



## **CITY PLANNING COMMISSION**

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August 10, 2005 / Calendar No. 7

C 020488 ZMX

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**IN THE MATTER OF** an application submitted by Hasan Biberaj pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, establishing within an existing R6 District a C1-2 District bounded by a line 100 feet northerly of Bruckner Boulevard, Ward Avenue, Bruckner Boulevard and Boynton Avenue, as shown on a diagram (for illustrative purposes only) dated March 14, 2005, Borough of the Bronx, Community District 9.

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The application for an amendment of the Zoning Map was filed by Hasan Biberaj on March 21, 2002, requesting a zoning map change to establish a C1-2 commercial overlay within an existing R6 District to facilitate the construction of a one-story retail use.

### **BACKGROUND**

The applicant's property (Block 3715, Lot 1) is an approximate 16,560 square foot vacant lot fronting on the Bruckner Boulevard service road. The applicant proposes to construct a 6,257 square foot Laundromat which will have 23 accessory parking spaces. The area to be rezoned consists of Block 3715, Lots 1, 62, p/o 11 and p/o of 61. Lot 62, which is an irregularly-shaped vacant lot is under the jurisdiction of the New York City Department of Citywide Administrative Services. Lot 11 contains a six-story residential building and Lot 61 contains a two-family home.

The site fronts on the Bruckner Boulevard service road, a major thoroughfare in the borough. There are two C8-1 zoning districts and a C4-2 district located just south of the rezoning area and across the Bruckner Boulevard Expressway. The C8-1 district contains a Consolidated

Edison Operations Center for storage of trucks and accessory parking. It is adjacent to a C4-2 district, which contains a small shopping center with a fast-food restaurant, pharmacy, automotive supply store and supermarket. The other C8-1 district is located approximately three blocks southwest of the rezoning area and contains several auto related uses.

The proposed action would establish a C1-2 commercial overlay for a distance of 100 feet along the Bruckner Boulevard service road between Ward and Boynton avenues. The C1-2 overlay permits local retail uses (Use Group 6) with an FAR of 2.0. The proposed rezoning area abuts two-family row houses, which are located immediately north of the site. The surrounding area to the north of the expressway is predominantly residential ranging from two-family homes to six-story apartment buildings. The applicant expects the residents of these residential units to patronize the Laundromat.

## **ENVIRONMENTAL REVIEW**

This application (C 020488 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 03DCP006X. 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 March 14, 2005.

## **UNIFORM LAND USE REVIEW**

This application (C 020488 ZMX) was certified as complete by the Department of City Planning on March 14, 2005, and was duly referred to Bronx Community Board 9 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 9 held a public hearing on this application on May 19, 2005, and on that date, by a vote of 24 to 0 with 0 abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on June 27, 2005 with the following conditions:

1. Lighting is focused on the parking area, not to shine on neighboring properties.
2. Street trees and foundation plantings are placed wherever practical.
3. Chain link fencing will not be visible from public areas.
4. See-through, rather than solid-steel, window gates will be used so that interior lighting can be seen from the street.

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

On June 22, 2005 (Calendar No. 2), the City Planning Commission scheduled July 13, 2005 for a public hearing on this application (C 020488 ZMX).

The hearing was duly held on July 13, 2005 (Calendar No. 22). There were no speakers, and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map is appropriate.

The proposed action would facilitate development of a long vacant site where residential development is unlikely to occur. The surrounding area is generally characterized by residential uses and while there are no immediate commercial districts fronting along the northern portion of the Bruckner Boulevard Expressway, the proposed development is compatible with an existing ground floor retail use that is currently located across the street at the southeastern corner of Boynton Avenue and the Bruckner Boulevard service road. The proposed use will also be compatible with the existing low-to-medium density residential character of this area and would provide needed retail services to the area. The applicant proposes to construct a one-story retail use with 23 accessory parking spaces on an approximate 16,560 square foot lot.

The Commission notes that the illustrative site plan indicates street trees and lighting for the accessory parking lot.

## **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 Section 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. 6c; establishing within an existing R6 District a C1-2 District bounded by a line 100 feet northerly of Bruckner Boulevard, Ward Avenue, Bruckner Boulevard and Boynton Avenue, as shown on a diagram (for illustrative purposes only) dated March 14, 2005, Borough of the Bronx, Community District 9.

The above resolution (C 020488 ZMX), duly adopted by the City Planning Commission on August 10, 2005 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN**, AICP, Chair

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

**IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,  
RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ, CHRISTOPHER KUI,  
JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners