



CITY PLANNING COMMISSION

August 25, 2004 / Calendar No. 8

C 040479 ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 4b, 4d, 7a, and 7c:**

- 1. changing from an R3-2 District to an R3-1 District property bounded by** a line 100 feet southerly of Spencer Drive, a line 100 feet southerly of Lucern Street and its easterly prolongation, the U.S. Pierhead Line, Club Road and its easterly centerline prolongation at its intersection with Campbell Drive, and a line 100 feet easterly of Reed Place;
- 2. changing from an R4 District to an R3-1 District property bounded by** Throgs Neck Expressway, Throgs Neck Bridge Approach, the northwesterly centerline prolongation of Locust Point Drive, Chaffee Avenue, Longstreet Avenue, Harding Avenue, a line 100 feet southwesterly of Reynolds Avenue, Mullan Place, a line 500 feet southwesterly of Longstreet Avenue, a line 300 feet southwesterly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, the U.S. Pierhead and Bulkhead Line, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy), Pennyfield Avenue, Schurz Avenue, Kearney Avenue, Harding Avenue, Meagher Avenue, and Lawton Avenue and its northeasterly centerline prolongation;
- 3. changing from an R4 District to an R3-2 District property bounded by** Sampson Avenue and its westerly centerline prolongation, Swinton Avenue, a line 100 feet southerly of Sampson Avenue, Brinsmade Avenue, a line 175 feet northerly of Miles Avenue, Huntington Avenue, Miles Avenue a line midway between Swinton Avenue and Brinsmade Avenue, Lawton Avenue, Swinton Avenue, Harding Avenue, Balcom Avenue, a line 100 feet northerly of Harding Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet southerly of Miles Avenue, Graff Avenue, Harding Avenue, Buttrick Avenue, Schurz Avenue and its westerly centerline prolongation, and the easterly boundary line of Ferry Point Park;
- 4. changing from an R4 District to an R3A District property bounded by;**
 - a.** Bruckner Expressway, Hollywood Avenue and its northwesterly centerline prolongation, the northeasterly centerline prolongation Otis Avenue, Throgs Neck Expressway, a line 250 feet southeasterly of Lafayette Avenue, a lone 100 feet northeasterly of Hollywood Avenue, a line 100 feet northwesterly of Philip Avenue, a line 75 feet northeasterly of Logan Avenue, Philip Avenue, a line 100 feet southwesterly of Hollywood Avenue, Randall Avenue, Logan Avenue, Schley Avenue, a line midway between Logan Avenue and Edison Avenue, a line perpendicular to the easterly street line of Edison Avenue distant 360 feet (as measure along the street line) from the point of intersection of the easterly street line of Edison Avenue and the northerly street line of Dewey Avenue, Edison Avenue and its southerly centerline prolongation, E. 177th Street, Throgs Neck Expressway Extension, a line 100 feet easterly of Logan Avenue, Miles Avenue, a line midway between Quincy Avenue and Swinton Avenue, Lawton Avenue, a line midway between Swinton Avenue and Brinsmade Avenue, Miles Avenue, Huntington Avenue, a line 175 feet northerly of Miles Avenue, Brinsmade Avenue, a line 100 feet southerly of Sampson Avenue, Swinton Avenue, Dewey Avenue, Revere Avenue, a line 300 feet southerly of Dewey Avenue,

Calhoun Avenue, Sampson Avenue, Revere Avenue, a line 150 feet northerly of Sampson Avenue, East Tremont Avenue, a line 100 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 425 feet northwesterly of Philip Avenue, Swinton Avenue, Lafayette Avenue, Brinsmade Avenue, a line 100 feet northwesterly of Lafayette Avenue, a line midway between Brinsmade Avenue and Huntington Avenue, Barkley Avenue, Brinsmade Avenue, Bruckner Boulevard, Calhoun Avenue, a line perpendicular to the northeasterly street line Calhoun Avenue distant 80 feet (as measured along the street line) front the point of intersection of the southeasterly street line of Bruckner Boulevard and the northeasterly street line of Calhoun Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 100 feet northwesterly of Barkley Avenue, Revere Avenue, Barkley Avenue, and East Tremont Avenue; and

b. Lafayette Avenue, Dean Avenue, a line 100 feet northwesterly of Philip Avenue, Clarence Avenue, Schley Avenue, Vincent Avenue, a line 250 feet southeasterly of Schley Avenue, a line midway between Vincent Avenue and Ellsworth Avenue, a line 300 feet southeasterly of Schley Avenue, Ellsworth Avenue, the southwesterly centerline prolongation of Schley Avenue, Throgs Neck Expressway, a line 250 feet northwesterly of Philip Avenue, a line midway between Vincent Avenue and Throgs Neck Expressway, a line 300 feet northwesterly of Philip Avenue, and Vincent Avenue;

5. changing from an R4 District to an R4A District property bounded by;

a. Middletown Road, Gillespie Avenue, a line 150 feet southerly of Middletown Road, Jarvis Avenue, Middletown Road, Bruckner Expressway, Waterbury Avenue and its westerly centerline prolongation, a line 100 feet southwesterly of Stadium Avenue, Fairmount Avenue, Clarence Avenue, Layton Avenue, Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 100 feet northerly of Fairmount Avenue, a line 70 feet westerly of Vincent Avenue, Fairmount Avenue, Ellsworth Avenue, a line 100 feet southerly of Baisley Avenue and its westerly prolongation, Bruckner Boulevard, East Tremont Avenue, Ericson Place, and Hutchinson River Parkway East;

b. Shore Drive and its northeasterly centerline prolongation at its intersection with Longstreet Avenue, the U.S. Pierhead Line, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, a line 100 feet northerly of Wissman Avenue, Longstreet Avenue and its southerly centerline prolongation, Throgs Neck Bridge Approach, Throgs Neck Expressway, Blair Avenue and its southerly centerline prolongation, a line 100 feet northerly of Throgs Neck Expressway, a line midway between Blair Avenue and Reynolds Avenue, Wissman Avenue and its southwesterly centerline prolongation, Throgs Neck Expressway, Sampson Avenue and its southwesterly centerline prolongation, and Pennyfield Avenue; and

c. Harding Avenue, Kearney Avenue, Schurz Avenue, Pennyfield Avenue, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy) and its southerly prolongation, the U.S. Pierhead and Bulkhead Line, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, Marina Drive, East Tremont Avenue, Msgr. Halpin Place, and Hollywood Avenue;

