



## Legislation Details (With Text)

|                        |   |                     |   |                    |  |
|------------------------|---|---------------------|---|--------------------|--|
| <b>File #:</b>         | Res 0029-2006   | <b>Version:</b>     | * | <b>Name:</b>       | LU 10 - ULURP, Bronx Terminal Market Gateway, Bronx (C050529ZMX) |
| <b>Type:</b>           | Resolution  | <b>Status:</b>      |   | <b>In control:</b> | Adopted<br>Committee on Land Use                                 |
| <b>On agenda:</b>      | 2/1/2006  |                     |   |                    |  |
| <b>Enactment date:</b> |   | <b>Enactment #:</b> |   |                    |  |
| <b>Title:</b>          | Resolution approving the decision of the City Planning Commission on ULURP No. C 050529 ZMX, a Zoning Map change (L.U. No. 10). |                     |   |                    |  |
| <b>Sponsors:</b>       | Melinda R. Katz, Tony Avella  |                     |   |                    |  |
| <b>Indexes:</b>        |   |                     |   |                    |  |
| <b>Attachments:</b>    | 1. Committee Report, 2. Hearing Transcript - Stated Meeting 2/1/06  |                     |   |                    |  |

| Date     | Ver. | Action By             | Action                | Result |
|----------|------|-----------------------|-----------------------|--------|
| 2/1/2006 | *    | Committee on Land Use | Approved by Committee |        |
| 2/1/2006 | *    | City Council          | Approved, by Council  | Pass   |

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 29

Resolution approving the decision of the City Planning Commission on ULURP No. C 050529 ZMX, a Zoning Map change (L.U. No. 10).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on December 19, 2005 its decision dated December 19, 2005 (the "Decision"), on the application submitted by BTM Development Partners, LLC and the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 050529 ZMX) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 050074 MMX (L.U. No. 9), an amendment to the City Map eliminating East 150<sup>th</sup> Street between River Avenue and Exterior Street; East 151<sup>st</sup> Street between River Avenue and Cromwell Avenue; and Cromwell Avenue between Exterior Street and the Metro North Rail Road tracks; C 050530 ZSX (L.U. No. 11), a special permit pursuant to NYCZR Section 74-512 to permit a public parking garage in excess of 150 spaces; C 050531 ZSX (L.U. No. 12), a special permit to modify height and setback regulations and allow the distribution of floor area without regard to zoning lot lines; C 050532 ZSX (L.U. No. 13), a special permit pursuant to NYCZR Section 74-744 for signs otherwise not permitted; and C 050539 PPX (L.U. No. 14), disposition of city-owned property pursuant to zoning;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on January 23, 2006;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on December 8, 2005 (CEQR No. 04DME017X);

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval those mitigative measures that were identified as practicable;
- (2) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, the Council approves the Decision.

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 No. 6a, changing from an M2-1 to a C4-4 District property bounded by a line 1120 feet southerly of Macombs Dam Bridge and its easterly prolongation, Gateway Center Boulevard/Major Deegan Expressway, the northeasterly boundary line of the Metro North Rail Road Right-Of-Way, River Avenue, East 149th Street, Gateway Center Boulevard/Major Deegan Expressway, a line 600 feet northerly of East 149th Street, and the U.S. Pierhead and Bulkhead Line, as shown on a diagram (for illustrative purposes only) dated July 11, 2005, Community District 4, Borough of the Bronx.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on February 1, 2006, on file in this office.

City Clerk, Clerk of The Council