



Legislation Text

File #: Res 1077-2011, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1077

Resolution approving the decision of the City Planning Commission on ULURP No. C 110297 ZSX (L.U. No. 489), for the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow residential and non-residential uses to be arranged within a building without regard for the use regulation set forth in Section 32-42 (Location within buildings), in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 and 46; and Zoning Lot B, Block 3014, Lots 9, 15 and 45), in R7A/C2-4, R8X and R8X/C2-4 Districts, within a Large-Scale General Development bounded by Boone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street, Borough of the Bronx.

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 the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow residential and non-residential uses to be arranged within a building without regard for the use regulation set forth in Section 32-42 (Location within buildings), in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 and 46; and Zoning Lot B, Block 3014, Lots 9, 15 and 45), in R7A/C2-4, R8X and R8X/C2-4 Districts, within a Large-Scale General Development bounded by Boone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street (ULURP No. C 110297 ZSX), Community District 3, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to Applications Nos. C 100310 ZMX (L.U. No. 485), a zoning map amendment to change portions of 11 blocks currently zoned M1-1, R7-1, R7-1/C2-4 to R6A, R6A/C2-4, R7A, R7A/C2-4, R7X, R7X/C2-4, and R8X, R8X/C2-4 generally located in Crotona Park East and West Farms neighborhoods of the Bronx; 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; 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)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-744 of the Zoning Resolution of the City of New York;

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 110297 ZSX, 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 October 5, 2011, on file in this office.

City Clerk, Clerk of The Council