



CITY PLANNING COMMISSION

May 9, 2007 / Calendar No. 11

C 070276 ZMX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. eliminating from within an existing R8 District a C1-4 District bounded by East 163rd Street, a line 100 feet northwesterly of Third Avenue, a line 100 feet southerly of East 163rd Street, a line 100 feet southeasterly of Elton Avenue, the northeasterly street line of former Brook Avenue, and Elton Avenue;
2. changing from a C4-4 District to an R8 District property bounded by East 163rd Street, Third Avenue, the easterly prolongation of the southerly street line of East 161st Street, Brook Avenue, East 161st Street, Washington Avenue, East 161st Street Pedestrian Way, Elton Avenue, the northeasterly street line of former Brook Avenue, a line 100 feet southeasterly of Elton Avenue, a line 100 feet southerly of East 163rd Street, and a line 100 feet northwesterly of Third Avenue; and
3. establishing within existing and proposed R8 Districts a C2-4 District bounded by East 163rd Street, Third Avenue, the easterly prolongation of the southerly street line of East 161st Street, Brook Avenue, East 161st Street, Washington Avenue Pedestrian Way, and Elton Avenue;

as shown on a diagram (for illustrative purposes only) dated January 22, 2007, Borough of the Bronx, Community Districts 1 and 3.

The application for the zoning map amendment was filed by HPD, on January 4, 2007, to facilitate the development of the proposed Boricua Village development containing approximately 679 residential units, 36,511 sq. ft. of retail space, 120,000 square foot college building, 174 below-grade parking spaces, 65,264 sq. ft. of publicly-accessible open space, including the proposed “Boricua Plaza,” and 17,226 sq. ft. of private open space, on an approximately 5 acre site in Melrose Commons, Community District 3, Borough of the Bronx.

RELATED ACTIONS

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

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| C 070275 HUX | Amendment to the Melrose Commons Urban Renewal Area plan to facilitate Boricua Village and future URA developments by changing land use designation, lifting height limits, and restrictions on curb cuts for certain sites. |
| C 070277 HAX | UDAAP designation, approval, and disposition of City Owned Property to facilitate the Boricua Village proposal |

BACKGROUND

A full background discussion and project description appears in the related report for the amendment of the Melrose Commons Urban Renewal Area plan (C 070275 HUX).

ENVIRONMENTAL REVIEW

This application (C 070276 ZMX) in conjunction with the related actions (C 070275 HUX, and C 070277 HAX), 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 06HPD008X. The lead agency is the Department of Housing Preservation and Development (HPD).

A summary of the environmental review and the Final Environmental Impact Statement appears

in the report on the related application for the grant of a special permit (C 070275 HUX).

UNIFORM LAND USE REVIEW

This application (C 070276 ZMX) in conjunction with the related actions (C 070275 HUX, and C 070277 HAX), was certified as complete by the Department of City Planning on January 22, 2007, and was duly referred to Community Boards 1 and 3, the Bronx Borough Board, and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

Community Board Public Hearing

A summary of the votes of Community Boards 1 and 3 appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

Borough Board Recommendation

A summary of the recommendation of the Borough Board appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

Borough President Recommendation

A summary of the Borough President's recommendation appears in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

City Planning Commission Public Hearing

On March 14, 2007 (Calendar No. 1), the City Planning Commission scheduled March 28, 2007, for a public hearing on this application (C 070276 ZMX). The hearing was duly held on March 28, 2007 (Calendar No. 28), in conjunction with the public hearings on the applications for the related actions (C 070275 HUX) and (C 070277 HAX).

There were seven speakers in favor of the application, as described in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX), and the hearing was closed.

CONSIDERATION

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

A full consideration and analysis of the issues, and the reasons for approving this application, appear in the report on the related application for the amendment to the Melrose Commons URA (C 070275 HUX).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 27, 2007, with respect to this application (CEQR No. 06HPD008X), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, by the City Planning Commission pursuant to pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. eliminating from within an existing R8 District a C1-4 District bounded by East 163rd Street, a line 100 feet northwesterly of Third Avenue, a line 100 feet southerly of East 163rd Street, a line 100 feet southeasterly of Elton Avenue, the northeasterly street line of former Brook Avenue, and Elton Avenue;
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3. establishing within existing and proposed R8 Districts a C2-4 District bounded by East 163rd Street, Third Avenue, the easterly prolongation of the southerly street line of East 161st Street, Brook Avenue, East 161st Street, Washington Avenue Pedestrian Way, and Elton Avenue;

as shown on a diagram (for illustrative purposes only) dated January 22, 2007.

The above resolution (C 070276 ZMX), duly adopted by the City Planning Commission on May 9, 2007 (Calendar No. 11), 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
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
ALFRED C. CERULLO, III, BETTY CHEN, RICHARD W. EADDY,
NATHAN LEVENTHAL, JOHN MEROLO, KAREN A. PHILLIPS,
DOLLY WILLIAMS**, Commissioners

LISA A. GOMEZ, Commissioner **RECUSED**