6. changing from an R4 District to an R4-1 District property bounded by;

a. Westchester Avenue, Hutchinson River Parkway East, Ericson Place, East Tremont Avenue, Waterbury Avenue, Hutchinson River Parkway, Ericson Place, East Tremont Avenue, and the westerly boundary line of Samuel H. Young Park and its northwesterly prolongation;

b. the southerly boundary line of St. Raymond's Cemetery and its easterly and westerly prolongations, East Tremont Avenue, Barkley Avenue, Revere Avenue, a line 100 feet northeasterly of Barkley Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 80 feet southeasterly of Bruckner Boulevard, Calhoun Avenue, Bruckner Boulevard, Brinsmade Avenue, Barkley Avenue, a line 100 feet southwesterly of Huntington Avenue, Bruckner Boulevard, and Bacon Avenue;

c. a line 100 feet northerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, Vincent Avenue, Layton Avenue, a line 100 feet easterly of Throg-Morton Avenue, a line 90 feet southerly of Layton Avenue, a line 75 feet easterly of Throgs Neck Expressway, Layton Avenue, and Ellsworth Avenue;

d. Fairmount Avenue, Stadium Avenue, Shore Drive, Lafayette Avenue, Throgs Neck Expressway, Barkley Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 80 feet southerly of Layton Avenue, a line 70 feet westerly of Dean Avenue, Layton Avenue, and Clarence Avenue;

e. Lafayette Avenue, Swinton Avenue, a line 425 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 100 feet northwesterly of Philip Avenue, East Tremont Avenue, a line 150 feet northwesterly of Sampson Avenue, Revere Avenue, Sampson Avenue, Calhoun Avenue, a line 300 feet southeasterly of Dewey Avenue, Revere Avenue, Dewey Avenue, Calhoun Avenue, and Cross Bronx Expressway; and

f. Miles Avenue, Throgs Neck Boulevard, Lawton Avenue, a line 110 feet westerly of Kearney Avenue, a line perpendicular to the westerly street line of Kearney Avenue distant 135 feet (as measured along the street line) from the point of intersection of the westerly street line of Kearney Avenue and the northerly street line of Harding Avenue, Kearney Avenue, Harding Avenue, Hollywood Avenue, Lawton Avenue, Revere Avenue, Marina Drive, Schurz Avenue, Buttrick Avenue, Harding Avenue, Graff Avenue, a line 100 feet southerly of Miles Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet northerly of Harding Avenue, Balcom Avenue, Harding Avenue, Swinton Avenue, Lawton Avenue, and a line midway between Quincy Avenue and Swinton Avenue; and

7. changing from C3 District to a C3A District property bounded by:

a. the easterly prolongation of a line 450 feet northerly of Ampere Avenue, the U.S. Pierhead Line, the easterly prolongation of a line 475 feet southerly of Griswold Avenue, Outlook Avenue and its southerly centerline prolongation, a line 200 feet southerly of Griswold Avenue, and Bay Shore Avenue and its southerly centerline prolongation,

b. the southerly property line of Country Club, the U.S. Pierhead Line, Shore Drive and its

northeasterly centerline prolongation at its intersection with Longstreet Avenue, Ellsworth Avenue, a line 100 feet northwesterly of Shore Drive, Vincent Avenue, Schley Avenue, Clarence Avenue, a line 100 feet northwesterly of Philip Avenue, Dean Avenue, Lafayette Avenue, Shore Drive, and Stadium Avenue;

c. a line 100 feet northerly of Wissman Avenue, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, the U.S. Pierhead Line, the U.S. Bulkhead Line, the northerly boundary line of a Park, Pedestrian Street, and Longstreet Avenue;

d. Harding Avenue, Longstreet Avenue, the U.S. Pierhead and Bulkhead Line, a line 300 feet southwesterly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, a line 500 feet southwesterly of Longstreet Avenue, Mullan Place, and a line 100 feet southwesterly of Reynolds Avenue; and

e. Schurz Avenue and its westerly centerline prolongation, Marina Drive, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, the U.S. Pierhead and Bulkhead Line, the southerly terminus of Emerson Avenue, and the easterly boundary line of Ferry Point Park;

as shown on a diagram (for illustrative purposes only) dated June 7, 2004, Borough of the Bronx Community District 10.

The application for an amendment to the Zoning Map was filed by the Department of City Planning June 2, 2004, to address the issues of overdevelopment, parking and inappropriate development on the waterfront in the Throgs Neck area of Bronx Community District 10.

Related Actions

In addition to the amendment to the Zoning Map which is the subject of this report, implementation of proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. N 040480 ZRY Zoning text amendments establishing a new C3A zoning designation
2. N 040481 ZRY Zoning text amendment modifying the definition of street for the purpose

of determining a waterfront zoning lot

3. N 040482 ZRX Zoning text amendments to Lower Density Growth Management (LDGM) provisions and the Special City Island District

BACKGROUND

The Department of City Planning proposes a zoning map amendment to an area generally bounded by Middletown Road to the north, the Bronx River Parkway to the west, Eastchester Bay to the east and the East River to the south. It is made up of several neighborhoods the largest of which is Throgs Neck.

In addition to Throgs Neck, the area includes the neighborhoods of Eastchester Bay, Spencer Estates, Country Club, Schuylerville, Silver Beach, Edgewater Park, Locust Point, City Island and the Village of Baychester, a five block area located immediately south of Coop-City.

The Throgs Neck Area consists of predominately residential neighborhoods. The area's low-rise and low-scale homes and open water views contribute greatly to the sense of place in the neighborhoods. Currently, most of the Area is zoned R4 and has been since 1961 when the current zoning resolution was adopted. The R4 zoning designation allows for a variety of housing types including one and two-family detached homes, semi-detached homes, attached homes; also known as row houses, and garden apartments. However, several large sections of the Throgs Neck Area are developed primarily with one and two-family detached homes or a mix of detached and semi-detached homes. The mismatch between the built character of the area and the building type and density permitted by the existing zoning creates an incentive to replace sound detached homes with rows of attached housing. Much of the waterfront is zoned C3 and R4; both zoning designations allow attached housing, this has resulted in portions of the waterfront being "walled off" by new development.

The major commercial corridor is East Tremont Avenue, which runs north/south through the area. The area is not well served by mass transit; the closest subway station is at Middletown Road in the far northwest corner of the area. There are a number of buses that serve the area, specifically the Bx5, Bx8, Bx14, Bx40, Bx42 and Qn1. Given the distance the buses have to travel to reach subway connections and employment centers, these do not provide a viable commuting option for many people in the area.

The automobile is a primary mode of transportation in the Throgs Neck Area. The area has a high rate of car ownership, 1.8 per household among households in buildings with five or fewer units, which ties it for third in car ownership in the city. As a result of this, the residents have identified parking as a major concern. The current regulations only require one space per dwelling unit for new development. Since many households own two or more automobiles many people must park cars on the street. On-street parking is at or near capacity and it is not uncommon to see illegal double -parked cars during peak times. Many homes have paved the front yard to create additional parking.

The extensive waterfront is one of the great assets of the Throgs Neck Area. Views of the Long Island Sound, Eastchester Bay and of the Throgs Neck and Bronx Whitestone bridges are numerous and of high aesthetic value. These views are becoming threatened. Much of the waterfront is zoned C3 and R4; both zoning designations allow attached housing. This has resulted in portions of the waterfront being “walled off” by new development. Along Eastchester Bay, Shore Drive is mapped in a wide loop and large segments of the street are underwater and unbuilt. This can result in developments not being subject to waterfront regulations because there is a mapped street (Shore Drive) between these lots and the water. The neighborhoods of Edgewater Park and Silver Beach are served by private, narrow streets. While these co-op communities have their own internal regulations that are stricter than zoning, they are included in the proposed actions.

With its extensive shoreline large sections of the Throgs Neck Area are in the floodplain. Federal Emergency Management Agency (FEMA) floodplain regulations, in conjunction with the city's current zoning and building codes result in buildings in the floodplain that are sometimes eight to fifteen feet taller than surrounding structures.

REQUESTED ACTIONS

To address the issues described above The Department of City Planning (DCP) is proposing a zoning map amendment for a 242-block area in the Throgs Neck Area, and zoning resolution text amendments specific to the Throgs Neck Area and citywide. Nineteen zoning map amendments are proposed and described in further detail below. A text amendment to ZR Section 12-10 (Lower Density Growth Management Area) is proposed to include Bronx Community District #10 as a Lower Density Growth Management Area. The Department will also amend the Lower Density Growth Management regulations, specifically ZR 26-30 setting a minimum distance between building on private roads; ZR 26-40 to provide an authorization to modify the private road regulations; and ZR 54-313 to allow vertical extensions for buildings with non-complying yards in R4A districts in designated Lower Density Growth Management Areas. In addition, DCP proposes two city-wide text amendments to the Zoning Resolution: ZR 62-11 to require that streets land-ward of the shoreline be "built and improved" for the purposes of determining waterfront lots; and ZR 34-11 establishing a new C3A zoning district.

Most of the 242 block study is currently zoned R4 or C3 on the waterfront; there is one small R3-2 and a block of R6 also in the proposed rezoning area. The proposal is to rezone one hundred ninety-five (195) blocks to a mixture of R4-1, R4A, R3-2, R3-1, R3A and C3A based on the predominant building type, forty-seven (47) blocks will remain R4. Those remaining R4 blocks are substantially built up; with attached and multi-family housing and a lower density or contextual zoning districts would not be appropriate in these areas.

DCP's approach to studying the Throgs Neck Area was to look at all zoning districts in Community District 10 that allowed attached housing. Much of the area studied is zoned R4, there are several areas on the waterfront with the C3 zoning designation and two R3-2 districts. The area affected by the proposed actions is generally bounded by Middletown Road to the north, the Bronx River Parkway to the west, Eastchester Bay to the east and the East River to the south. It is made up of several neighborhoods the largest of which is Throgs Neck. In addition to Throgs Neck, the area includes the neighborhoods of Eastchester Bay, Spencer Estates, Country Club, Schuylerville, Silver Beach, Edgewater Park, Locust Point, City Island and the Village of Baychester, a five block area located immediately south of Coop-City.

Zoning Map Changes (C040479ZMX)

R4 to R4-1

- A nine (9) block area in Schuylerville, south and east of the Hutchinson River Expressway, north of Waterbury Avenue and west of East Tremont Avenue.
- A seven (7) block area in Country Club, south of Fairmount Avenue, north of Layton Avenue, east of Ellsworth Avenue and west of Vincent Avenue and a twelve (12) block area south of Fairmount Avenue, north of Lafayette Avenue, east of Ellsworth Avenue and west of Shore Drive.
- A five (5) block area in North Throgs Neck, south of Saint Raymond's Cemetery, north of Barkley Avenue, east of Balcom Avenue and west of East Tremont Avenue and a nine (9) block area south of Lafayette Avenue, north of Sampson Avenue, east of the Cross Bronx Expressway and west of East Tremont Avenue.

- A thirteen (13) block area in South Throgs Neck, south of Miles Avenue, north of Schurz Avenue, east of Buttrick Avenue and west of Kearney Avenue.

In proposed R4-1 zoning districts within Growth Management Areas, one- and two-family detached and semi-detached homes would be allowed with a maximum FAR of 0.75 plus an attic allowance of 0.15. Minimum lot widths would be 25 feet for single-family detached homes, 33 feet for two-family detached and semi-detached homes and 18 feet for single-family semi-detached homes. On-site parking requirements would be 1.5 per unit (rounded up).

R4 to R4A

- A sixty-three (63) block area in Schuylerville, south of Middletown Road, east of East Tremont Avenue, north and west of the Bruckner Expressway.
- A ten (10) block area in Country Club, south of Waterbury Avenue, north of Layton Avenue, east of the Bruckner Expressway and west of Stadium Road.
- A nine (9) block area in Edgewater Park, south of Weir Creek, northeast of the Throgs Neck Expressway and west of Eastchester Bay.
- An eleven (11) block area in Silver Beach, south of Harding Avenue, north of the East River, east of Revere Avenue and west of Pennyfield Avenue.

In proposed R4A zoning districts within Growth Management Areas, one- and two-family detached homes would be allowed with a maximum FAR of 0.75 plus an attic allowance of 0.15. Minimum lot widths would be 25 feet for single-family detached homes, 33 feet for two-family detached homes. On-site parking requirements would be 1.5 per unit (rounded up).

R4 to R3-2

- A thirteen (13) block area in South Throgs Neck, south of Miles Avenue, north of Schurz Avenue, east of Emerson Avenue and west of Swinton Avenue.

In proposed R3-2 zoning districts within Growth Management Areas, one- and two-family detached, semi-detached and attached units would be allowed with a maximum FAR of 0.5 plus an attic allowance of 0.1. Minimum lot widths would be 25 feet for a single-family detached home, 33 feet for two-family detached and semi-detached homes and 18 feet for an attached homes and single-family semi-detached homes. On-site parking requirements would be 1.5 per unit (rounded up).

R4 to R3-1

- An eight (8) block area in Locust Point, south of the Throgs Neck Expressway, north of the East River, west of Kearny Avenue and east of Hammond Cove.

R3-2 to R3-1

- One (1) block in Spencer Estates, south of Spencer Drive, north of Country Club Road, east of Reed Place and west of Eastchester Bay.

In proposed R3-1 zoning districts within Growth Management Areas, one- and two-family detached and semi-detached homes would be allowed with a maximum FAR of 0.5 plus an attic allowance of 0.1. Minimum lot widths would be 25 feet for single-family detached homes, 33 feet for two-family detached and semi-detached homes and 18 feet for single-family semi-detached homes. On-site parking requirements would be 1.5 per unit (rounded up).

R4 to R3A

- A forty (40) block area in Throgs Neck, south of Bruckner Boulevard, north of Lawton Avenue, east of Huntington Avenue and west of the Throgs Neck Expressway.
- An eleven (11) block area in Eastchester Bay, south of Lafayette Avenue, north of Weir Creek, east of the Throgs Neck Expressway and west of Dean Avenue.

R3-2 to R3A

- A four (4) block area in the Village of Baychester, south and east of Hutchinson River Parkway, north of Bass Avenue and west of Hunter Avenue.

R6 to R3A

- One (1) block in the Village of Baychester, south of Hutchinson River Parkway, north of Stillwell Avenue, east of Boiler Avenue and west of Hunter Avenue.

In proposed R3A zoning districts within Growth Management Areas, one- and two-family detached homes would be allowed with a maximum FAR of 0.5 plus an attic allowance of 0.1. Minimum lot widths would be 25 feet for single-family detached homes, 33 feet for two-family detached homes. On-site parking requirements would be 1.5 per unit (rounded up).

C3 to C3A

- One (1) block on a peninsula in Spencer Estates bounded by Eastchester Bay and east of Bayshore Avenue.
- An eight (8) block area in Eastchester Bay south of Fairmont Avenue, north of Weir Creek, east

of Clearance Avenue and west of Eastchester Bay.

- One (1) block in Edgewater Park, south of Miles Avenue, north of the Throgs Neck Expressway, east of Longstreet Avenue and west of Eastchester Bay.
- A three (3) block area in Locust Point, south of Harding Avenue, north of Mitchell Place, east of Pennyfield Avenue and west of Longstreet Avenue.
- A three (3) block area in Throgs Neck, south of Schurz Avenue, north of the East River, east of Emerson Avenue and west of Revere Avenue.

R4 to C3A

- A portion of an unbuilt segment of Emerson Avenue between Schurz Avenue and the East River.

In proposed C3A zoning districts within Growth Management Areas, one- and two-family detached homes would be allowed with a maximum FAR of 0.5 plus an attic allowance of 0.1. Minimum lot widths would be 25 feet for single-family detached homes, 33 feet for two-family detached homes.

On-site parking requirements would be 1.5 per unit (rounded up).

The proposed action will limit new development to housing types that correspond to the neighborhood's residential context and built form without precluding future development opportunities.

RELATED ACTIONS

Text Amendments

Mapped / Unbuilt Streets On The Waterfront (N 040481 ZRY).

In 1992 the Department of City Planning established the Waterfront Zoning Regulations. These

regulations are designed to guide development along the City's waterfront that promotes and protects public health, safety and the general welfare. The goals of these regulations include: maintaining and reestablishing physical and visual public access to and along the waterfront; promoting a greater mix of uses in waterfront developments in order to attract the public and enliven the waterfront; encouraging water dependent uses along the City's waterfront; creating a desirable relationship between waterfront development and the water's edge, creating public access areas adjoining the upland communities; preserving historic resources along the City's waterfront; and protecting natural resources in environmentally sensitive areas along the shore. Waterfront Zoning Regulations require that development on the waterfront obtain a Certification from the Chair of the City Planning Commission for compliance with Visual Corridor and Waterfront Public Access provisions.

The extensive waterfront in the Throgs Neck Area is one of the great assets of The Bronx. However, these views are becoming threatened by the development of new housing that tends to be out of scale “walling off” the waterfront from the upland community. Shore Drive, which runs along the shore of Eastchester Bay, is in most places mapped but unbuilt. This can result in developments circumventing waterfront regulations by claiming they are not on the shoreline since there is a mapped street (Shore Drive) between these lots and the water.

The proposed text amendment to the Waterfront Zoning Regulations (Section 62-11) would potentially affect approximately fifteen (15) blocks in the Throgs Neck area. There are forty-five (45) vacant lots on the waterfront in these blocks. Several of these lots, located in Locust Point are used as access to private homes and are unlikely to be developed. All of the affected blocks are proposed to be zoned C3A or R3-1, neither of which would require developments to provide waterfront public access. The placement of Visual Corridors, based on cross street prolongations and distance from existing Visual Corridors would be subject to Certification by the Chair of the City Planning Commission.

Implementation of the proposed text amendment, as the waterfront develops, will enhance and protect visual access to Eastchester Bay, Long Island Sound and the East River, in the Throgs Neck Area.

This text change will be applicable citywide. Other areas affected by the proposed text change include:

Port Morris in Bronx Community District 1;

Hunts Point in Bronx Community District 2;

Clason Point and Soundview in Bronx Community District 9;

Green Point and North Side in Brooklyn Community District 1;

Vinegar Hill in Brooklyn Community District 2;

Spring Hill in Brooklyn Community District 5;

Cobble Hill and Red Hook in Brooklyn Community District 6;

Bath Beach in Brooklyn Community District 11;

Graves End in Brooklyn Community District 13;

Gerritsen Beach in Brooklyn Community District 15;

Bergen Beach in Brooklyn Community District 18;

West Village in Manhattan Community District 2;

Inwood in Manhattan Community District 12;

Astoria in Queens Community District 1;

Hunters Point in Queens Community District 2;

Whitestone, College Point and Flushing in Queens Community District 7;

Howard Beach in Queens Community District 10;

Douglaston in Queens Community District 11;

Rosedale in Queens Community District 13;

Far Rockaway, Somerville and Breezy Point in Queens Community District 14; and

Oakwood, Arden Heights, Prince's Bay and Tottenville in Staten Island Community District 3.

Many of the streets in these neighborhoods are perpendicular to the shoreline and the surrounding lots would experience no impact under the proposed zoning change. Where the streets in question are parallel to the shoreline, waterfront regulations would remain in effect.

Establish A New C3A Zoning District (N 040480 ZRY)

The Department of City Planning is proposing the creation of a new zoning district (C3A) that allows marine related uses and has a contextual residential building form. Residential uses in the proposed C3A district would be governed by the R3A district bulk regulations (Z.R. section 35-23) and subject to the Lower Density Growth Management provisions, as would be the case in the Throgs Neck Area.

The C3A district would permit one- and two-family detached homes on lots that are 25 feet wide with a minimum lot area of 2,375 square feet. The maximum FAR would be 0.5 with a 0.1 attic allowance for structures with pitched roofs. Front yards in this district would range between 10 feet and 20 feet and would be determined by a provision that requires the new development to line up with the adjacent

residential structure. Two side yards totaling at least eight (8) feet would be required in residential and mixed residential and commercial buildings. The C3A district would allow zero lot line residential and mixed residential/commercial buildings which are freestanding but abut one side lot line (Z.R. section 23-45 (b) (1)). The district would require that there be a minimum distance of eight (8) feet between buildings on adjacent zoning lots. The maximum building height would be 35 feet and the maximum number of dwelling units would be determined by dividing the permitted floor area by 710. One parking space would be required per dwelling unit.

Commercial uses in C3A zones would be the same as those allowed in the existing C3 and are primarily limited to waterfront recreation and those related to boating and fishing. Marinas, boat repair shops and public or private beaches, including dressing rooms and concession stands would be typical developments. The maximum FAR for commercial uses would be 0.5. Mixed commercial/residential buildings would be required to comply with the detached building type. Parking requirements would vary with use. Community facilities would permit an FAR of 1.0 in C3A zoning districts.

The Department of City Planning is proposing that the C3A district would be mapped as part of the Throgs Neck Area Rezoning and Text Amendments replacing the existing C3 districts. Therefore, mapping of the proposed new C3A district would achieve the goal of preserving marine related uses, while only allowing the detached housing type on the waterfront.

Designation of Bronx Community District #10 As A Lower Density Growth Management Area And Other Modifications (N 040482 ZRX).

The Lower Density Growth Management Area designation is intended to provide better site design options while balancing the need for providing adequate locations for parking and maintaining yard and open space areas. The provisions described below would apply in R2, R3, R4A and R4-1 zoning

districts in Bronx Community District #10, including those mapped within the Special City Island District.

Parking and Related Design Requirements

Current on-site parking rules require one space per dwelling unit in lower density districts. Because of the limited mass transit service in the Throgs Neck Area, household vehicle ownership is particularly high: 1.8 per household among households in buildings with five or fewer units, which ties it for third in car ownership in the city. The text amendment would increase the on-site parking requirement for residential developments to 150% of the dwelling units rounded up, two spaces for a single-family home on a single zoning lot and three spaces for a two family home (Z.R. 25-22 b). This varies slightly from the requirement in the recently adopted Staten Island Lower Density Growth Management regulations (N 040414 ZRY). On Staten Island multiple single-family residences on a single zoning lot would require two spaces per residence, whereas in Bronx Community District 10 multiple single-family residences on a single zoning lot would require 150% of the total number of units rounded up. In order to ensure adequate usable rear yards, on zoning lots developed with multiple buildings, parking and driveways would not be permitted to be closer than 30 feet to the rear wall of a building. (Z.R.25-64 b 2).

