



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1073

Resolution approving the decision of the City Planning Commission on ULURP No. C 100310 ZMX, a Zoning Map amendment (L.U. No. 485).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on September 9, 2011 its decision dated September 7, 2011 (the "Decision"), on the application submitted by Industco Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to rezone all or portions of 11 blocks in Community District 3 and in Community District 6 to facilitate mixed-use residential and commercial development within a Large Scale General Development, Borough of the Bronx (ULURP No. C 100310 ZMX) (the "Application");

WHEREAS, the Application is related to Applications Nos. N 100311 ZRX (L.U. No. 486), a zoning text amendment pursuant to Section 23-144 to designate the 'Rezoning Area' as an Inclusionary Housing Designated Area and to Section 74-743 to exclude portions of buildings containing parking from lot coverage in Large Scale General Developments in Community District 3 of the Bronx; C 100312 ZSX (L.U. No. 487), a special permit pursuant to Section 74-743 for modification of bulk regulations for Large Scale General Development; C 100313 ZSX (L.U. No. 488), a special permit pursuant to Section 74-745 to allow accessory parking spaces to be distributed without regard to zoning lot lines; C 110297 ZSX (L.U. No. 489), a special permit pursuant to Section 74-744 to allow commercial uses to be arranged within a building without regard to the regulations set forth in Section 32-42; and C 110234 HAX (L.U. No. 490), an urban development action area project, disposition and project approval to facilitate disposition and development of 13 square feet of vacant land;

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 October 3, 2011;

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 August 26, 2011 (CEQR No. 10DCP017X).

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) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action is the one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated September 1, 2011 described in the Resolutions for applications C 100312 ZSX, C 100313 ZSX, and C 110297 ZSX, and in addition with respect to application C 100310 ZMX, the three restrictive declarations dated September 1, 2011 and respectively executed by Boone West Farms LLC, 1903 West Farms LLC, and 1931 West Farms LLC, those project components related to the environment and mitigation measures that were identified as practicable.

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 this determination, 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, and based on the environmental determination and consideration described in this report, C 100310 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:

1. changing from an M1-1 District to an R6A District property bounded by a line midway between Longfellow Avenue and Boone Avenue and its northeasterly prolongation, a service exit of Cross Bronx Expressway, Boone Avenue, and East 172nd Street;
2. changing from an M1-1 District to an R7A District property bounded by Boone Avenue, a service exit of Cross Bronx Expressway, a line 200 feet northeasterly of East 174th Street, a line 100 feet southeasterly of Boone Avenue, East 173rd Street, a line 50 feet southeasterly of Boone Avenue, a line 350 feet southwesterly of East 172nd Street, Sheridan Expressway, Westchester Avenue, Whitlock Avenue, Freeman Street, Boone Avenue, and the former centerline of Boone Avenue;
3. changing from an M1-1 District to an R7X District property bounded by a line 100 feet southeasterly of Boone Avenue, a line 200 feet northeasterly of East 174th Street, a service exit of Cross Bronx Expressway, Sheridan Expressway, East 173rd Street and its southeasterly centerline prolongation;
4. changing from an R7-1 District to an R8X District property bounded by Longfellow Avenue, Boston Road, West Farms Road, a line 250 feet northeasterly of Rodman Place, a line 100 feet southeasterly of Longfellow Avenue and its northeasterly prolongation, a line 100 feet easterly of Longfellow Avenue, and Cross Bronx Expressway;

5. changing from an M1-1 District to an R8X District property bounded by:
 - a. a line 100 feet southeasterly of Longfellow Avenue and its northeasterly prolongation, a line 250 feet northeasterly of Rodman Place, West Farms Road, the southeasterly prolongation of the northeasterly street line of Rodman Place, and a service exit of Sheridan Expressway; and
 - b. a line 50 feet southeasterly of Boone Avenue, East 173rd Street and its southeasterly centerline prolongation, Sheridan Expressway, and a line 350 feet southwesterly of East 172nd Street;
6. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. a line midway between Longfellow Avenue and Boone Avenue and its northeasterly prolongation, a line 100 feet northeasterly of East 174th Street, Boone Avenue, and a line 100 feet southwesterly of East 174th Street;
 - b. a line midway between Longfellow Avenue and Boone Avenue, a line 100 feet northeasterly of East 173rd Street, Boone Avenue and East 173rd Street; and
7. establishing within a proposed R7A District a C2-4 District bounded by:
 - a. Boone Avenue, a line 100 feet northeasterly of East 174th Street, a line 100 feet southeasterly of Boone Avenue, and a line 100 feet southwesterly of East 174th Street; and
 - b. Boone Avenue, a line 100 feet northeasterly of East 173rd Street, a line 100 feet southeasterly of Boone Avenue, East 173rd Street, a line 50 feet southeasterly of Boone Avenue, and a line 350 feet southwesterly of East 172nd Street;
8. establishing within a proposed R7X District a C2-4 District bounded by:
 - a. a line 100 feet southeasterly of Boone Avenue, a line 100 feet northeasterly of East 174th Street, West Farms Road, and a line 100 feet southwesterly of East 174th Street; and
 - b. a line 100 feet southeasterly of Boone Avenue, a line 100 feet northeasterly of East 173rd Street, West Farms Road, and East 173rd Street; and
9. establishing within a proposed R8X District a C2-4 District bounded by:
 - a. Longfellow Avenue, a line 80 feet northeasterly of Rodman Place, a line 100 feet southeasterly of Longfellow Avenue, and Rodman Place;
 - b. a line 70 feet northwesterly of West Farms Road, a line 250 northeasterly of Rodman Place, West Farms Road, and Cross Bronx Expressway; and
 - c. a line 50 feet southeasterly of Boone Avenue, East 173rd Street, West Farms Road, a line 100 feet southwesterly of East 173rd Street, a line 100 feet southeasterly of Boone Avenue, East 172nd Street, West Farms Road, and a line 350 feet southwesterly of East 172nd Street;

as shown in a diagram (for illustrative purposes only) dated May 9, 2011 and subject to the conditions of CEQR Declaration E-277, Community Districts 3 and 6, 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 October 5, 2011, on file in this office.

City Clerk, Clerk of The Council