



CITY PLANNING COMMISSION

September 15, 2010 / Calendar No. 3

C 100407 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. 3c and 3d:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, East Tremont Avenue, Third Avenue, a line 100 feet southwesterly of East 178th Street, and a line midway between Third Avenue and Monterey Avenue;
2. eliminating from within an existing R7-1 District a C2-4 District bounded by:
 - a. East 189th Street, Park Avenue (northwesterly portion), East 188th Street, and Webster Avenue; and
 - b. Quarry Road, East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
3. changing from an R7-1 District to an R5 District property bounded by:
 - a. East 186th Street, Washington Avenue, a line midway between East 185th Street and East 186th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 184th Street and East 185th Street, Washington Avenue, East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, and Park Avenue (southeasterly portion); and
 - b. East 180th Street, Bathgate Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, a line 110 feet northeasterly of East 178th Street, Bathgate Avenue, East 179th Street, Washington Avenue, a line 220 feet northeasterly of East 178th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
4. changing from an R7-1 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of

Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), East 187th Street, a line 100 feet northwesterly of Washington Avenue, East 186th Street, and Park Avenue (southeasterly portion);

- b. Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), East 184th Street, Washington Avenue, a line midway between East 184th Street and East 185th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 185th Street and East 186th Street, Washington Avenue, East 185th Street, Bassford Avenue, East 184th Street, a line 130 feet northwesterly of Third Avenue, East 181st Street, Bathgate Avenue, East 180th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and East 183rd Street;
 - c. East 179th Street, Bathgate Avenue, a line 110 feet northeasterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 220 feet northeasterly of East 178th Street, and Washington Avenue; and
 - d. East 180th Street, a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, and Bathgate Avenue;
5. changing from a C4-4 District to an R6A District property bounded by a line 150 feet northeasterly of East Tremont Avenue, Washington Avenue, a line 340 feet southwesterly of East 178th Street, and a line 100 feet northwesterly of Washington Avenue;
 6. changing from an C8-3 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue; and
 - b. a line midway between Cyrus Place and East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue;
 7. changing from an R7-1 District to an R7X District property bounded by Marmion Avenue, a line 100 feet northeasterly of East Tremont Avenue, Honeywell Avenue, a line 150 feet northeasterly of East Tremont Avenue, Daly Avenue, and a line 100 feet southwesterly of East Tremont Avenue;

8. changing from an R7-1 District to a C4-4A District property bounded by:
 - a. East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
 - b. East 181st Street, a line 100 feet northwesterly of Third Avenue, East 180th Street, and Bathgate Avenue; and
 - c. Belmont Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Belmont Avenue, and East Tremont Avenue;
9. changing from a C8-3 District to a C4-4A District property bounded by East 181st Street, Third Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 100 feet northwesterly of Third Avenue;
10. changing from an R7-1 District to a C4-4D District property bounded by East 184th Street, a line 100 feet northwesterly of Third Avenue, East 181st Street, and a line 130 feet northwesterly of Third Avenue;
11. changing from a C8-3 District to a C4-4D District property bounded by East 184th Street, Third Avenue, East 181st Street, and a line 100 feet northwesterly of Third Avenue;
12. changing from an R7-1 District to a C4-5X District property bounded by:
 - a. East 189th Street, Park Avenue (southeasterly portion), East 188th Street, and Webster Avenue;
 - b. Third Avenue, a line 100 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 110 feet northeasterly of East 178th Street, Monterey Avenue, East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Belmont Avenue, East Tremont Avenue, Belmont Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, and East Tremont Avenue;
 - c. Washington Avenue, a line 220 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - d. a line 240 feet southwesterly of East 178th Street, a line 100 feet

northwesterly of Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;

13. changing from a C4-4 District to a C4-5X District property bounded by Webster Avenue, a line 150 feet northeasterly of East Tremont Avenue, the northwesterly boundary line of a railroad right-of-way (New York and Harlem R.R. Division), a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 340 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, Third Avenue, a line 330 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 200 feet northwesterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, and a line 100 feet northeasterly of East 176th Street;
14. changing from an M1-1 District to a C4-5X District property bounded by:
 - a. a line 220 feet northeasterly of East 178th Street, Park Avenue (northwesterly portion), East 178th Street, and a line 230 feet northwesterly of Park Avenue (northwesterly portion);
 - b. Park Avenue (southeasterly portion), a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - c. a line midway between Webster Avenue and Park Avenue (northwesterly portion), a line 300 feet southwesterly of East 178th Street, Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
15. changing from an M1-4 District to a C4-5X District property bounded by:
 - a. a line 150 feet southwesterly of East Tremont Avenue, Bathgate Avenue, and a line 220 feet northeasterly of East 176th Street;
 - b. a line 150 feet southwesterly of East Tremont Avenue, Washington Avenue, and a line 200 feet northeasterly of East 176th Street; and
 - c. a line 150 feet southwesterly of East Tremont Avenue, a line 120 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 176th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;

16. changing from a C8-3 District to a C4-5X District property bounded by:
 - a. East 189th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 188th Street, Washington Avenue, East 188th Street, Third Avenue, Cyrus Place, and Park Avenue (southeasterly portion);
 - b. Webster Avenue, a line 220 feet northeasterly of East 178th Street, a line 230 feet northwesterly of Park Avenue (northwesterly portion), East 178th Street, a line midway between Webster Avenue and Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
 - c. East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 100 feet southwesterly of East 178th Street, and Third Avenue; and
 - d. a line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue;
17. changing from an R7-1 District to an M1-4/R7A District property bounded by:
 - a. a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and a line midway between Cyrus Place and East 187th Street; and
 - b. a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and East 187th Street;
18. changing from an C4-4 District to an M1-4/R7A District property bounded by Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet southwesterly of East Tremont Avenue;
19. changing from a C8-3 District to an M1-4/R7A District property bounded by:
 - a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, a line

100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue; and

- b. a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, and a line 200 feet southwesterly of East 178th Street;
20. changing from an M1-4 District to an M1-4/R7A District property bounded by a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue, a line 100 feet northeasterly of East 175th Street, Bathgate Avenue, and East 175th Street;
 21. changing from a C4-4 District to an M1-4/R7X District property bounded by a line 330 feet northeasterly of East 176th Street, Third Avenue, a line 150 feet southwesterly of East Tremont Avenue, and a line midway between Bathgate Avenue and Third Avenue;
 22. changing from an M1-4 District to an M1-4/R7X District property bounded by a line 150 feet southwesterly of East Tremont Avenue, Third Avenue, East 175th Street, Bathgate Avenue, a line 100 feet northeasterly of East 175th Street, and a line midway between Bathgate Avenue and Third Avenue;
 23. establishing within an existing R7-1 District a C1-4 District bounded by Third Avenue, a line 400 feet northeasterly of East 181st Street, a line 100 feet southeasterly of Third Avenue, and East 181st Street; and
 24. establishing a Special Mixed Use District (MX-14) bounded by:
 - a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third

Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 187th Street and Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue;

- b. a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue; and
- c. a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, Third Avenue, and East 175th Street;

Borough of the Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions in CEQR Declaration E-255.

