



Legislation Text

File #: Res 1122-2007, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1122

Resolution approving the decision of the City Planning Commission on ULURP No. C 080002 ZMX, a Zoning Map change (L.U. No. 545).

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 an amendment to the Zoning Map (ULURP No. C 080002 ZMX) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070506 HAX (L.U. No. 543), an urban development action area project designation and project approval and disposition of city-owned property; C 070507 ZSX (L.U. No. 544), a special permit, pursuant to Section 74-681 of the New York City Zoning Resolution, to permit development over a railroad right-of-way or yard;

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 23, 2007;

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 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.

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 City Charter and on the basis of the Decision and Application, 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. 6c, eliminating from within an existing R8 District a C1-4 District bounded by a line 125 feet northeasterly of East 158th Street, Brook Avenue, East 158th Street and a line 100 feet southeasterly of Third Avenue, as shown on a diagram (for illustrative purposes only), dated July 9, 2007, Community District 1, 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 29, 2007, on file in this office.

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City Clerk, Clerk of The Council