



**IN THE MATTER OF** an application submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Community District 1 in the Borough of the Bronx.

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This application for an amendment to the Zoning Resolution was filed by the West Side Federation for Senior and Supportive Housing on February 27, 2015. The application seeks to modify the Zoning Resolution to create a new special permit to allow the City Planning Commission to waive or reduce parking requirements for non-profit residences for the elderly within CD 1 within large-scale general developments in Community District 1 of The Bronx. This application in conjunction with the related actions would facilitate the development of two-new low-income residential senior buildings with ground floor retail, community facility space, parking and open space.

### **RELATED ACTIONS**

In addition to the zoning text amendment (N 150287 ZRX) which is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

C 150288 ZMX	A proposed amendment to the Zoning Map, Section No. 6a changing from R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6 to R6/C1-4.
C 150289 ZSX	Special Permit pursuant to 74-743 (a) (2) to permit location of buildings without regard to applicable yard, court, distance between buildings and height and setback regulations.
N 150290 ZAX	Authorization to permit a reduction of bicycle parking spaces.

**BACKGROUND**

A description of this application, the surrounding area and proposed project is included in the report on the related action for the Zoning Map Change (C 150289 ZMX)

**ENVIRONMENTAL REVIEW**

This application (N 150287 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR Number is 15DCP119X. The lead is the City Planning Commission.

After a study of the potential impacts of the proposed actions, a Negative Declaration was issued on April 20<sup>th</sup>, 2015.

**PUBLIC REVIEW**

This application (N 150287 ZRX), was duly referred to the Community Board and Borough President in accordance with the procedures for non-ULURP matters, in conjunction with the related applications (C 150288 ZMX, C150344ZSX and C 150289 ZSX) which were certified as complete by the Department of City Planning on April 20, 2015 and was duly referred to Bronx Community Board 1 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 1 held a public hearing on this application (N 150287 ZRX) on April 30,

2015, and on that day by a vote of 29 in favor, 0 opposed and 0 abstaining, adopted a resolution recommending approval of the application.

### **Borough President Recommendations**

This application (N 150287 ZRX) in conjunction with the related actions was considered by the Bronx Borough President, who issued a recommendation approving the application on May 29, 2015.

### **City Planning Commission Public Hearing**

On June 3, 2015 (Calendar No. 1), the City Planning Commission scheduled June 17, 2015 for a public hearing on this application (N 150287 ZRX). The hearing was duly held on June 17, 2015 (Calendar No. 15).

There was one speaker in favor of the project, as described in the related report for the Zoning Map Amendment (C 150288 ZMX) and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the application for the amendment of the Zoning Resolution (N 150287 ZRX), in conjunction with the related actions, is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the related report for the Zoning Map Amendment (C 150288 ZMX).

### **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 as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

74-74

Large-Scale General Development

\* \* \*

74-745

Accessory parking spaces and loading berths

Modifications of parking and loading regulations

For a #large-scale general development# the City Planning Commission may permit:

(a) Modification of location requirements

When a #large-scale general development# includes two or more #zoning lots#, the City Planning Commission may permit required or permitted #accessory# off-street parking spaces, bicycle parking spaces or loading berths to be located anywhere within a #large-scale general development# without regard for #zoning lot lines#, provided that the Commission shall find:

- (1) such off-street parking spaces, bicycle parking spaces and loading berths will be conveniently located in relation to the #use# to which such spaces or berths are #accessory#;
- (2) such location of off-street parking spaces, bicycle parking spaces and loading berths will result in a better site plan; and

- (3) such location of off-street parking spaces, bicycle parking spaces and loading berths will not unduly increase the number of spaces in any single #block#, draw excessive traffic through local #streets#, or otherwise adversely affect traffic conditions in the surrounding area.

Whenever required off-street parking spaces, bicycle parking spaces and loading berths are permitted to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# shall be kept available for such #building# throughout its life.

(b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, that contains one or more #retail or service uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment exceeds 8,500 square feet in #floor area#, the City Planning Commission may waive or reduce the number of required loading berths, provided that:

- (1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;
- (2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;

- (3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and
  - (4) such modification will not impair or adversely affect the development of the surrounding area.
- (c) Reduction of parking requirements

For #buildings# on #zoning lots# in a #large-scale general development#, within R7-2 Districts in Community District 1 in the Borough of the Bronx, that contain a #non-profit residence for the elderly#, the City Planning Commission may waive or reduce the number of required #accessory# off-street parking spaces, including any spaces previously required for an existing #building# provided that the Commission finds:

- (1) that the anticipated automobile ownership patterns for residents of such #non-profit residence for the elderly# are minimal and that such waiver or reduction is warranted;
- (2) that such waiver or reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area; and
- (3) that such waiver or reduction of parking spaces will result in a better site plan with better quality open areas.

In determining the amount of parking spaces to waive or reduce, the Commission may take into account current automobile ownership patterns for an existing #non-profit residence for the elderly# on the #zoning lot#, as applicable.

The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

The above resolution (C 150287 ZRX), duly adopted by the City Planning Commission on July 1, 2015 (Calendar No. 6), 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.

**CARL WEISBROD**, *Chairman*

**KENNETH J. KNUCKLES**, *Esq.*, *Vice Chairman*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,  
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON, BOME  
JUNG, ANNA HAYES LEVIN, ORLANDO MARIN,  
LARISA ORTIZ** *Commissioners*