, Community District 5, in an R8 District.

The application for the grant of a special permit was filed by the Fire Department and the Department of Citywide Administrative Services on May 15, 1998, to allow a fire station to be located in an R8 District, 2175 Walton Avenue (Block 3186, Lot 37), Borough of the Bronx, Community District 5.

RELATED ACTIONS

In addition to the special permit which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 980635 PSX An application for site selection of property located at 2175 Walton Avenue (Block 3186, Lot 37).

BACKGROUND

The Fire Department (FDNY) is proposing to relocate Engine Company 75, Ladder Company 33, and Battalion 19 from its current location at 2283 Jerome Avenue in the Bronx to a new firehouse to be constructed on a city-owned site, located four-blocks away, at

2175 Walton Avenue. The proposed site is a vacant, 13,967 square-foot lot located on the northwest corner of Cameron Place and Walton Avenue. The FDNY anticipates developing the site with a 10,229 square-foot two-story fire station with an open parking area for 14 vehicles.

The proposed fire station is located in an R8 zoning district. Fire Stations (Use Group 6) are permitted in residential districts by special permit, pursuant to Section 74-67 of the Zoning Resolution.

A full background discussion and description of this project appears in the report on the related application for the site selection of property (C 980635 PSX).

ENVIRONMENTAL REVIEW

This application (C 980641 ZSX), in conjunction with the application for the related action (C 980635 PSX), 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 lead agency is the Fire Department. The designated CEQR number is 98CFD018X.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on June 2, 1998.

UNIFORM LAND USE REVIEW

This application (C 980641 ZSX), in conjunction with the application for the related action (C 980635 PSX), was certified as complete by the Department of City Planning on June 15, 1998 and was duly referred to Community Board 5 and the Borough President of the Bronx, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 5 held a public hearing on this application on June 24, 1998, and on that date, by a vote of 19 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 980641 ZSX) was considered by the Borough President of the Bronx, who issued a recommendation approving the application on July 1, 1998.

City Planning Commission Public Hearing

On July 22, 1998 (Calendar No. 1), the City Planning Commission scheduled August 5, 1998 for a public hearing on this application (C 980641 ZSX). The hearing was duly held on August 5, 1998 (Calendar No. 5), in conjunction with the application for the related action (C 980635 PSX). A representative of the Fire

Department spoke in favor of the application. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application by the Fire Department and the Department of Citywide Administrative Services for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station to be located in an R8 District, on a zoning lot at 2175 Walton Avenue (Block 3186, Lot 37), Borough of the Bronx, Community District 5, is appropriate.

The movement of fire apparatus entering and exiting the existing firehouse at 2283 Jerome Avenue in the Bronx is obstructed by support columns for the elevated train tracks on Jerome Avenue, which do not allow the trucks an adequate turning radius.

The proposed site at 2175 Walton Avenue (Block 3186, Lot 37) is of adequate size to accommodate the fire station and would correct the current traffic condition because fire apparatus would be able to turn unimpeded onto Cameron Avenue, without any obstructions, and then move on to Jerome Avenue, which the vehicles would continue to use to respond to emergencies.

Fire Stations (Use Group 6) are permitted in residential districts only by special permit, pursuant to Section 74-67 of the Zoning Resolution. The proposed site is only four blocks from the existing fire station and is centrally located within

its catchment area, which is bounded by East 190th Street to the north, Burnside Avenue to the south, Tiebout Avenue to the east, and Loring Place and Bronx Community College to the west.

In locating a site for a new fire station house, the Fire Department identified an area from which adequate coverage of the response area would be ensured. This "core area" is bounded by East 184th Street to the north, East 181st Street to the south, Morris Avenue to the East and Jerome Avenue to the west. Within this core area, the only commercially-zoned areas which would permit the fire station as-of-right are located on either side of Jerome Avenue and either side of East 183rd. There were no available properties on East 183rd Street and properties located on Jerome Avenue would be unsuitable because the support columns for the elevated trains would continue to obstruct fire apparatus utilizing the station house. The Fire Department found only five sites which could accommodate a new station house; all of them were located in R8 districts.

Upon completion of the firehouse, Cameron Place will be changed from a one-way eastbound street to a two-way street. This change in traffic direction would allow fire apparatus to turn westbound from the site to Jerome Avenue, a north-south commercial corridor which vehicles currently use to respond to emergencies. This would allow fire companies to avoid traveling through residential areas when there is a choice in response routes.

A full consideration and analysis of the issues, and the

reasons for approving this project, appear in the report on the related site selection application (C 980635 PSX).

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-67 (Fire or Police Stations) of the Zoning Resolution:

- (a) That such use will serve the *residential* area within which it is provided to be located; that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the *residential* area, which make it necessary to locate such use within a *Residential District*; and
- (b) in the case of fire stations, that such use is so located as to minimize the movement of fire apparatus through local *streets* in *residential* areas.