The application for an amendment to the Zoning Map was filed by the Department of City Planning on May 17, 2010 to rezone all or portions of 75 blocks along the Third Avenue and Tremont Avenue corridors, Community District 6, in the Bronx. The proposed rezoning from R7-1, R7-1/C1-4, R7-1/C2-4, C4-4, C8-3, M1-4, and M1-1 districts to R5, R6A, R7X/C1-4, C4-4A, C4-5X, C4-4D, M1-4/R7A, and M1-4/R7X districts are intended to strengthen Third Avenue and Tremont Avenue as major corridors that will promote a healthy mix of uses including affordable housing, retail, and commercial while preserving the surrounding neighborhood character.

RELATED ACTIONS

In addition to the amendment of the Zoning Map, which is the subject of this report,

implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 100408 ZRX Zoning Text Amendment to modify ZR Sections 123-63, 123-90, and Appendix D to establish a Special Mixed Use District (MX-14); and to modify Appendix F in the Zoning Resolution to make the Inclusionary Housing Program applicable in the proposed C4-4A (R7A), C4-5X (R7X), C4-4D (R8A), M1-4/R7A, and M1-4/R7X districts.

BACKGROUND

The Department of City Planning (DCP) proposes to amend the Zoning Map on all or portions of seventy-five blocks along the Third Avenue and Tremont Avenue corridors within Bronx Community District 6, to provide opportunities for new residential and commercial development in the “heart of the Bronx.” In addition to the rezoning, DCP would amend the Zoning Resolution to create an MX (mixed-use) district for this area and apply the Inclusionary Housing Program to certain zoning districts to incentivize development of affordable housing in Bronx Community District 6.

The rezoning area consists of three sub-districts defined by two intersecting corridors; the Third Avenue corridor from Fordham Plaza in the north to the Cross-Bronx Expressway to the south composes one sub-district; and the Tremont Avenue corridor from Webster Avenue in the west to Daly Avenue in the east, composes the second. The area west of Third Avenue to Park Avenue and from Cyrus Avenue in the north to Tremont Avenue in the south composes the third sub-district.

The rezoning area encompasses approximately one mile of both Third Avenue and Tremont Avenue, which form an important crossroads in the central Bronx. Immediately north of the rezoning area is Fordham Plaza, an office and retail center with entrances to the Fordham University Campus and a major bus transfer. Northeast of the rezoning area is the Belmont neighborhood, a regional specialty food, retail shopping and residential neighborhood. Bronx Park, including the zoological park, is a few blocks to the east of the rezoning area. Southeast of the rezoning area are Tremont Park and Crotona Park, a 15 and 127.5 acre, respectively, regional Public Park. To the south of the rezoning area is

the Cross-Bronx Expressway and the Bathgate Industrial Park. To the west of the Park Avenue Rail cut is the Concourse/Mount Eden community, a stable residential neighborhood composed of six- to eight-story apartment buildings.

The sub-districts of Third Avenue and Tremont Avenue and the neighborhood streets to the west differ considerably in uses and built character as described below.

Third Avenue

The portion of the Third Avenue corridor within the rezoning area runs from Fordham Plaza in the north down to the Cross-Bronx Expressway in the south. The current zoning along Third Avenue was established in 1961 when the Third Avenue elevated “8” train ran along the corridor. Despite demolition of the elevated train in 1973, the zoning has remained unchanged; consequently, the Third Avenue corridor is primarily developed with single-story automotive and warehouse uses. There are also numerous underutilized properties such as open parking lots and vacant land. Many of these uses are inactive in the off hours, which disrupt the continuity of the surrounding residential streets. St. Barnabas Hospital, located on Third Avenue at East 184th Street on an approximately nine acre campus, has an eight-story main building and several adjacent medical facilities which are a strong presence on the corridor. The East 180th Street and Third Avenue intersection is notable as a retail node.

The Third Avenue corridor is well served by transit with the Fordham Road MetroNorth station to the immediate north and the Bx9, Bx12, Bx17 and Bx22 on Fordham Road. The Bx15 and Bx55 run along Third Avenue. The Bx36 runs along East 180th Street and provides a transfer to the B, D and 4 trains to the west.

The proposed zoning map and text changes would help expand the uses along the Third Avenue corridor from light manufacturing and auto-related uses to allow mid-density mixed residential/commercial uses, featuring housing that serves a wide range of incomes. Height limits and street wall requirements would be throughout. Mixed-use districts would be mapped where appropriate to allow a full range of uses including light-manufacturing and residential. The proposed zoning around St. Barnabas Hospital would preserve the development potential around this important institution while adding height limits and street wall requirements.

Tremont Avenue

The Tremont Avenue corridor runs from Webster Avenue in the west, one full block past Southern Boulevard, to Daly Avenue in the east. The Tremont Avenue corridor is considered the “downtown” of Community District 6. Once a central shopping and theater district with a street car running down Tremont Avenue, the shopping corridor remains healthy today, serving the current population with a variety of discount retail stores and restaurants. However, several multistory theaters and office buildings have active retail uses on the ground floor with vacant upper stories. Many single-story retail establishments line the street, with some multi-story buildings at major intersections and a few mixed residential and retail buildings. Most of the corridor is currently zoned for residential use with local commercial limited to the ground floor.

Tremont Avenue is also well served by transit with the Tremont MetroNorth stop at the west end of the corridor. The Bx40 and Bx42 run along Tremont Avenue and provide transfers to the B, D and 4 trains to the west and the 2 and 5 trains to the east. The Bx41 intersects the corridor at Webster Avenue, the Bx17 at Crotona Avenue and the Bx19 intersects the corridor at Southern Boulevard.

The proposed zoning map and text changes would help increase the development potential along this important “downtown” shopping corridor by allowing full commercial buildings while incentivizing housing that would serve a mix of incomes. New development would be height limited and required to create a standard street wall to unify the look and feel of this important corridor.