Required parking spaces would be prohibited in front yards. (ZR 25-622). The text amendment would mandate that required accessory parking be located in garages or driveways along the side of a house. Because homeowners and guests would not be prohibited from parking within driveways or in front of a garage, for example, developments could accommodate substantially more parking than would be required.

Presently, the minimum lot width for a two-family detached residence is 25 feet in R3A districts and 18 feet for semi-detached residences in R3-2, R3-1, and R4-1 districts. Lots of this size could not

accommodate the increased parking and location requirements. Therefore, the text amendment would require a 33-foot minimum lot width for two-family detached and semidetached homes to accommodate the increased on-site parking requirement. On zoning lots less than 33-feet wide, a driveway outside of the side lot ribbon would be permitted to allow for a single-family detached house to have two required spaces in a tandem garage. (Z.R. 23-32).

Presently, garages located above the cellar within detached and semi-detached buildings are included in floor area calculations. This has discouraged garage construction, leading to insufficient on-site parking. Alternatively, garages are often placed in the cellar (where they don't count as floor area), resulting in steeply sloped driveways. As a result, these garages are often unusable, and dangerous and unsightly conditions may result. The text amendment would encourage the construction of at-grade garages by exempting them from floor area calculations. Under the proposed text, up to 300 square feet for one required parking space in a garage, and up to a maximum of 500 square feet for two required spaces would be exempted from zoning floor area calculations. To eliminate steeply pitched driveways, a maximum grade would be established at 11%, allowing safe access and use of garages and driveways. (Z.R. 25-632 i). In addition, the text amendment would increase the perimeter wall height from 21 feet to 26 feet in R3 districts, and from 25 to 26 feet in R4A and R4-1 districts. This change would further encourage garages by allowing the building to accommodate a garage at grade with two floors above, while maintaining the existing overall height limit of 35 feet. (Z.R. 23-631).

Under the current zoning, a detached garage can generate a 100 square-foot floor area bonus. This is not viewed as a sufficient incentive to encourage detached garages. Consistent with providing more opportunity for on-site parking, the proposal would allow detached garages in rear yards to generate a floor area bonus equal to the proposed floor area exemption for garages provided within residential

buildings. Up to 300 square feet for one space and up to 500 square feet for two spaces would be allowed. (Z.R. 12-10).

The existing “attic rule” would be amended to encourage builders to provide homes with more traditional steep-pitched roofs, and to allow attic rooms with high ceilings. These changes would provide homeowners with more usable interior space. The current 20 percent increase in floor area for attics is currently achievable by providing a shallow-pitched roof with a rise of at least three-and-one-half inches to the foot, and the increased floor space must have ceiling heights of less than eight feet. Under the text amendment, the “attic rule” could be used only by providing a sloping roof with a rise of at least seven inches to the foot, and there would be no limitation in ceiling height. The text would encourage more steeply pitched roofs that are reflective of the traditional roof line design found on many older Throgs Neck Area dwellings, while maintaining the current height limit of 35 feet. (Z.R. 23-141). Also, the text, as proposed, would require a two-family detached building in an R3-2 district to be designed so that one unit is located above or below the other, rather than side by side. (Z.R. 22-43).

To ensure front yards have sufficient space to accommodate both parking and landscaping, driveways would be limited to a maximum width of ten feet on zoning lots of less than 33 feet in width and 20 feet for zoning lots 33 feet and wider. All driveways would have to be spaced at least 13 feet apart. Zoning lots less than 33 feet in width could only have one curb cut, but wider zoning lots could have multiple curb cuts. The existing rule that requires all curb cuts to be spaced at least 16 feet apart would be maintained. Curb cuts would be required to have a minimum width of 17 feet and a maximum width of 18 feet where they serve a driveway with two spaces side by side. The centerline of each curb cut would be required to be coincident with the center line of the driveway that it serves to ensure safe and easy access to all parking spaces. No more than two unenclosed required parking spaces could be arranged in tandem (one behind the other).

Yards and Open Space

The new zoning requirements would substantially increase the open space and yard requirements around buildings on the same zoning lot (resulting in less density), and they would provide for adequate distances from buildings on adjoining lots.

Currently, only a 20-foot separation is required between houses built one behind the other on the same zoning lot, resulting in inadequate yards and open space on the zoning lot. The text amendment would require a 45 foot separation between these buildings. (Z.R. 23-711 f). Also, under the current zoning regulations, side yard widths can be as little as five feet in an R3-2 District or zero feet in an R3A District (referred to as “lot line” buildings). The text amendment would ensure adequate side yard widths by requiring the following minimum distances for rear buildings that are at least 50 feet from the street (Z.R. 23-88): 15 feet from an adjoining side yard lot line; and 30 feet from an adjoining rear yard lot line.

Under the present text, vehicular access to buildings not fronting a public street can be shared with other zoning lots. The text amendment would require access to buildings not fronting on a street to be located on the same zoning lot. (Z.R. 25-632 j).

Currently, regulations for rear yard equivalents on through-lots apply to R4 -R10 Districts. The proposed text would extend the regulations to all Lower Density Growth Management Areas. On through-lots more than 110 feet deep, rear yard equivalents would be required to have a minimum depth of at least 60 feet deep in the center of the lot. (Z.R. 23-533).

In all Lower Density Growth Management Areas driveways, private roads and parking spaces could occupy no more than 50% of the lot area not covered by residential buildings in R1, R2, and R3 districts and not more than 66% in R4 or R5 districts. (Z.R. 25.64).

Corner Lots

Corner lots warrant attention because of their design challenges, visibility, and positioning at the convergence of two streets. Under current rules, rear yards are not required for a lot or any portion of a lot located within 100 feet of the corner. As a result, inadequate yards are allowed, and often provided, resulting in buildings that lack traditional back yards and usable open space.

The text amendment would require corner lots to provide at least one side yard with a minimum width of 20 feet, thereby providing a usable yard. (Z.R. 23-461/462). The text amendment would also require lots within 100 feet of the corner, but not sited at a corner intersection, to have a 30-foot rear yard (Z.R. 23-541). For corner lots with rowhouses or multiple buildings, the end unit would be required to have a minimum 20-foot side yard, with a minimum 30-foot rear yard for all other units adjacent to the end unit. (Z.R. 23-88).

Private Road Developments

Despite the 2002 amendments relating to private road developments, a number of problems with these regulations remain, including developments with inadequate parking, yards, open space, and buffering from adjacent residences.

The present private road regulations apply to developments with five or more dwelling units that are entirely located more than 50 feet from a public street. The text amendment would expand the applicability of the private roads regulations to include any development with more than two buildings located entirely beyond 50 feet from a public street, or one or two buildings with at least five dwelling units located entirely beyond 50 feet from a public street. (Z.R. 12-10).

Because yards and other regulations apply to the entire zoning lot, zoning lots developed with private roads result in inadequate yards and spacing for individual buildings on the zoning lot. The text amendment would require developments to meet the same yard requirements as if they were located on a public street. Buildings would be required to provide 30-foot rear yards and front yards in compliance with the underlying district regulations and a minimum of 13 feet distance between buildings front on a private street. This is another regulation that varies slightly from the Staten Island LDGM provisions, on Staten Island the minimum distance between buildings on a single zoning lot remains 20 feet. The maximum length of a row of townhouses would be limited to 125 feet. (Z.R. 26-31).

