



Legislation Details (With Text)

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**Title:** Resolution approving the Second Amended Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 110114 HUX (L.U. No. 320).

**Sponsors:** Leroy G. Comrie, Jr., Stephen T. Levin

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3-23-11

Date	Ver.	Action By	Action	Result
3/16/2011	*	Committee on Land Use	Approved by Committee	
3/23/2011	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 735

Resolution approving the Second Amended Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 110114 HUX (L.U. No. 320).

By Council Members Comrie and Levin

WHEREAS, the City Planning Commission filed with the Council on February 18, 2011 its decision and report dated February 16, 2011 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD"), pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, regarding the proposed Second Amended Melrose Commons Urban Renewal Plan (the "Plan") for the Melrose Commons Urban Renewal Area (the "Area"). The proposed plan would include the following changes:

1. The minimum required setback of the street wall along E 163<sup>rd</sup> Street between Courtlandt Avenue and Melrose Avenue is proposed to be changed from 5' to 3'6".
2. The height restrictions for buildings on Melrose Commons Urban Site 64 are proposed to be changed to allow buildings to exceed 45' in R7A district and 85' in the R8/C1-4 district.
3. The restriction on curb cuts on E 163<sup>rd</sup> St between Courtlandt Avenue and Melrose Avenue is proposed to be lifted.

In addition, time schedule for the effectuation of the plan is proposed to be updated, (ULURP No. C 110114 HUX), Community District 3, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to Applications C 110115 ZMX (L.U. No. 321), an amendment to the Zoning Map of a portion of a block bounded by 162<sup>nd</sup> Street, Melrose Avenue, 163<sup>rd</sup> Street and Courtland Avenue from R7-2 to R7A and R8/C1-2; and C 110116 HAX (L.U. No. 322), an urban development action area project designation, project approval and disposition of city-owned properties;

WHEREAS, the City Planning Commission has certified that the Plan for the Area complies with the provisions of Section 502 of the General Municipal Law, conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives, and that the Plan is in conformity with the findings and designation of the Area;

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 Area Designation is subject to review and action by the Council pursuant to Section 504 of the General Municipal Law;

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council its recommendations regarding the Application on February 17, 2011;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on March 15, 2011;

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

WHEREAS, the Council has considered the relevant environmental issues and the Technical Memorandum dated October 7, 2010 that determined the proposed project would not result in any new or different impacts than those identified in the Final Environmental Impact Statement (“FEIS”) for which a Notice of Completion was issued on April 27, 2007 (CEQR 06HPD008X);

**RESOLVED:**

The Council finds that the action described herein will not result in environmental impacts substantially different from or greater than those described in the 2007 FEIS and having considered such materials and the 2007 FEIS for which a Notice of Completion was issued on April 27, 2007, which states that the requirements of the New York State Environmental Quality Review Act and regulations promulgated pursuant thereto have been met.

Pursuant to Section 504 of the General Municipal Law, the Council approves the Designation of the Area.

Pursuant to Section 505(4) of the General Municipal Law, the Council finds that:

1. The Area is a substandard or insanitary area or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the Plan;
3. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program;
4. The Plan conforms to a comprehensive community plan for the development of the municipality as a whole;
5. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment; and
6. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Area.

Pursuant to Section 505 of the General Municipal Law, the Council approves the Second Amended Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, dated October, 2010.

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 110114 HUX, incorporated by reference herein, 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 March 23, 2011, on file in this office.

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City Clerk, Clerk of The Council