Neighborhood west of Third Avenue

This residential area is located between Third Avenue in the east, to Park Avenue in the west, and Cyrus Avenue in the north, to the mid-block between 178th Street and Tremont Avenue in the south. The area is currently zoned R7-1. The neighborhood west of Third Avenue is a stable residential community with a mix of four- to six-story apartment buildings with several blocks of row house development. In the past few years new apartment buildings have been constructed in this area, some of them significantly taller than the surrounding buildings.

The proposed rezoning would designate the neighborhood west of Third Avenue as a Neighborhood Preservation Area. The proposed zoning districts would better match the existing built character of these lower density residential areas and incorporate height limits thereby reduce the incentive to replace such housing with out of scale, higher-density development.

Existing Zoning

The Third Avenue corridor is primarily zoned C8-3 with a six block area at the southern end zoned M1-4. The Tremont Avenue corridor is primarily zoned R7-1 with C1-4 and C2-4 commercial overlays. The west end of Tremont Avenue has several blocks of C4-4 zoning. The residential area west of Third Avenue is zoned R7-1.

C8-3

The C8-3 district is currently mapped along Third Avenue from 189th Street in the north, to Tremont Avenue in the south, containing all or portions of of twenty-three blocks. The zoning is reflective of the elevated train that was present along the Third Avenue corridor until 1973. The C8-3 district allows commercial and community facility uses in Use Groups 4-14 and 16. The most prevalent uses in C8 districts are automotive and heavy commercial uses such as auto-repair, warehouses, gas stations and car washes. Residential uses are not permitted. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. The maximum commercial floor-area ratio [FAR] in C8-3 districts is 2.0. Community facilities are permitted an FAR of up to 6.5. Off-street parking requirements vary with the use, but generally most uses require one accessory parking space per 1,000 square feet of commercial space.

C4-4

The C4-4 district is mapped along Tremont Avenue from Webster Avenue in the west, to Third Avenue in the east, containing portions of eight blocks. C4-4 districts are medium-density commercial districts which allow for Use Groups 1-6, 8-10, and 12, which permit commercial office and retail, residential, and community facility

uses. Commercial uses have a maximum FAR of 3.4, residential uses have a maximum FAR of 4.0 for development pursuant to the optional Quality Housing regulations on a wide street and 3.44 for all others, and community facilities have a maximum FAR of 6.5. Residential uses have an R7-1 zoning equivalent which allows for both Quality Housing and height factor development (see R7-1). For commercial and community facility uses, there are no height limits, and building heights and setbacks are governed by the sky exposure plane. The residential parking requirement provides one parking space for 50% of the number of residential units. The commercial and community facility parking requirements vary with use, but in general is one parking space per 1,000 square feet of commercial space.

R7-1

The R7-1 district is mapped on all or a portion of fifty-one of the seventy-five blocks, primarily in the neighborhood area west of Third Avenue and along East Tremont Avenue. The R7-1 district is a height factor district that allows residential uses to a maximum floor area ratio (FAR) of 3.44 and community facility uses up to 4.8 FAR. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. The optional Quality Housing regulations allow residential development a maximum permitted FAR of 4.0 on a wide street and 3.44 on a narrow street. Under Quality Housing rules, for a wide street, the base height of the building at the street must be between 40-65 feet then must set back from the street before rising to a maximum building height of 80 feet. For a narrow street, the base height of the building at the street must be between 40-60 feet before rising to a maximum building height of 75 feet after the setback. Off-street parking is required for 60% of the residential units (50% for Quality Housing developments).

M1-1

The M1-1 district is currently mapped on a single block within the rezoning area. M1-1 districts permit Use Groups 4 through 14, 16, and 17, which include light manufacturing and industrial uses, many commercial uses and certain community facility uses. Residential uses are not permitted. The district has a 30-foot street wall height limit, before an initial setback of 15 feet on a wide street (streets greater

than 75 feet), and 20 feet on a narrow street (streets less than 75 feet). There is no maximum building height, and the building envelope is regulated by the sky exposure plane. M1-1 permits 1.0 FAR; however, buildings containing community facility uses are permitted up to 2.4 FAR. Off-street parking requirements vary with the use, but manufacturing or semi-industrial uses require 1 space per 1,000 square feet of floor area or 1 space per 3 employees whichever is greater.

M1-4

The M1-4 district is currently mapped within a six block area at the southernmost portion of the rezoning area, including Third Avenue south of East Tremont Avenue and areas to the west. M1-4 districts permit Use Groups 4 through 14, 16, and 17, which include light manufacturing and industrial uses, many commercial uses and certain community facility uses. Residential uses are not permitted. There is no maximum building height, and the building envelope is regulated by the sky exposure plane. M1-4 permits a 2.0 FAR; however, buildings containing community facility uses are permitted up to a 6.5 FAR. Off-street parking is not required in this zoning district.

Commercial Overlays

Currently C1 and C2 commercial districts are established along certain retail corridors and nodes within the rezoning area, such as along the Tremont Avenue and East 183rd Street corridors and at intersections of East 180th Street and Third Avenue and East 188th Street and Webster Avenue. The C1 and C2 overlays are mapped in residence districts and serve the local retail needs (e.g., grocery stores, restaurants) of the surrounding residential neighborhood. C2 districts permit a slightly larger range of service uses (e.g., funeral homes, repair services). The maximum floor area in both C1-4 and C2-4 districts is 2.0 FAR, though commercial uses are limited to the first floor when residences are located above. Parking requirements vary by use but, in general, commercial uses are required to provide 1 space per 1,000 square feet of floor area.

Proposed Actions

The proposal consists of two actions: a Zoning Resolution text amendment establishing a Special Mixed Use District (MX-14) and designating an Inclusionary Housing Area; and an amendment to the Zoning Map. These actions would facilitate new opportunities for housing; provide incentives for permanently affordable housing; expand the retail potential along both Third Avenue and Tremont Avenue; connect the neighborhoods of Tremont, Belmont, Fordham, and Bathgate, creating a natural flow between the communities; protect the neighborhood character between Third Avenue and Park Avenue from out-of-scale development; protect viable light manufacturing and auto-related uses; and strengthen Tremont Avenue's role as a downtown corridor for the North Central Bronx.

Zoning Resolution Text Amendment

Special Mixed Use District (MX-14)

The Special Mixed Use District is a special zoning district that is mapped in several locations throughout the city. It combines a light industrial (M1) district with a residential district, and permits a mix of selected light industrial, commercial, residential, and community facility uses under the applicable regulations. The MX district permits mixed-use buildings, and includes an expanded definition of "home occupations," permitting a broader variety of live-work accommodations than is allowed in standard zoning districts. The proposed MX district is intended to retain existing light industrial businesses while encouraging the redevelopment of vacant and underutilized land with residential uses.