The present private road regulations do not regulate street lighting, street signage and crosswalks. In order to enhance safety on private roads, the text amendment would require street lighting, street signage and crosswalks in compliance with DOT standards. (Z.R. 26-34).

The parking location and curb cut rules proposed for public streets in Lower Density Growth Management Areas would also apply to private road developments. The present private road regulations allow the on-site parking requirement to be met by locating this parking on the private roads, leaving little available parking for visitors, and resulting in less available parking overall. The text amendment would prohibit on-street parking to be counted for required parking except that this prohibition would not apply to parking spaces arranged perpendicularly to the road bed. This would result in more on-street parking for visitors. (Z.R. 26-33).

Presently a private road can be built adjacent to a neighboring zoning lot often resulting in a road that is close to an existing house. The text amendment would require an eight-foot wide planting strip between the private road and any adjacent lot line. If a sidewalk is also required, this would provide a total of 15 feet between the private road and the lot line. (Z.R. 26-35).

Presently group parking areas can be built without a landscaped buffer resulting in unsightly parking areas. The text amendment would require a four-foot planting strip around group parking areas. (Z.R. 25-66 b).

Presently, access to a private road is permitted near a public street intersection which can result in hazardous traffic conditions. The text amendment would require the entrance to a private road be at least 50 feet from the intersection of two public streets. (Z.R. 26-33).

Under the existing regulations, houses with frontage on both a public street and a private road are required to have two front yards, one of which is an effective rear yard that may face the public street. The text amendment would require this effective rear yard to be 30 feet deep. While the proposed rules would not prescribe where the 30 foot yard must be placed, if it fronts the public street it must include an eight-foot landscaped buffer to screen the rear yard to provide minimum levels of privacy for residences facing public streets. (Z.R. 26-31).

An authorization to the Private Road Provisions is also proposed that would allow the City Planning Commission to modify the front and rear yard requirements from 30 feet to a minimum of 15 feet for the rear yard and from 18 feet to a minimum of 5 feet for the front yard provided such modifications enhance the quality of the open space on the lot and results in an improved site plan (Z.R. 26-40). Such an authorization currently exists for private roads outside of LDGM Areas. This authorization would not apply on Staten Island.

Flood Plain Regulations

In some areas of the city, the flood plain is higher than existing grade. The current zoning regulations allow the height of a building to be measured from the level of the flood plain, and allow the floor space located beneath the flood plain to be discounted from floor area. Habitable space, such as living rooms

and bedrooms, can only be located above the flood plain. Space beneath the flood plain may be used for storage or garages. This results in buildings that are far taller than homes in the surrounding neighborhoods. The text amendment would maintain the overall 35-foot height limit for homes, but increase the perimeter wall height from 21 feet in R3 and R4A Districts to 26 feet and from 25 feet in R4-1 Districts to 26 feet, to allow room for garages to be built at street level. This height would accommodate a garage with two floors above it, while maintaining the existing height limit of 35 feet. These rules would be maintained under the proposal, but perimeter wall heights would be limited to the height of the flood plain plus 21 feet in R3 and R4A Districts and 25 feet in R4-1 Districts, or 26 feet above grade, whichever is greater. (Z.R. 23-631).

Vertical Expansions in R4A zoning districts in designated Lower Density Growth Management Areas

Text Amendment to Z.R. section 54-31 to allow vertical extensions for buildings with non-complying yards in R4A districts in designated lower density growth management areas.

Currently the “bungalow” communities of Silver Beach and Edgewater Park in the Throgs Neck Area are permitted vertical extensions, despite the non-complying yards in these communities. This provision does not allow new development with non-complying yards and only applies to existing structures. These areas are proposed to be rezoned from R4 to R4A, to reflect the consistent contextual nature of the zoning in the area. All areas in the Throgs Neck Area proposed to be rezoned to R4A are currently zoned R4, which allows vertical extensions with non-complying yard. This regulation would simply continue allowing this practice; therefore there would be no impacts from this regulation in the Throgs Neck Area.

This regulation would only apply to R4A zones in a designated Lower Density Growth Management Area. Currently, the Borough of Staten Island is designated as a Lower Density Growth Management

Area. There is one R4A district in Staten Island Community District #1 that would also be affected by this text amendment. The area consists of approximately four (4) blocks and one hundred forty-seven (147) lots and is roughly bounded by Hylan Boulevard to the north, Saint Johns Avenue to the south, Bay Street to the west and the Upper New York Bay to the east. Thirty-one (31) lots along Bay Street are in a C1-2 commercial overlay, where yards are not required for residential development, the remaining one hundred sixteen (116) lots are primarily developed with single-family detached homes. The homes appear to comply with the yard requirements of the R4A district and are developed at or near the maximum height of the R4A, precluding vertical expansions.

Modifications to the Special City Island District to address redundancies and discrepancies

“Attic Design Rule” - The “attic design rule” in the City Island Special District is identical to the one proposed under Lower Density Growth Management. The Special City Island District will be amended to eliminate this redundancy.

Floor Area Bonus - The Floor area bonus provided for garages proposed under Lower Density Growth Management is more generous than the one existing in the Special City Island District, which provides a 100 foot floor area bonus for a one car garage. The Special City Island District will be amended to eliminate this redundancy.

Distance Between Buildings on a Single Zoning Lot - The Special City Island District currently requires a City Planning Commission Authorization to achieve the minimum distance between buildings detailed above on a single zoning lot larger than 25,000 square feet. Under the Lower Density Growth Management provisions the distances will be incorporated into the revised private road text. Therefore the current authorization (Z.R. 112-105) will no longer be needed in the special district and will be eliminated.

The surrounding community consists of the 56.6-acre peninsula containing State University of New York's Maritime Campus is to the immediate south of the rezoning area. Ferry Point Park, a 265.7-acre park bordering the southwest portion of the rezoning area also contains the approach to the Bronx Whitestone Bridge. A golf course is planned for a portion of Ferry Point Park. Throgs Neck Houses, a New York City Housing Authority project located north and east of Ferry Point Park borders the rezoning area. North of the Throgs Neck Houses the 152-acre Saint Raymond's Cemetery forms the western border of the rezoning area. To the north of the rezoning area is the neighborhood of Pelham Bay, which consist of a mix of medium density five and six-story apartment buildings and lower density attached, semi-detached and detached housing. Pelham Bay Park, located to the northeast, at 2,765-acres is the city's largest park. The neighborhoods of Country Club and Spencer Estates, south of Pelham Bay Park, are suburban communities predominately comprised of single and two-family detached homes; they contain two areas on the waterfront proposed for rezoning.

ENVIRONMENTAL REVIEW

This application (C 040479 ZMX), in conjunction with the applications for the related actions (N 040480 ZRY), (N 040481 ZRY) and (N 040482 ZRX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forthin Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The CEQR number is 04DCP0S0X. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 7, 2004.

UNIFORM LAND USE REVIEW

This application (C 040479 ZMX) was certified as complete by the Department of City Planning on June 7, 2004, and was duly referred to Bronx Community Board 10 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP text change applications (N 040480 ZRY), (N 040481 ZRY) and (N 040482 ZRX), which were sent to the affected community boards and borough presidents for information and review.

