



Legislation Text

File #: Res 1310-2016, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1310

Resolution approving the decision of the City Planning Commission on ULURP No. C 160218 MMX, an amendment to the City Map (L.U. No. 487).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on October 3, 2016 its decision dated September 21, 2016 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development and Phipps Houses, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the narrowing by elimination, discontinuance and closing of a portion of East Tremont Avenue from Boston Road to East Tremont Avenue; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13137 dated April 27, 2016 and signed by the Borough President, (ULURP No. C 160218 MMX), Community District 6, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 160285 ZMX (L.U. No. 482), a zoning map amendment to change portions of the project area from R7-1 and R7-1/C1-4 to R8 and R8/C1-4 zoning districts; C 160286 HAX (L.U. No. 483), a disposition of city-owned property and Urban Development Action Area Project (UDAAP) designation and project approval; N 160288 ZRX (L.U. No. 484), as modified, a zoning text amendment to allow lot line windows adjacent to public parks in Large-Scale Residential Developments; N 160289 ZRX (L.U. No. 485), a zoning text amendment to designate a Mandatory Inclusionary Housing Area; C 160290 ZSX (L.U. No. 486), a Zoning Special Permit pursuant to ZR Section 78-312 for minor variations in the height and setback regulations on the periphery of the LSRD; and C 160307 ZSX (L.U. No. 488), a Zoning Special Permit pursuant to ZR Section 78-312 to ensure that no new non-compliances are created in the modified previously approved LSRD;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b) (3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 19, 2016;

WHEREAS, the Council has considered the land use implications and other policy issues relating to 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 September 9, 2016 (CEQR No. 16HPD001X) and the Technical Memo dated November __, 2016;

RESOLVED:

Having considered the FEIS and the Technical Memo with respect to the Decision and 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 available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by the placement of (E) designations for Hazardous Materials, Air Quality, and Noise, as well as through the provisions of Sections 81-624 and 81-691(a)(3) of the Zoning Resolution, which form part of the action; and
- (4) The Decision together with the FEIS constitutes 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 199 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 160218 MMX, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the narrowing by elimination, discontinuance and closing of a portion of East Tremont Avenue from Boston Road to East Tremont Avenue; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in The Borough of The Bronx, Community District 6, in accordance with Map No. 13137 dated April 27, 2016 and signed by the Borough President, as more particularly described as follows

Pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

Pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. 13137 dated April 27, 2016 providing for the discontinuance and closing of a portion of East Tremont Avenue from Boston Avenue more particularly described as follows:

DISCONTINUING AND CLOSING EAST TREMONT AVENUE AT ITS INTERSECTION WITH

BOSTON ROAD

In the matter of discontinuing and closing East Tremont Avenue at its intersection with Boston Road, Borough of and County of The Bronx, City and State of New York, in accordance with Borough President Map No. 13137:

Beginning at a point formed by the intersection of the southeasterly line of Boston Road (also known as Boston Post Road) (80' Wide) with the northerly line of East Tremont Avenue (width varies) as said lines are shown on Record Map Section 12 of the Final Maps of The Office of The President of the Borough of The Bronx Topographical Bureau, amended and corrected to September 16, 1996, and from said Point of Beginning, thence;

- 1.) Along said line of East Tremont Avenue, a distance of 120.203 feet to a point, thence;
- 2.) Westerly, forming an interior angle of 27° 39' 35" with the last described course, a distance of 135.712 feet to a point, thence;
- 3.) Northeasterly, forming an interior angle of 62° 20' 25" with the last described course, Collinear with the extension of the aforementioned southeasterly line of Boston Road, a distance of 63.00 feet to the point and place of beginning.

The area described above consists of 3,786 square feet or 0.0869 acres more or less.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13137 dated April 27, 2016 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

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 November 29, 2016, on file in this office.

.....
City Clerk, Clerk of The Council