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 and findings described in this report, the application submitted by the Fire Department and the Department of Citywide Administrative Services, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-

67 of the Zoning Resolution to allow a fire station to be located at 2175 Walton Avenue (Block 3186, Lot 37), Borough of the Bronx, Community District 5, in an R8 District, is approved pursuant to Sections 74-67 of the Zoning Resolution, subject to the following terms and conditions:

1. The property that is the subject of this application (C 980641 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Richard Dattner, Architect, P.C., filed with this application and incorporated into this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
S-1	Site Plan	05-07-98
ZA-1	Zoning Analysis	05-07-98

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms, or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or

entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 980641 ZSX), duly adopted by the City Planning Commission on August 19, 1998 (Calendar No. 12), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

JOSEPH B. ROSE, Chairman
VICTOR G. ALICEA, Vice-Chairman,
ALBERT ABNEY, ANGELA M. BATTAGLIA, AMANDA M. BURDEN, A.I.C.P.,
IRWIN CANTOR, P.E., KATHY HIRATA CHIN, Esq., ALEXANDER GARVIN,
ANTHONY I. GIACOBBE, Esq., WILLIAM GRINKER, BRENDA LEVIN, JACOB
B. WARD, Esq., Commissioners.

Community/Borough Board
Recommendation

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

*cc: Pineda
Boroy - sep
Harris P-Hill*

INSTRUCTIONS

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

APPLICATION # C 980641 ZSX

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Fire Department pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station to be located, at 2175 Walton Avenue (Block 3186, Lot 37), in an R8 District, Community District 5, Borough of the Bronx.

Plans for this proposal are on file with the City Planning Commission and may be seen in room 3N, 22 Reade Street, New York, N.Y. 10007.

COMMUNITY BOARD NO. 5
BOROUGH the Bronx BOROUGH BOARD _____

DATE OF PUBLIC HEARING June 24, 1998 LOCATION MS 306 40 W. Tremont Ave Bronx NY

WAS QUORUM PRESENT? YES NO
(public hearing shall require a quorum of 2/3 of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN
DATE _____ LOCATION _____

RECOMMENDATION

APPROVE APPROVE WITH MODIFICATIONS/CONDITIONS
 DISAPPROVE DISAPPROVE WITH MODIFICATIONS/CONDITIONS

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

IN FAVOR 19 AGAINST 0 ABSTAINING 0
TOTAL MEMBERS APPOINTED TO BOARD 24

Jennifer Fogarty
COMMUNITY/BOROUGH BOARD OFFICER

June 25, 1998 _____
DATE TITLE

**Borough President
Recommendation**

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

INSTRUCTIONS

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2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

APPLICATION # C 980641 ZSX

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Fire Department and the Department of Citywide Administrative Services pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution to allow a fire station to be located at 2175 Walton Avenue (Block 3186, Lot 37), in an Rb District, Community District 5, Borough of The Bronx.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3H, 22 Reade Street, New York, New York 10007.

COMMUNITY BOARD NO. 5

BOROUGH BRONX

RECOMMENDATION

- APPROVE
 APPROVE WITH MODIFICATION/CONDITIONS (List below)
 DISAPPROVE

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

PLEASE SEE ATTACHMENT "B" FOR BOROUGH PRESIDENT'S
RECOMMENDATION.



BOROUGH PRESIDENT

DATE

7/1/98

BRONX BOROUGH PRESIDENT FERNANDO FERRER'S RECOMMENDATION
ULURP APPLICATION NOS: C 980635 PSX & C 980641 ZSX

BACKGROUND

Application No C 980635 PSX was filed pursuant to Section 197-c of the New York City Charter for the selection of property, and application No: C 980641 ZSX was filed pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 24-67 of the Zoning Resolution to allow a fire station to be located in an R8 District. Both applications were submitted by the New York City Fire Department (FDNY).

FDNY proposes to construct a fire station at 2175 Walton Avenue, (Block 3186, Lot 37), in Bronx Community District 5. The site will accommodate an Engine and Ladder Company, plus a Battalion. These facilities are now located at 2283 Jerome Avenue, four blocks from the proposed site. There has not been a determination as to what will become of the old structure.

The site is a vacant undeveloped lot located on the northwest corner of Walton Avenue and Cameron Place. It is secured by a chain link fence. Located one block east on Morris Avenue is an elementary school. Residential structures in the community include two family homes and six story apartment buildings in fair condition. Retail activity is on Burnside Avenue one block south, on Jerome Avenue one block west, and on 183rd Street two blocks north of the proposed site. The elevated section of the Lexington Avenue, Number 4 subway operates on Jerome Avenue with the nearest station stop at 183rd Street.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

These applications were reviewed pursuant to SEQRA and CEQR and received a negative declaration. These ULURP applications were certified as complete on June 15, 1998.

COMMUNITY BOARD RECOMMENDATION

Bronx Community Board 5 voted unanimously to approve these applications on June 24, 1998. The vote to approve was 19 in favor, -0- against, -0- abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

The Borough President did not hold a public hearing on these applications.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

I am especially pleased to support these applications as proposed by the Fire Department. Its approval will facilitate the construction of a fire station needed to replace an aging facility located nearby.

I am pleased that the proposed fire house will be functional and architecturally appropriate for the site. Parking, exterior lighting, and street trees have been incorporated into the project, supporting my contention that municipal facilities must serve to enhance the community. I have also been assured by the Fire Department that under no circumstances will the facility now in use be neglected or abandoned.

Since the proposed fire station is to be situated within one block of a school, I recommend that a traffic signal be installed at the corner of Walter Avenue and Cameron Place.

I recommend approval of these applications and request that the City Planning Commission expedite its review and vote on the proposal.