Community Board Public Hearing

Community Board 10 held a public hearing on this application on June 17, 2004, and on June 17, 2004, by a vote of 29 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

The Bronx Borough President held a public hearing on this application on June 29, 2004 and issued a recommendation approving the application on July 8, 2004.

City Planning Commission Public Hearing

On July 28, 2004 (Calendar No. 2), the City Planning Commission scheduled August 11, 2004 for a public hearing on this application (C 040479 ZMX) in conjunction with the related non-ULURP text change applications (N 040480 ZRY), (N 040481 ZRY) and (N 040482 ZRX). The hearing was duly held on August 11, 2004 (Calendar No. 7).

Two members of the Country Club Civic Association spoke in favor of the application. Letters of support were submitted by the New York State Assemblyman representing the 82nd District and the

Bronx Borough President.

Waterfront Revitalization Program Consistency Review

This application (C 040479 ZMX), in conjunction with the applications for the related actions (N 040480 ZRY), (N 040481 ZRY) and (N 040482 ZRX), was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP),), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to The New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 04-044.

This action was determined to be consistent with the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment to the Zoning Map is appropriate. The proposal will address the serious issues of overdevelopment, parking and protecting the waterfront in the Throgs Neck Area of the Bronx.

The Commission believes that the proposed zoning map amendments will address the issue of overdevelopment. The mismatch between the built character of the area and the building type and density permitted by the existing zoning creates an incentive to replace sound detached homes with rows of attached housing. Changing the existing R4, R3-2 and C3 zoning designations to a mix of contextual and lower density districts, will ensure that future development in the Throgs Neck Area is in keeping with the existing character of the neighborhoods.

Adding Bronx Community District 10 to the list of areas in the city governed by the Lower Density Growth Management regulations will provide better site design options while balancing the need for providing adequate locations for parking and maintaining yard and open space areas. It will also ensure that the parking provided by new development will adequately serve the demand for off-street residential parking in the area. The justification for the change in parking requirements is predicated on two facts, the high car ownership rates in Bronx Community District 10 and the area's remote location with regards to public transit. The Commission believes that the proposed increase in minimum lot width, FAR bonus for garages and rules regarding the location of required parking on the lot will ensure that the new requirements can be met while preserving the neighborhood character.

The changes to measuring building heights in the flood plain required by the Lower Density Growth Management regulations will prevent new development from dwarfing older homes in the Throgs Neck Area's extensive flood plain, while still maintaining the Federal Emergency Management Agency's flood plain requirements. The Commission believes that the Lower Density Growth Management yard and open space requirements, corner lot provisions, and private road regulations are appropriate in to the Throgs Neck Area.

The Commission believes that the proposed revisions to the LDGM text to eliminate the supplemental use provisions in the R3-2 district requiring that two-family, attached and semi-detached homes have at least 75 percent of one unit directly above the other is appropriate. Additionally, the Commission believes that the revisions replacing Community Board 10 with Community District 10 and the Department of Parks and Recreation with the Commissioner of Buildings are necessary corrections.

The new C3A zoning designation is intended to allow the continuation of the marine related commercial uses so important to the city's waterfront, while preventing new attached residential buildings and rowhouses that are out of character with the surrounding low density development and create visual and

physical barriers to the waterfront. The Commission believes it will do just that, where it is mapped in the Throgs Neck Area. The Commission recognizes that the new zoning designation could provide a useful tool in other lower density waterfront areas in the city.

Additionally, the proposed change to the Waterfront Zoning text, requiring a street be “built and improved” for purposes of determining a waterfront lot is in keeping with the intent and goals of waterfront zoning. It will protect waterfront views in the Throgs Neck Area and in other parts of the city.

The Commission is pleased with the comprehensive nature of the proposed actions and believes that the Lower Density Growth Management regulations, in conjunction with the zoning map and text changes will ensure that the Throgs Neck Area will continue to provide New Yorkers with a high quality of life.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of the this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 4b, 4d, 7a, and 7c:**

- 1. changing from an R3-2 District to an R3-1 District property bounded by** a line 100 feet southerly of Spencer Drive, a line 100 feet southerly of Lucern Street and its easterly prolongation, the U.S. Pierhead Line, Club Road and its easterly centerline prolongation at its intersection with Campbell Drive, and a line 100 feet easterly of Reed Place;
- 2. changing from an R4 District to an R3-1 District property bounded by** Throgs Neck Expressway, Throgs Neck Bridge Approach, the northwesterly centerline prolongation of Locust Point Drive, Chaffee Avenue, Longstreet Avenue, Harding Avenue, a line 100 feet southwesterly of Reynolds Avenue, Mullan Place, a line 500 feet southwesterly of Longstreet Avenue, a line 300 feet southwesterly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, the U.S. Pierhead and Bulkhead Line, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy), Pennyfield Avenue, Schurz Avenue, Kearney Avenue, Harding Avenue, Meagher Avenue, and Lawton Avenue and its northeasterly centerline prolongation;

3. changing from an R4 District to an R3-2 District property bounded by Sampson Avenue and its westerly centerline prolongation, Swinton Avenue, a line 100 feet southerly of Sampson Avenue, Brinsmade Avenue, a line 175 feet northerly of Miles Avenue, Huntington Avenue, Miles Avenue a line midway between Swinton Avenue and Brinsmade Avenue, Lawton Avenue, Swinton Avenue, Harding Avenue, Balcom Avenue, a line 100 feet northerly of Harding Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet southerly of Miles Avenue, Graff Avenue, Harding Avenue, Buttrick Avenue, Schurz Avenue and its westerly centerline prolongation, and the easterly boundary line of Ferry Point Park;

4. changing from an R4 District to an R3A District property bounded by;

a. Bruckner Expressway, Hollywood Avenue and its northwesterly centerline prolongation, the northeasterly centerline prolongation Otis Avenue, Throgs Neck Expressway, a line 250 feet southeasterly of Lafayette Avenue, a lone 100 feet northeasterly of Hollywood Avenue, a line 100 feet northwesterly of Philip Avenue, a line 75 feet northeasterly of Logan Avenue, Philip Avenue, a line 100 feet southwesterly of Hollywood Avenue, Randall Avenue, Logan Avenue, Schley Avenue, a line midway between Logan Avenue and Edison Avenue, a line perpendicular to the easterly street line of Edison Avenue distant 360 feet (as measure along the street line) from the point of intersection of the easterly street line of Edison Avenue and the northerly street line of Dewey Avenue, Edison Avenue and its southerly centerline prolongation, E. 177th Street, Throgs Neck Expressway Extension, a line 100 feet easterly of Logan Avenue, Miles Avenue, a line midway between Quincy Avenue and Swinton Avenue, Lawton Avenue, a line midway between Swinton Avenue and Brinsmade Avenue, Miles Avenue, Huntington Avenue, a line 175 feet northerly of Miles Avenue, Brinsmade Avenue, a line 100 feet southerly of Sampson Avenue, Swinton Avenue, Dewey Avenue, Revere Avenue, a line 300 feet southerly of Dewey Avenue, Calhoun Avenue, Sampson Avenue, Revere Avenue, a line 150 feet northerly of Sampson Avenue, East Tremont Avenue, a line 100 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 425 feet northwesterly of Philip Avenue, Swinton Avenue, Lafayette Avenue, Brinsmade Avenue, a line 100 feet northwesterly of Lafayette Avenue, a line midway between Brinsmade Avenue and Huntington Avenue, Barkley Avenue, Brinsmade Avenue, Bruckner Boulevard, Calhoun Avenue, a line perpendicular to the northeasterly street line Calhoun Avenue distant 80 feet (as measured along the street line) front the point of intersection of the southeasterly street line of Bruckner Boulevard and the northeasterly street line of Calhoun Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 100 feet northwesterly of Barkley Avenue, Revere Avenue, Barkley Avenue, and East Tremont Avenue; and

