



CITY PLANNING COMMISSION

December 7, 2005/Calendar No. 7

C 050049 ZMX

IN THE MATTER OF an application submitted by Ansano Construction Corp., Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7c:

1. eliminating from within an existing R4-1 District a C2-1 District bounded by Dewey Avenue, East 177th Street, East Tremont Avenue, a line 400 Feet northwesterly of Sampson Avenue, and a line midway between East Tremont Avenue and Revere Avenue and its northwesterly prolongation; and
2. establishing within an existing R4-1 District a C2-2 District bounded by Dewey Avenue, East 177th Street, East Tremont Avenue, a line 400 feet northwesterly of Sampson Avenue, and a line midway between East Tremont Avenue and Revere Avenue and its northwesterly prolongation, a line 35 feet southeasterly of Dewey Avenue, and Revere Avenue;

Borough of the Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated July 25, 2005.

The application for an amendment of the Zoning Map was filed by Ansano Construction Corporation August 6, 2004, requesting a zoning map change to change an existing C2-1 commercial overlay to a C2-2 overlay and establish a new C2-2 overlay within an existing R4-1 District.

BACKGROUND

The rezoning area is located in the Throgs Neck neighborhood of Community District 10 in The Bronx. The area to be rezoned consists of portion of Block 5576, Lot 1 and is generally bounded by East Tremont Avenue to the north, Sampson Avenue to the west, Revere Avenue to the south, and Dewey Avenue/Cross Bronx Expressway to the east. The project site is approximately 24, 279 square feet and contains a 10, 650 square foot building and a 34 parking space accessory

parking lot fronting on East Tremont Avenue. The building currently contains professional office space and a bank. In 1987 the applicant applied for a Special Permit from the Board of Standards and Appeals pursuant to Section ZR 73-44 for a reduction in the parking requirement within the existing C2-1 commercial overlay. The C2-1 overlay has a parking requirement of one space for every 150 square feet of commercial floor area for uses in the building and a requirement of 71 spaces.

The BSA approved the Special Permit on December 20, 1988 (854-87-BZ) and reduced amount of required parking to 27 spaces. The BSA granted the special permit for a term of ten years. The BSA special permit was renewed upon its expiration for another 10 year term, which will expire on December 20, 2008.

The site fronts on East Tremont Avenue, a major thoroughfare which has commercial overlays (C2-1, C1-3, and C1-2). The site is abutted by a one-story retail building and a two-story home to the west, two-story detached and attached homes to the south, and to the north and east, one-story commercial uses. Other uses on the subject block include mixed commercial and residential buildings; a telephone utility building, and two family detached houses and row houses. The surrounding area has a mix of uses, but it is primarily residential in character, including a large New York City Housing Authority development (Throgs Neck Houses), and one and two-family detached homes and some attached houses. A supermarket is located one block west of the project site along Dewey Avenue.

The applicant proposes to change the C2-1 commercial overlay on his property to a C2-2 overlay. In addition, the applicant proposes to establish a C2-2 overlay on the portion of his property fronting on Dewey Avenue. The applicant proposes to add seven new parking spaces in the area proposed for the C2-2 extension for a total of 41 parking spaces. These 41 spaces would satisfy the parking requirement for the existing building and would obviate the need for the BSA special permit. It would also provide additional parking for this well utilized commercial building.

ENVIRONMENTAL REVIEW

This application (C 050049 ZMX) 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 03DCP012X. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on July 25, 2005.

UNIFORM LAND USE REVIEW

This application (C 050049 ZMX) was certified as complete by the Department of City Planning on July 25, 2005, and was duly referred to Community Board 10 and the Borough President in

accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 10 held a public hearing on this application on September 7, 2005, and on that date, by a vote of 28 in favor, 0 against with 1 abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 050049 ZMX) was considered by the Borough President, who issued a recommendation approving this application on October 27, 2005.

City Planning Commission Public Hearing

On October 19, 2005 (Calendar No.12), the City Planning Commission scheduled November 2, 2005 for a public hearing on this application (C 050049 ZMX). The hearing was duly held on November 2, 2005 (Calendar No. 26).

There was one speaker in favor of the application, a representative of the applicant. There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment to the Zoning Map to replace a C2-1 commercial

overlay with a C2-2 overlay within an existing R4-1 district and to establish a C2-2 commercial overlay onto an existing R4-1 district is appropriate.

The subject site fronts on East Tremont Avenue which is a major thoroughfare in the Bronx. East Tremont is also an important commercial corridor in the borough that contains a variety of neighborhood oriented retail uses.

The proposed action would provide additional parking for this well utilized commercial building and improve the traffic circulation within the parking lot.

The proposed action would alleviate the need for continued reliance on a New York City Board of Standards and Appeals special permit.

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 No. 7c:

1. eliminating from within an existing R4-1 District a C2-1 District bounded by Dewey Avenue, East 177th Street, East Tremont Avenue, a line 400 Feet northwesterly of Sampson Avenue, and a line midway between East Tremont Avenue and Revere Avenue and its northwesterly prolongation; and
2. establishing within an existing R4-1 District a C2-2 District bounded by Dewey Avenue, East 177th Street, East Tremont Avenue, a line 400 feet northwesterly of Sampson Avenue, and a line midway between East Tremont Avenue and Revere Avenue and its northwesterly prolongation, a line 35 feet southeasterly of Dewey Avenue, and Revere Avenue;

Borough of the Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated July 25, 2005.

The above resolution (C 050049 ZMX), duly adopted by the City Planning Commission on December 7, 2005, (Calendar No. 7) is filed with the Office of the Speaker, City Council, and The Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, Esq., Vice-Chairman

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