Inclusionary Housing Program Area

The Zoning Resolution's Inclusionary Housing Program would be made applicable in the entire rezoning area, excluding the Neighborhood Preservation Areas, to encourage and incentivize the creation and preservation of affordable housing in conjunction with new development. As indicated in descriptions of the zoning districts below, for residential development without an affordable housing component, the maximum FAR would be limited to the base FAR for that zoning

district. Whereas, under the Inclusionary Housing Program, a development providing permanently affordable housing is eligible for a floor area bonus within the underlying contextual height and bulk regulations. Developments could qualify for a 33 percent bonus to their maximum FAR by providing 20 percent of the residential floor area as permanently affordable for income-limited households. Affordable units can be provided either on-site or off-site. Off-site affordable housing units must be located within Community District 6 or within a half-mile of the site receiving the floor-area bonus. Other city, state and federal housing finance programs may be used to provide further assistance in the creation of the affordable units.

Zoning Map Changes

The rezoning proposal has three sections: Third Avenue Corridor, Tremont Avenue Corridor, and the Neighborhood Preservation Area. The proposed zoning map changes are tailored to address the goals of each section.

Third Avenue and Tremont Avenue Corridors

Proposed C4-5X (from R7-1/C2-4, C4-4, C8-3, and M1-1)

The proposed C4-5X district includes all or portions of nineteen blocks located in two areas. The first is a four block area south of Fordham Plaza, and the second is a fifteen block area along Tremont Avenue between Webster Avenue in the west and Belmont Avenue to the east. There is a northward extension along Webster to just north of 178th Street and east to Park Avenue. The C4-5X district is a mid-density contextual district. The Inclusionary Housing Program would be applied to incentivize affordable housing. C4-5X is proposed for these major intersections, wide streets and would take advantage of access to public transportation.

C4-5X has similar bulk and height controls to R7X, its residential equivalent. The base residential FAR is 3.75, and can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 4.0 and community facility uses are allowed up to a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Parking varies

for commercial use but is generally required at one space per 1,000 square feet of floor area for commercial uses. Residential uses require parking for 50% of the dwelling units.

Proposed C4-4A (from R7-1, R7-1/C1-4, R7-1/C2-4, and C8-3)

The proposed C4-4A district includes all or portions of thirteen blocks located in two areas. The first is a four block area surrounding the Third Avenue and 180th Street intersection. The second is a nine block area along Tremont Avenue from Belmont Avenue in the west to Marmion Avenue in the east. The C4-4A district is a mid-density contextual district that would allow for full commercial development where it is either currently not permitted or limited by the commercial overlay. Residential development would also be permitted; the Inclusionary Housing Program would be applied to incentivize affordable housing.

C4-4A has similar bulk and height controls to R7A, its residential equivalent. The base residential FAR is 3.45, and can be increased to a maximum of 4.6 with the Inclusionary Housing bonus. Commercial and community facility uses are allowed at a maximum FAR of 4.0. Maximum building height is 80 feet, with a base height of between 40 and 65 feet. Parking varies for commercial use but is generally required at one space per 1,000 square feet of floor area for commercial uses. Residential uses require parking for 50% of the dwelling units.

Proposed C4-4D (from C8-3)

The proposed C4-4D district includes portions of three blocks on the west side of Third Avenue between 184th Street, in the north, and 181st Street, in the south. The C4-4D district is a mid- to high-density contextual district that, due to its high community facility FAR, is appropriate adjacent to St. Barnabas Hospital. The Inclusionary Housing Program would be applied to incentivize affordable housing.

C4-4D has similar bulk and height controls to R8A, its residential equivalent. The base residential FAR is 5.4, and can be increased to 7.2 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 3.4 and community facility uses are allowed up to a maximum FAR of 6.5. The maximum

building height is 120 feet, buildings are required to provide a street wall with a base height of between 60 and 85 feet. Parking varies for commercial use, but is generally required at one space per 1,000 square feet of floor area for commercial uses. Off-street parking is required for 50% of the residential units.

Proposed R7X/C1-4 (from R7-1/C1-4)

The proposed R7X/C1-4 district includes portions of five blocks located on Tremont Avenue between Marmion Avenue, in the west, and Daly Avenue, in the east. The proposed zoning is a mid-density contextual residential district that would maintain the current commercial overlay. This district includes the Southern Boulevard and Tremont Avenue intersection, which is a wide intersection with strong public transportation access. The proposed zoning district would incorporate the Inclusionary Housing Program to incentivize affordable housing.

The R7X/C1-4 district has a base residential FAR of 3.75, and can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial uses are allowed up to a maximum FAR of 2.0, due to the commercial overlay, and community facility uses are allowed up to a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Parking varies for commercial uses but is generally required for one space per 1,000 square feet of floor area. Residential uses require parking for 50% of the dwelling units.

Proposed Commercial Overlay – C1-4

The proposal would establish a new C1-4 Commercial Overlay district along Third Avenue, extending 100 feet east, and along 181st Street, extending 400 feet north. The commercial overlay is on the southern end of St. Barnabas Hospital’s campus and would permit ground floor retail within the hospital’s proposed parking garage. The C1-4 overlay district requires the provision of one parking space per 1,000 square feet of general retail or service uses.

Proposed MX: M1-4/R7A (from C8-3 and M1-4)

The proposed MX: M1-4/R7A district includes all or portions of twenty-one blocks located in three areas. The first is an eleven block area along Third Avenue from Cyrus

Place in the north, down to 184th Street in the south. The second is a four block area along Third Avenue starting mid-block between 180th Street and 179th Street in the north, and running just past 178th Street in the south. The third is a six block area just south of Tremont Avenue in the north, down to 175th Street in the south, and running just west of Washington Avenue to just east of 176th Street. These three areas all have viable light manufacturing and auto-related uses, and this mixed-use district would continue to allow these uses to exist, while allowing for residential, which is not permitted by the existing zoning. The Inclusionary Housing Program would also be applied to incentivize affordable housing.

The M1-4/R7A is a contextual district that allows for residential, commercial, community facility, and manufacturing/light industrial uses. The base residential FAR is 3.45, and can be increased to a maximum of 4.6 with the Inclusionary Housing bonus. Commercial and manufacturing uses have a maximum FAR of 2.0, with community facilities having a maximum FAR of 4.0. The maximum building height is 80 feet, with a base height of between 40 and 65 feet. Residential uses require parking for 50% of the dwelling units.