b. Lafayette Avenue, Dean Avenue, a line 100 feet northwesterly of Philip Avenue, Clarence Avenue, Schley Avenue, Vincent Avenue, a line 250 feet southeasterly of Schley Avenue, a line midway between Vincent Avenue and Ellsworth Avenue, a line 300 feet southeasterly of Schley Avenue, Ellsworth Avenue, the southwesterly centerline prolongation of Schley Avenue, Throgs Neck Expressway, a line 250 feet northwesterly of Philip Avenue, a line midway between Vincent Avenue and Throgs Neck Expressway, a line 300 feet northwesterly of Philip Avenue, and Vincent Avenue;

5. changing from an R4 District to an R4A District property bounded by;

a. Middletown Road, Gillespie Avenue, a line 150 feet southerly of Middletown Road, Jarvis

Avenue, Middletown Road, Bruckner Expressway, Waterbury Avenue and its westerly centerline prolongation, a line 100 feet southwesterly of Stadium Avenue, Fairmount Avenue, Clarence Avenue, Layton Avenue, Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 100 feet northerly of Fairmount Avenue, a line 70 feet westerly of Vincent Avenue, Fairmount Avenue, Ellsworth Avenue, a line 100 feet southerly of Baisley Avenue and its westerly prolongation, Bruckner Boulevard, East Tremont Avenue, Ericson Place, and Hutchinson River Parkway East;

b. Shore Drive and its northeasterly centerline prolongation at its intersection with Longstreet Avenue, the U.S. Pierhead Line, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, a line 100 feet northerly of Wissman Avenue, Longstreet Avenue and its southerly centerline prolongation, Throgs Neck Bridge Approach, Throgs Neck Expressway, Blair Avenue and its southerly centerline prolongation, a line 100 feet northerly of Throgs Neck Expressway, a line midway between Blair Avenue and Reynolds Avenue, Wissman Avenue and its southwesterly centerline prolongation, Throgs Neck Expressway, Sampson Avenue and its southwesterly centerline prolongation, and Pennyfield Avenue; and

c. Harding Avenue, Kearney Avenue, Schurz Avenue, Pennyfield Avenue, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy) and its southerly prolongation, the U.S. Pierhead and Bulkhead Line, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, Marina Drive, East Tremont Avenue, Msgr. Halpin Place, and Hollywood Avenue;

6. changing from an R4 District to an R4-1 District property bounded by;

a. Westchester Avenue, Hutchinson River Parkway East, Ericson Place, East Tremont Avenue, Waterbury Avenue, Hutchinson River Parkway, Ericson Place, East Tremont Avenue, and the westerly boundary line of Samuel H. Young Park and its northwesterly prolongation;

b. the southerly boundary line of St. Raymond's Cemetery and its easterly and westerly prolongations, East Tremont Avenue, Barkley Avenue, Revere Avenue, a line 100 feet northeasterly of Barkley Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 80 feet southeasterly of Bruckner Boulevard, Calhoun Avenue, Bruckner Boulevard, Brinsmade Avenue, Barkley Avenue, a line 100 feet southwesterly of Huntington Avenue, Bruckner Boulevard, and Bacon Avenue;

c. a line 100 feet northerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, Vincent Avenue, Layton Avenue, a line 100 feet easterly of Throg-Morton Avenue, a line 90 feet southerly of Layton Avenue, a line 75 feet easterly of Throgs Neck Expressway, Layton Avenue, and Ellsworth Avenue;

d. Fairmount Avenue, Stadium Avenue, Shore Drive, Lafayette Avenue, Throgs Neck Expressway, Barkley Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 80 feet southerly of Layton Avenue, a line 70 feet westerly of Dean Avenue, Layton Avenue, and Clarence Avenue;

e. Lafayette Avenue, Swinton Avenue, a line 425 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 100 feet northwesterly of Philip Avenue, East Tremont Avenue, a line 150 feet northwesterly of Sampson Avenue, Revere Avenue, Sampson Avenue, Calhoun Avenue, a line 300 feet southeasterly of Dewey Avenue, Revere Avenue, Dewey Avenue, Calhoun Avenue, and Cross Bronx Expressway; and

f. Miles Avenue, Throgs Neck Boulevard, Lawton Avenue, a line 110 feet westerly of Kearney Avenue, a line perpendicular to the westerly street line of Kearney Avenue distant 135 feet (as measured along the street line) from the point of intersection of the westerly street line of Kearney Avenue and the northerly street line of Harding Avenue, Kearney Avenue, Harding Avenue, Hollywood Avenue, Lawton Avenue, Revere Avenue, Marina Drive, Schurz Avenue, Buttrick Avenue, Harding Avenue, Graff Avenue, a line 100 feet southerly of Miles Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet northerly of Harding Avenue, Balcom Avenue, Harding Avenue, Swinton Avenue, Lawton Avenue, and a line midway between Quincy Avenue and Swinton Avenue; and

7. changing from C3 District to a C3A District property bounded by:

a. the easterly prolongation of a line 450 feet northerly of Ampere Avenue, the U.S. Pierhead Line, the easterly prolongation of a line 475 feet southerly of Griswold Avenue, Outlook Avenue and its southerly centerline prolongation, a line 200 feet southerly of Griswold Avenue, and Bay Shore Avenue and its southerly centerline prolongation,

b. the southerly property line of Country Club, the U.S. Pierhead Line, Shore Drive and its northeasterly centerline prolongation at its intersection with Longstreet Avenue, Ellsworth Avenue, a line 100 feet northwesterly of Shore Drive, Vincent Avenue, Schley Avenue, Clarence Avenue, a line 100 feet northwesterly of Philip Avenue, Dean Avenue, Lafayette Avenue, Shore Drive, and Stadium Avenue;

c. a line 100 feet northerly of Wissman Avenue, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, the U.S. Pierhead Line, the U.S. Bulkhead Line, the northerly boundary line of a Park, Pedestrian Street, and Longstreet Avenue;

d. Harding Avenue, Longstreet Avenue, the U.S. Pierhead and Bulkhead Line, a line 300 feet southwestly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, a line 500 feet southwestly of Longstreet Avenue, Mullan Place, and a line 100 feet southwestly of Reynolds Avenue; and

e. Schurz Avenue and its westerly centerline prolongation, Marina Drive, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, the U.S. Pierhead and Bulkhead Line, the southerly terminus of Emerson Avenue, and the easterly boundary line of Ferry Point Park;

as shown on a diagram (for illustrative purposes only) dated June 7, 2004, Borough of the Bronx

Community District 10 is approved.

The above resolution (C 040479 ZMX), duly adopted by the City Planning Commission on August 25, 2004 (Calendar No. 8), is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ., Vice Chairman

ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

RICHARD W. EADDY, CHRISTOPHER KUI, KAREN A. PHILLIPS,

DOLLY WILLIAMS, Commissioners