



Legislation Text

File #: Res 1121-2007, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1121

Resolution approving the decision of the City Planning Commission on ULURP No. C 070507 ZSX (L.U. No. 544), for the grant of a special permit pursuant to Section 74-681(a)(2) of the Zoning Resolution to allow a portion of a railroad or transit right-of-way that has been permanently discontinued or terminated to be included in the lot area for a proposed eight-story mixed building on property located north of East 158th Street between Third Avenue and Brook Avenue (Block 2364, Lots 45, 49, 70 and part of Lot 58), in an R8 and an R8/C1-4 Districts.

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on October 5, 2007 its decision dated October 3, 2007 (the "Decision") on the application submitted by the Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit, pursuant to Section 74-681(a)(2) of the Zoning Resolution to allow a portion of a railroad right-of-way that has been permanently discontinued or terminated to be included in the zoning lot area of the proposed development of an eight-story mixed-use building with approximately 124,380 square feet of floor area with a total of 96 dwelling units for moderate and middle-income families on property located north of East 158th Street between Third Avenue and Brook Avenue (Block 2364, Lots 45, 49, 70 and part of Lot 58), in an R8 and an R8/C1-4 Districts, Community District 1, Borough of the Bronx (ULURP No. C 070507 ZSX) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070506 HAX (L.U. No. 543), a an urban development action area project designation and project approval and disposition of city-owned property, and C 080002 ZMX (L.U. No. 545), a zoning map amendment to eliminate from within an existing R8 District a portion of a C1-4 District;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 of the Zoning Resolution;

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 October 23, 2007 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental review issues and the Final Environmental Impact Statement ("FEIS"), (CEQR No. 06HPD008X);

It was determined that this application would not result in environmental impacts that would be substantially different from or greater than those described in the 1994 FEIS and 2007 FEIS for the Melrose Commons URA project. In a letter dated July 6, 2007 with a copy of the Notice of Minor Modification and the Technical

Memorandum for the CEQR No. 88-087X application, it was determined that the proposed changes do not alter the conclusions of the FEIS and that therefore the Notice of Completion issued on April 27, 2007 remains in effect.

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

RESOLVED:

Having considered the FEIS, for which a Notice of Completion was issued on April 15, 1994 and a letter dated July 6, 2007 with a copy of the Notice of Minor Modification and the Technical Memorandum, 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) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to this approval those mitigative measures that were identified as practicable;
- (2) 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 the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 October 29, 2007, on file in this office.

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

