



## Legislation Details (With Text)

<b>File #:</b>	Res 0294-2010	<b>Version:</b>	*	<b>Name:</b>	LU 109 - Zoning, CBC Associates and the South Bronx Overall EDC (C080157ZMX)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>In control:</b>	Adopted Committee on Land Use
<b>On agenda:</b>	6/9/2010				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on ULURP No. C 080157 ZMX, a Zoning Map amendment (L.U. No. 109).				
<b>Sponsors:</b>	Leroy G. Comrie, Jr., Mark S. Weprin				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 6/9/10				

Date	Ver.	Action By	Action	Result
6/3/2010	*	Committee on Land Use	Approved by Committee	
6/9/2010	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 294

Resolution approving the decision of the City Planning Commission on ULURP No. C 080157 ZMX, a Zoning Map amendment (L.U. No. 109).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on May 14, 2010 its decision dated May 12, 2010 (the "Decision"), on the application submitted by CBC Associates and the South Bronx Overall Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to change from a C8-3 District to an R7-1/C2-4 District to facilitate the construction of a mixed-use building in Community District 3 (ULURP No. C 080157 ZMR) (the "Application");

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 June 1, 2010;

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 Revised Conditional Negative Declaration issued on May 12, 2010 (CEQR No. 08DCP054X);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment once it is modified as follows:

That the applicant, CBC Associates, and co-applicant SOBRO, agree via a restrictive declaration to prepare a hazardous material sampling protocol including a health and safety plan, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval if necessary, remediation measure would be undertaken pursuant to the remediation plan.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 080157 ZMX, incorporated by reference herein, 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. 3d, from a C8-3 District to an R7-1/C2-4 District, property bounded by East 176<sup>th</sup> Street, Boston Road, East 175<sup>th</sup> Street, and Southern Boulevard, as shown on a diagram (for illustrative purposes only) dated January 4, 2010 and which includes CEQR Designation E-243, Community District 3, 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 June 9, 2010, on file in this office.

City Clerk, Clerk of The Council