Proposed MX: M1-4/R7X (from M1-4)

The proposed MX: M1-4/R7X district includes a portion of one block located along Tremont Park. The district runs on the west side of Third Avenue starting just south of Tremont Avenue down to 175th street, in the south. This zoning district would allow light industrial uses while permitting new residential development. The Inclusionary Housing Program would be applied to incentivize affordable housing. A taller building envelope is proposed for this area due to its proximity to the wide-street of Third Avenue and the significant grade change in the neighboring Tremont Park.

The M1-4/R7X is a contextual district that allows for residential, commercial, community facility, and manufacturing/light industrial uses. The base residential FAR is 3.75, and can be increased to a maximum of 5.0 with the Inclusionary Housing bonus. Commercial and manufacturing uses have a maximum FAR of 2.0, with community facilities having a maximum FAR of 5.0. The maximum building height is 125 feet, with a base height of between 60 and 85 feet. Residential uses require parking for 50% of the dwelling

units.

Neighborhood Preservation Areas

Proposed R5 (from R7-1)

The proposed R5 district includes all or portions of seven blocks located in two areas west of the Third Avenue Corridor. These blocks are predominantly characterized by two- and three-story attached and semi-detached buildings.

The maximum FAR for all housing types is 1.25, which is consistent with the existing development. The maximum building height is 40 feet, with a maximum perimeter wall height of 35 feet, and this scale would also more closely match the built fabric. Off-street parking is required for 85% of the dwelling units.

Proposed R6A (from R7-1)

The proposed R6A district includes all or portions of twenty-six blocks located in three areas west of the Third Avenue Corridor. These blocks are predominantly characterized by four- to six-story apartment buildings.

The maximum FAR for all development is 3.0 and buildings are limited to 70 feet in height, with a base height of 40-60 feet above which a front setback is required. Front wall lineup is required. Parking must be provided for 50% of dwelling units.

ENVIRONMENTAL REVIEW

This application (C 100407 ZMX) in conjunction with the related application (N 100408 ZRX), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in 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 designated CEQR number is 10DCP043X. The lead is the New York City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 24, 2010. The Negative Declaration included (E) designations (E-255) to avoid the potential for hazardous material, noise, air quality, and infrastructure impacts. A revised Negative Declaration, correcting minor errors in the (E) designations, was issued on September 15, 2010.

The proposed (E) designations for hazardous materials would ensure that the proposed action would not result in significant adverse impacts due to hazardous materials and would be placed on the following private (i.e., not city-owned) properties:

Block 2900, Lots 55, 72, 73, 83
Block 2908, Lots 26, 31, 37, 43, 47
Block 2909, Lots 8, 10, 26, 28
Block 2917, Lot 11
Block 2923, Lot 13, 14, 27, 30, 31, 35
Block 2924, Lot 15
Block 2950, Lots 52, 54
Block 3027, Lots 1, 5, 8, 16, 42, 49, 53, 54
Block 3028, Lots 1, 6, 7, 8, 48, 75
Block 3032, Lots 25, 37
Block 3034, Lots 1, 49, 52
Block 3040, Lot 24, 26, 42
Block 3041, Lot 16, 18, 21, 45
Block 3042, Lots 13, 22, 28
Block 3044, Lots 82, 88, 93
Block 3045, Lots 44, 49, 51
Block 3047, Lots 63, 65
Block 3051, Lots 34, 40, 41, 43, 49
Block 3052, Lots 11, 14, 15, 17
Block 3053, Lots 28, 36, 39, 41
Block 3055, Lots 33, 35, 37, 41, 45, 47, 56, 57
Block 3057, Lot 3
Block 3060, Lot 8
Block 3062, Lots 1, 3, 20
Block 3107, Lot 44

The applicable text for the hazardous materials (E) designations would be as follows:

Task 1

The fee owner of the lots restricted by this (E) designation will be required to prepare a scope of work for soil and groundwater sampling and testing to determine whether contamination exists and, if so, the extent of the contamination and the nature and extent of required remediation. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. The scope of work will be submitted to DEP for review and approval prior to implementation, to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sampling sites should be selected to adequately characterize the type and extent of any contamination and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for the choice of sampling sites, sampling procedures, and tests to be performed will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After reviewing the test results, DEP will determine whether the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, the agency will give written notice.

If DEP determines that remediation is necessary, a proposed remediation plan will be prepared and submitted to DEP for its review and approval. The fee owner of the lots restricted by the (E) designation must perform such remediation as determined by DEP to be necessary. After completing the remediation, the fee owner should provide DEP with proof that the work has been completed satisfactorily. Once DEP determines that the required remediation has indeed been completed satisfactorily, the agency will give written notice.

A DEP-approved construction-related health and safety plan (HASp) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. The HASp must be submitted to DEP for review and approval prior to implementation.

The proposed action would introduce new sensitive receptors into an area with high existing ambient noise levels, therefore to ensure that the proposed action would not result in significant adverse impacts the proposed (E) designations for noise would be placed on the following private (i.e., not city-owned) properties:

Block 2900, Lots 72, 73, 83
Block 3027, Lots 1, 5, 8, 16, 42, 49, 53, 54
Block 3028, Lots 1, 6, 7, 8, 48, 75
Block 3041, Lots 35, 45
Block 3042, Lots 13, 22, 28
Block 3047, Lots 63, 65
Block 3051, Lots 34, 40, 41, 49
Block 3052, Lot 11, 14, 15, 17

The text for the noise (E) designations would be as follows:

Block 3028, Lots 1, 6, 7, 8, 48, 75 (applicable to western façades only):

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 40 dBA window-wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. To achieve 40 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specially design windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning. The required degree of window-wall attenuation would require added project costs and could limit the range of design options. The City has not made any determination that cost-effective attenuation measures are available for this site. Commercial uses must provide a closed window condition with a minimum of 35 dBA window-wall attenuation in order to maintain an interior noise level of 50 dBA.

Block 2900, Lots 72, 73, 83; Block 3027, Lots 1, 5, 8, 16, 42, 49, 53, 54; Block 3028, Lots 1, 6, 7, 8, 48, 75 (applicable to non-western facades only); and Block 3052, Lot 11:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dB(A) window-wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.

Block 3041, Lots 35, 45; Block 3042, Lots 13, 22, 28; Block 3047, Lots 63, 65; Block 3051, Lots 34, 40, 41, 49; Block 3052, Lots 14, 15, 17:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 30 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners or HUD-approved fans.

