



## Legislation Text

**File #:** Res 1754-2008, **Version:** \*

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1754

Resolution approving the decision of the City Planning Commission on ULURP No. C 080520 ZSX (L.U. No. 901), for the grant of a special permit pursuant to Section 74-743(a)(2) to modify the height and setback regulations of Section 23-63 (Maximum Height of Walls and Required Setbacks) and Section 74-743(a)(5) to modify the minimum distance between legally required windows and lot line regulations of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), in connection with a proposed mixed use development on property located at 527 Westchester Avenue (Block 2359, p/o Lots 1, 3 and 9001), in a General Large-Scale Development, within the Bronxchester Urban Renewal Area, in a C6-2 District, Borough of the Bronx.

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on October 31, 2008 its decision dated October 7, 2008 (the "Decision") on the application submitted by the New York City 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 the following sections:

1. Section 74-743(a)(2) to modify the height and setback regulations of Section 23-63 (Maximum Height of Walls and Required Setbacks), Section 23-66 (Required Side and Rear Setbacks), Section 33-43 (Maximum Height of Walls and Required Setbacks), and Section 35-60 (MODIFICATION OF HEIGHT AND SETBACK REGULATIONS FOR MIXED BUILDINGS); the rear yard regulations of Section 23-47 (Minimum Required Rear Yards) and 33-26 (Minimum Required Rear Yards); the minimum distance between buildings regulations of Section 23-711 (Standard minimum distance between buildings); and the court regulations of Section 23-85 (Inner Court Regulations); and
2. Section 74-743(a)(5) to modify the minimum distance between legally required windows and lot line regulations of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines);

in connection with a proposed mixed use development on property located at 527 Westchester Avenue (Block 2359, p/o Lots 1, 3 and 9001), in a General Large-Scale Development, within the Bronxchester Urban Renewal Area, in a C6-2 District, (ULURP No. C 080520 ZSX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 080517 ZMX (L.U. No. 898), a zoning map amendment changing from an M1-1 District to an C6-2 District; N 080518 ZRY (L.U. No. 899), a zoning text amendment; C 080519 ZSX (L.U. No. 900), a special permit to permit development over a rail right-of-way; C 080521 PQX (L.U. No. 902), an acquisition of privately-owned property; C 080522 HAX (L.U. No. 903), UDAAP designation and project approval and disposition of city-owned property;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on December 2, 2008 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, June 19, 2008 (CEQR No. 08HPD018X);

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

The Council finds that the action described herein will have no significant effect on the environment.

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 December 18, 2008, on file in this office.

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City Clerk, Clerk of The Council