

2. Section 74-743(a)(5) to modify the minimum distance between legally required windows and lot line regulations of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines);

in connection with a proposed mixed use development on property located at 527 Westchester Avenue (Block 2359, p/o Lots 1, 3 and 9001), in a General Large-Scale Development, within the Bronxchester Urban Renewal Area, in a C6-2 District, (ULURP No. C 080520 ZSX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 080517 ZMX (L.U. No. 898), a zoning map amendment changing from an M1-1 District to an C6-2 District; N 080518 ZRY (L.U. No. 899), a zoning text amendment; C 080519 ZSX (L.U. No. 900), a special permit to permit development over a rail right-of- way; C 080521 PQX (L.U. No. 902), an acquisition of privately-owned property; C 080522 HAX (L.U. No. 903), UDAAP designation and project approval and disposition of city-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on December 2, 2008 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, June 19, 2008 (CEQR No. 08HPD018X);

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

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment.

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 December 18, 2008, on file in this office.

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City Clerk, Clerk of The Council