The proposed (E) designations for air quality would ensure that the proposed action would not result in significant adverse impacts related to HVAC emissions and would be placed on the following private (i.e., not city-owned) properties:

Block 2900, Lots 72, 73, 83
Block 2908, Lots 37, 43, 47
Block 2909, Lot 8
Block 2923, Lots 13, 14, 31
Block 2950, Lot 54
Block 2956, Lots 24, 26, 28, 31
Block 3032, Lot, 25, 37
Block 3034, Lots 1, 52
Block 3041, Lots 16, 18, 21
Block 3042, Lot 13
Block 3043, Lots 43, 67, 72, 77, 80, 84
Block 3045, Lots 44, 49, 51
Block 3051, Lots 34, 40, 41
Block 3052, Lot 11
Block 3055, Lots 33, 35, 37, 41, 45, 47, 56, 57
Block 3057, Lot 3
Block 3062, Lots 1, 3, 19, 20
Block 3106, Lot 52, 55
Block 3121, Lot 64

The text for the air quality (E) designations would be as follows:

Block 3032, Lot 25: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3032, Lot 37: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space

heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3051, Lots 34, 40, 41: Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 35 feet for oil No. 4/2 from the lot line facing East 182nd Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3062, Lots 19, 20: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3045, Lots 49, 51: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 67: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 43: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 72: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2950, Lot 54: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3042, Lot 13: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3041, Lots 16, 18: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3041, Lot 21: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space

heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3057, Lot 3: Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating and air conditioning stack(s) are located at least 30 feet for oil No. 4/2 from the lot line facing East 188th Street and Bathgate Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 56, 57: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 47, 45: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 41: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 37: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3055, Lot 35, 33: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3052, Lot 11: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3062, Lots 3, 1: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3045, Lot 44: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2923, Lot 31: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space

heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2923, Lots 14, 13: Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No. 4/2 from the lot line facing 3rd Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 37: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2908, Lot 47: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2900, Lots 83, 73, 72: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3034, Lot 1: Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No. 4/2 from the lot line facing East 178th Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3034, Lot 52: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2909, Lot 8: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 43, 84: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3043, Lot 80, 77: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3106, Lot 55: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3106, Lot 52: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 24: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 26: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 28: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2956, Lot 31: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 3121, Lot 64: Any new residential and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

The proposed action may adversely affect the City's water and sewer infrastructure due to potential increases in the stormwater and sanitary flows. Therefore to forestall this potential, the provision below would be applied to the following private (i.e., not city-owned) properties:

Block 2900, Lots 55, 68, 72, 73, 83

Block 2908, Lots 26, 31, 37, 43, 47

Block 2909, Lots 8, 10, 26, 28, 29

Block 2917, Lot 11

Block 2923, Lot 13, 14, 27, 30, 31, 35

Block 2924, Lot 15

Block 2947, Lot 25

Block 2950, Lots 52, 54
Block 2951, Lot 50
Block 2956, Lots 24, 26, 28, 31
Block 2960, Lot 68
Block 3027, Lots 1, 5, 8, 16, 42, 49, 53, 54
Block 3028, Lots 1, 6, 7, 8, 48, 75
Block 3032, Lots 25, 37
Block 3034, Lots 1, 49, 52
Block 3040, Lot 24, 26, 42
Block 3041, Lot 16, 18, 21, 35, 45
Block 3042, Lots 13, 22, 28
Block 3043, Lots 43, 67, 72, 77, 80, 84
Block 3044, Lots 82, 88, 93, 94
Block 3045, Lots 44, 49, 51
Block 3047, Lots 63, 65
Block 3051, Lots 34, 40, 41, 43, 49
Block 3052, Lots 11, 14, 15, 17
Block 3053, Lots 28, 36, 39, 41
Block 3055, Lots 33, 35, 37, 41, 45, 47, 56, 57
Block 3057, Lot 3
Block 3060, Lots 8, 28
Block 3062, Lots 1, 3, 19, 20
Block 3064, Lots 8, 100
Block 3068, Lot 51
Block 3093, Lot 53
Block 3106, Lots 52, 55
Block 3107, Lot 44
Block 3117, Lot 5
Block 3121, Lots 60, 64

Self-certification of sewer connection applications will not be permitted by the Department of Buildings or Department of Environmental Protection in connection with any proposed development or enlargement of buildings for which sewer connection approval is required on all Blocks and Lots listed in Tables 2.0-5a and b of the EAS for the proposed action. Prior to filing a House or Site Connection application, applicants may be required to submit a site-specific hydraulic analysis and a stormwater and water conservation best management practices concept plan to the Department of Environmental Protection for its review and approval, to establish the adequacy of existing sanitary and storm sewers to serve the proposed development or enlargement.

With this provision in place, there would be no significant adverse infrastructure impacts to water, sanitary sewer, or storm water management services from the proposed action.

UNIFORM LAND USE REVIEW

This application (C 100407 ZMX) was certified as complete by the Department of City Planning on May 24, 2010, and was duly referred to Bronx Community Board 6 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 6 held a public hearing on this application (C 100407 ZMX) on June 9, 2010, and on that day, by a vote of 22 in favor, 0 against, and 0 abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendation

This application (C 100407 ZMX) was considered by the Bronx Borough President which issued a recommendation approving the application on July 28 2010.

City Planning Commission Public Hearing

On July 28, 2010 (Calendar No. 1), the City Planning Commission scheduled August 11, 2010 for a public hearing on this application (C 100407 ZMX). The hearing was duly held on August 11, 2010 (Calendar No. 12) in conjunction with the hearing on the related action (N 100408 ZRX).

There were no speakers on the application and the hearing was closed.

CONSIDERATION

The Commission believes that this application to amend the Zoning Map (C 100407 ZMX), along with the related application for a zoning text amendment (N 100408 ZRX), is appropriate.

The Commission notes that the rezoning proposal is a city-sponsored initiative that has been refined over the last two years by the Department of City Planning through an extensive public outreach process that has included a close collaboration with Community Board 6, the Bronx Borough President's office, and local stakeholders within the community, including local residents and businesses.

The Commission notes that much of the existing zoning has been unchanged since 1961 when there was an elevated train line that ran along Third Avenue. The Commission also notes that in 1973 the elevated train line was torn down and that the current auto-related zoning along Third Avenue is limiting development by not allowing residential development and has limited capacity for commercial development. The Commission believes the proposed MX:M1-4/R7A, MX:M1-4/R7X, C4-4A, C4-5X, and C4-4D districts will help spur development along the Third Avenue corridor by creating commercial, retail, and much needed residential options to an area with strong public transit access and will help connect the areas surrounding Third Avenue together.

The Commission notes that Tremont Avenue is the "local downtown" for the surrounding neighborhoods and an important commercial corridor, but the current zoning is limiting the overall commercial development potential, where the proposed C4-5X, C4-4A, and R7X/C1-4 districts will increase the development potential along this vibrant corridor allowing for full commercial and office building development while imposing height limits to create a unified urban context.

