



## Legislation Details (With Text)

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**In control:** Committee on Land Use

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**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 050531 ZSX (L.U. No. 12), the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 33-40 and to allow the distribution of the total allowable floor area without regard for zoning lot lines in a C4-4 District.

**Sponsors:** Melinda R. Katz, Tony Avella

**Indexes:**

**Attachments:** 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. 31**

Resolution approving the decision of the City Planning Commission on ULURP No. C 050531 ZSX (L.U. No. 12), the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 33-40 and to allow the distribution of the total allowable floor area without regard for zoning lot lines in a C4-4 District.

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 the 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 the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 33-40 and to allow the distribution of the total allowable floor area without regard for zoning lot lines to facilitate a commercial development within a general large-scale development, on property generally bounded by East 149th Street, Gateway Center Boulevard/Major Deegan Expressway, and the Metro North Railroad (Block 2356/Lot 20, Block 2357/Lots 1 and 86, Block 2539/Lot 32 and p/o Lots 50 and 60, and the beds of portions of East 150th Street, Cromwell Avenue, and East 151st Street), in a C4-4 District, Community District 4, Borough of the Bronx (ULURP No. C 050531 ZSX) (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 150th Street between River Avenue and Exterior Street; East 151st Street between River Avenue and Cromwell Avenue; and Cromwell Avenue between Exterior Street and the Metro North Rail Road tracks; C 050529 ZMX (L.U. No. 10), an amendment to the Zoning Map, changing from an M2-1 manufacturing district to a C4-4 commercial district; 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 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 City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution;

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 January 23, 2006 on the Decision and Application;

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);

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

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 New York City Charter and on the basis of the Decision and Application, the Council approves the Decision.

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.

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City Clerk, Clerk of The Council