The Commission believes that the neighborhood area west of Third Avenue, which is currently zoned R7-1, does not reflect the neighborhood characteristics of the existing development, and notes that the existing zoning has increasingly resulted in the recent construction of several out-of-scale buildings which contrast sharply with the surrounding development patterns. The Commission further believes that the proposed R6A and R5 districts will preserve the surrounding neighborhood context by establishing height limits and directing larger development to the Third Avenue and Tremont Avenue corridors

which have wider streets and stronger public transit access appropriate for larger developments.

The Commission believes that the application for the Inclusionary Housing Program in this area is appropriate and will build upon the City's commitment to providing affordable housing throughout New York City. The Commission recognizes the provision of affordable housing is an essential component of the proposal and represents an important benefit to the current residents of Community District 6. The Inclusionary Housing Program would maintain height limits for the new contextual districts while providing a floor area bonus of 33 percent in exchange for 20 percent of the floor area to households eligible under affordable housing criteria. The Commission believes that the proposed regulations establish an effective approach to promoting affordable housing development where city-owned land is limited and one that would work under a variety of market conditions and for different types of development.

The Commission believes that the application for mixed-use districts (MX-14), primarily located along Third Avenue, will preserve the current vibrant manufacturing uses which have thrived for many years, while also allowing for the inclusion of residential development. The Commission believes that these mixed-use districts will achieve the goals of helping to bring the neighboring communities together and allowing residential developments in areas that needed to previously go through the Board of Standards and Appeals to build a residential development.

The Commission believes the proposed actions represent a comprehensive zoning strategy which would create a unified urban design by imposing height limits while further expanding the development potential along Third Avenue and Tremont Avenue, thus, creating vibrant mixed-use, mixed-income neighborhoods that will serve the local community while preserving the existing scale of the neighborhood area west of Third Avenue.

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, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, 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 Nos.3c and 3d:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, East Tremont Avenue, Third Avenue, a line 100 feet southwesterly of East 178th Street, and a line midway between Third Avenue and Monterey Avenue;
2. eliminating from within an existing R7-1 District a C2-4 District bounded by:
 - a. East 189th Street, Park Avenue (northwesterly portion), East 188th Street, and Webster Avenue; and
 - b. Quarry Road, East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
3. changing from an R7-1 District to an R5 District property bounded by:
 - a. East 186th Street, Washington Avenue, a line midway between East 185th Street and East 186th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 184th Street and East 185th Street, Washington Avenue, East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, and Park Avenue (southeasterly portion); and
 - b. East 180th Street, Bathgate Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, a line 110 feet northeasterly of East 178th Street, Bathgate Avenue, East 179th Street, Washington Avenue, a line 220 feet northeasterly of East 178th Street, and a line midway between Park Avenue (southeasterly

portion) and Washington Avenue;

4. changing from an R7-1 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), East 187th Street, a line 100 feet northwesterly of Washington Avenue, East 186th Street, and Park Avenue (southeasterly portion);
 - b. Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), East 184th Street, Washington Avenue, a line midway between East 184th Street and East 185th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 185th Street and East 186th Street, Washington Avenue, East 185th Street, Bassford Avenue, East 184th Street, a line 130 feet northwesterly of Third Avenue, East 181st Street, Bathgate Avenue, East 180th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and East 183rd Street;
 - c. East 179th Street, Bathgate Avenue, a line 110 feet northeasterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 220 feet northeasterly of East 178th Street, and Washington Avenue; and
 - d. East 180th Street, a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, and Bathgate Avenue;
5. changing from a C4-4 District to an R6A District property bounded by a line 150 feet northeasterly of East Tremont Avenue, Washington Avenue, a line 340 feet southwesterly of East 178th Street, and a line 100 feet northwesterly of Washington Avenue;
6. changing from an C8-3 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue; and
 - b. a line midway between Cyrus Place and East 187th Street, a line 250 feet

southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue;

7. changing from an R7-1 District to an R7X District property bounded by Marmion Avenue, a line 100 feet northeasterly of East Tremont Avenue, Honeywell Avenue, a line 150 feet northeasterly of East Tremont Avenue, Daly Avenue, and a line 100 feet southwesterly of East Tremont Avenue;
8. changing from an R7-1 District to a C4-4A District property bounded by:
 - a. East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
 - b. East 181st Street, a line 100 feet northwesterly of Third Avenue, East 180th Street, and Bathgate Avenue; and
 - c. Belmont Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Belmont Avenue, and East Tremont Avenue;
9. changing from a C8-3 District to a C4-4A District property bounded by East 181st Street, Third Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 100 feet northwesterly of Third Avenue;
10. changing from an R7-1 District to a C4-4D District property bounded by East 184th Street, a line 100 feet northwesterly of Third Avenue, East 181st Street, and a line 130 feet northwesterly of Third Avenue;
11. changing from a C8-3 District to a C4-4D District property bounded by East 184th Street, Third Avenue, East 181st Street, and a line 100 feet northwesterly of Third Avenue;
12. changing from an R7-1 District to a C4-5X District property bounded by:
 - a. East 189th Street, Park Avenue (southeasterly portion), East 188th Street, and Webster Avenue;
 - b. Third Avenue, a line 100 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 110 feet northeasterly of East 178th Street, Monterey Avenue, East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Belmont Avenue, East Tremont Avenue, Belmont Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, and East Tremont

Avenue;

- c. Washington Avenue, a line 220 feet southwesterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - d. a line 240 feet southwesterly of East 178th Street, a line 100 feet northwesterly of Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
13. changing from a C4-4 District to a C4-5X District property bounded by Webster Avenue, a line 150 feet northeasterly of East Tremont Avenue, the northwesterly boundary line of a railroad right-of-way (New York and Harlem R.R. Division), a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 340 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, Third Avenue, a line 330 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 200 feet northwesterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, and a line 100 feet northeasterly of East 176th Street;
14. changing from an M1-1 District to a C4-5X District property bounded by:
- a. a line 220 feet northeasterly of East 178th Street, Park Avenue (northwesterly portion), East 178th Street, and a line 230 feet northwesterly of Park Avenue (northwesterly portion);
 - b. Park Avenue (southeasterly portion), a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
 - c. a line midway between Webster Avenue and Park Avenue (northwesterly portion), a line 300 feet southwesterly of East 178th Street, Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
15. changing from an M1-4 District to a C4-5X District property bounded by:
- a. a line 150 feet southwesterly of East Tremont Avenue, Bathgate Avenue, and a line 220 feet northeasterly of East 176th Street;
 - b. a line 150 feet southwesterly of East Tremont Avenue, Washington

Avenue, and a line 200 feet northeasterly of East 176th Street; and

- c. a line 150 feet southwesterly of East Tremont Avenue, a line 120 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 176th Street, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
16. changing from a C8-3 District to a C4-5X District property bounded by:
- a. East 189th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 188th Street, Washington Avenue, East 188th Street, Third Avenue, Cyrus Place, and Park Avenue (southeasterly portion);
 - b. Webster Avenue, a line 220 feet northeasterly of East 178th Street, a line 230 feet northwesterly of Park Avenue (northwesterly portion), East 178th Street, a line midway between Webster Avenue and Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
 - c. East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 100 feet southwesterly of East 178th Street, and Third Avenue; and
 - d. a line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue;
17. changing from an R7-1 District to an M1-4/R7A District property bounded by:
- a. a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and a line midway between Cyrus Place and East 187th Street; and
 - b. a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and East 187th Street;
18. changing from an C4-4 District to an M1-4/R7A District property bounded by Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet southwesterly of East Tremont Avenue;
19. changing from a C8-3 District to an M1-4/R7A District property bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing

through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue; and

- b. a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, and a line 200 feet southwesterly of East 178th Street;
20. changing from an M1-4 District to an M1-4/R7A District property bounded by a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue, a line 100 feet northeasterly of East 175th Street, Bathgate Avenue, and East 175th Street;
 21. changing from a C4-4 District to an M1-4/R7X District property bounded by a line 330 feet northeasterly of East 176th Street, Third Avenue, a line 150 feet southwesterly of East Tremont Avenue, and a line midway between Bathgate Avenue and Third Avenue;
 22. changing from an M1-4 District to an M1-4/R7X District property bounded by a line 150 feet southwesterly of East Tremont Avenue, Third Avenue, East 175th Street, Bathgate Avenue, a line 100 feet northeasterly of East 175th Street, and a line midway between Bathgate Avenue and Third Avenue;
 23. establishing within an existing R7-1 District a C1-4 District bounded by Third Avenue, a line 400 feet northeasterly of East 181st Street, a line 100 feet southeasterly of Third Avenue, and East 181st Street; and

24. establishing a Special Mixed Use District (MX-14) bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 187th Street and Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue;
 - b. a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, a line 200 feet southwesterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue; and
 - c. a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, Third Avenue, and East 175th Street;

Borough of the Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions in CEQR Declaration E-255.

The above resolution (C 100407 ZMX), duly adopted by the City Planning Commission on September 15, 2010 (Calendar No. 3), 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, FAICP, Chair
ANGELA M. BATTAGLIA, RAYANN BESSER
IRWIN G. CANTOR, P.E., BETTY Y. CHEN
MARIA M. DEL TORO, RICHARD W. EADDY
NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. MCRAE
KAREN A. PHILLIPS, Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C 100407 ZMX
CEQR # 10DCP043X
Community District No. 06 Borough: The Bronx
Community District No. ___ Borough: ___
Project Name: Third Avenue-Tremont Avenue Rezoning

INSTRUCTIONS
1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

See Attached.

100407ZMX

Applicant(s):

Department of City Planning
Bronx Borough Office
One Fordham Plaza
Bronx, New York 10458

Applicant's Representative:

Carol Samol, Director

Community Board No. 06 Borough: Bronx

Borough Board
Community School 211
1919 Prospect Avenue, Bronx, NY 10457

Date of public hearing: June 9, 2010

Location: _____

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.
Community School 211

Vote adopting recommendation taken: June 9, 2010

Location: 1919 Prospect Avenue, Bronx, NY 10457

RECOMMENDATION

Approve
 Disapprove

Approve With Modifications/Conditions
 Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Voting

In Favor: 22 Against: 0 Abstaining: 0

Total members appointed to the board: 29

Carol Samol
Community/Borough Board Officer

District Manager
Title

June 25, 2010
Date

v.012006w

* Indicates application was certified by the CPC pursuant to Section 197-C(c) of the City Charter.

**BOROUGH PRESIDENT
RECOMMENDATION**

**CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
Fax # (212)720-3356**

INSTRUCTIONS

- 1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
- 2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

APPLICATION # C100407 ZMX

DOCKET DESCRIPTION

PLEASE SEE ATTACHMENT FOR DOCKET DESCRIPTION

COMMUNITY BOARD NO. 6

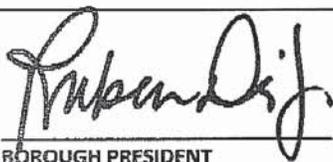
BOROUGH: BRONX

RECOMMENDATION

- APPROVE**
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)**
- DISAPPROVE**

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

PLEASE SEE ATTACHMENT FOR THE BOROUGH PRESIDENT'S RECOMMENDATION



BOROUGH PRESIDENT

DATE

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President held a public hearing on this application on July 13th, 2010. Representatives of the applicants were present and spoke in favor of this application. No members of the public were present.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

This rezoning helps spur development in one of the last frontiers of The Bronx. Bathgate and East Tremont suffered greatly due to the abandonment of the South Bronx and dismantling of the Third Avenue El. It left vacant neighborhoods that had no access to subway transit and sporadic commuter rail transit, causing its residents to use crosstown buses along traffic-clogged East Tremont Avenue and East 180th Street to access the subway. The redevelopment of homeownership and affordable housing has helped to stabilize these neighborhoods, but this has not been entirely reflected in their commercial corridors. Underutilized and vacant buildings remain. This rezoning will give the shot in the arm it desperately needs.

I would like to acknowledge my appreciation to the New York City Department of City Planning for incorporating the advice of this office to establish a C4-5X district, as opposed to the originally proposed C4-4A, for the area just south of Fordham Plaza. A C4-4A would have limited building height to 80 feet in an area that already has 14-story office buildings anchoring The Bronx' largest commercial district. The C4-5X will allow for higher FAR and a height limit of 125 feet, which is more appropriate for the Fordham Plaza area.

I am particularly happy about the rezoning of the area south of East Tremont Avenue and north of the Cross Bronx Expressway (identified previously as the Northern Bathgate Industrial Area). This ramshackle collection of streets has blighted the community, and taken away from the vibrancy of East Tremont Avenue and the beauty of Tremont Park, which once housed Borough Hall. Allowing residential here will turn the area into an active neighborhood bolstering the East Tremont Avenue corridor.

Furthermore, I am pleased to see that older homes and apartment buildings are being preserved in Bathgate and East Tremont on its side streets. Redevelopment is important for The Bronx, but not at the expense of tearing down homeownership.

I applaud City Planning for their effort in effectively reclaiming these two corridors.

I recommend approval of this application.