



## CITY PLANNING COMMISSION

January 31, 2005/Calendar No. 1

C 050120 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. 6a and 6b:

1. changing from an R6 district to an M1-2/R6A District property bounded by the northeasterly boundary line of a Park, the northwesterly centerline prolongation of East 134<sup>th</sup> Street, Bruckner Boulevard (Triborough Bridge Approach), East 133<sup>rd</sup> Street, Cypress Place, Bruckner Boulevard, St. Ann's Place, and the southeasterly centerline prolongation of East 134<sup>th</sup> Street;
2. changing from an M1-2 District to an M1-2/R6A District property bounded by:
  - a. East 134<sup>th</sup> Street, St. Ann's Place, Bruckner Boulevard, Cypress Place, East 133<sup>rd</sup> Street, Bruckner Boulevard, and Brown Place; and
  - b. East 134<sup>th</sup> Street, a line 280 feet northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 feet northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard (Triborough Bridge Approach);
3. changing from an M1-2 District to an M1-5/R8A District property bounded by Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, and Lincoln Avenue;
4. changing from an M3-1 District to an M1-5/R8A District property bounded by East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, and Willis Avenue Bridge; and
5. changing from an M2-1 District to an M1-3/R8 District property bounded by East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation; and

6. establishing a Special Mixed Use District (MX-1) bounded by East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Brown Place, East 134<sup>th</sup> Street, the northerly boundary line of a Park, East 134<sup>th</sup> Street and its northwesterly centerline prolongation, a line 280 northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, Willis Avenue Bridge, East 132<sup>nd</sup> Street, and Lincoln Avenue, and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes) dated October 4, 2004, corrected on December 27, 2004, and subject to the conditions of CEQR Declaration E-143.

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The application for an amendment of the Zoning Map was filed by the Department of City Planning on September 28, 2004 to extend the Port Morris Special Mixed Use District to include an eleven-block area of Port Morris, Bronx Community District 1.

## **BACKGROUND**

The Department of City Planning (DCP) seeks a Zoning Map amendment in the Port Morris neighborhood of Bronx Community District 1. The zoning map amendment would consist of zoning changes to nine tax blocks (eleven physical blocks) from manufacturing to mixed use (MX) zoning. The rezoning area is generally bounded by Park Avenue to the west, Willow Avenue to the east, East 134<sup>th</sup> Street to the north and the Harlem River to the south. The

proposed rezoning aims to encourage new uses for underutilized land and buildings in Port Morris, make nonconforming residential uses in the area conforming, and build on the success of the existing Port Morris Special Mixed Use District that was approved by City Planning Commission and City Council in 1997.

Port Morris is a mixed use (light industrial, commercial and residential) neighborhood located across from Manhattan between the Harlem/East Rivers and the Major Deegan Expressway. In 1997, the Commission approved a five block area from Third Avenue to Brown Place along the north side of Bruckner Boulevard to be the first of a New Special Mixed-Use District. The rezoning was intended to strengthen existing antique businesses in the area and permit residential uses on the upper floors of buildings. This effort has been very successful with approximately 185 residential units having been renovated, reactivated, converted or planned. The current rezoning area is adjacent to the existing Special Mixed Use District.

The rezoning aims to provide new uses for underutilized land and buildings, which are currently limited to manufacturing and commercial uses. The existing infrastructure in the rezoning area has sufficient capacity, including transit service, to serve the potential increase in residents and workers, thereby rendering it an appropriate location for growth.

The rezoning area surrounding the existing Special Mixed Use District lends itself to an increase in residential and commercial activity for the following reasons:

- More than one-third of the lots in the study area are vacant or underutilized. (15% vacant, 9% partially vacant, 13% open storage, and 6% parking).
- Conversion of warehouse space into loft/office and commercial space is already occurring.
- Mixed use zoning would allow for revitalization of vacant buildings for residential uses and a wider range of commercial activity without compromising viable manufacturing business and jobs in the area.
- The area is well connected to Manhattan and the region. Connections are provided via various bridges into and out of Port Morris and by the #6 subway, making this area the true gateway to The Bronx.

The proposal would create opportunities for approximately 412 new housing units throughout the rezoning area over a ten year period. While continuing to allow light manufacturing uses in the area, the zoning changes would also allow a broader range of commercial uses to complement the existing restaurants and artists studios that already exist in the neighborhood.

In addition to promoting a dynamic mix of uses, zoning controls would set height limits on nine of the eleven blocks so that new buildings will fit in with their surroundings. The two blocks west of Lincoln Avenue are located on the water's edge and have larger lot sizes that can support taller and denser development. On these two blocks, the proposed zoning will allow for taller buildings. Fostering new residential and mixed-use development sensitive to the existing built

environment will strengthen Port Morris' sense of place, enhance its street vitality and create a real gateway to the Bronx.

The existing zoning in this area, except for one lot, is zoned for manufacturing which permits industrial and commercial uses with a maximum Floor Area Ratio (FAR) of 2.0. Residential and most community facility uses are not permitted. The existing manufacturing zoning designations in this area has generally fostered the development of auto-related uses and warehouses. One lot in the rezoning area is zoned R6 which is adjacent to a larger area zoned R6 across the Major Deegan Expressway. This lot is used as the access approach to the Triborough Bridge

### **Rezoning Area**

The Port Morris/Bruckner Boulevard rezoning area consists of nine New York City "tax blocks" (eleven physical blocks), adjacent to the existing Port Morris Special Mixed Use District. This area is located within the State and City Economic Development Zones.

The mixed-use character of Port Morris is evident in its wide range of building types, including two-family rowhouses, apartment buildings, warehouses, other industrial buildings, and vacant land. Within the proposed rezoning area there are 93 buildings of which 30 are classified as warehouse, industrial, or loft buildings. There are also 39 rowhouses and six multi-family apartment buildings.

Industrial uses, including light manufacturing, warehousing, and open storage, are found on 38 of the 129 lots (29%) in the rezoning area. Another eight lots (6%) contain commercial uses alone and self-storage facilities. Light industrial and commercial uses are dispersed throughout the rezoning area, primarily located along Bruckner Boulevard. Many of the industrial and commercial uses are in large industrial buildings made of brick or concrete ranging from one to six stories in height. The open storage facilities are generally used by adjacent industrial uses.

Residential uses are found on 44 lots (34%) in the rezoning area, including residential buildings with ground floor commercial uses. Residential buildings are primarily on the far eastern portion of the study area, along East 133<sup>rd</sup> and East 134<sup>th</sup> Streets near Willow Avenue which is zoned M1-2. These are comprised mainly of two-and three-family row houses on narrow lots. Three-to five-story tenement buildings can be found further west along Bruckner Boulevard. The taller apartment buildings often have commercial retail space on the ground floor. These commercial retail spaces range from delicatessens and restaurants to stores specializing in auto uses.

Transportation and utility uses are found on 13 of the 129 (10%) lots in the rezoning area and are mostly comprised of gas stations and auto repair shops. This category also includes lots under the access ramps for the Third Avenue, Willis, and Triborough bridges. Parking facilities are located on eight lots (6%), and are usually accessory parking for adjacent industrial uses. Vacant buildings and lots are dispersed throughout the study area on 15 different lots (12%). The vacant buildings consist of boarded up residential and industrial buildings in various states of disrepair

and vacant lots are often used for parking. Two parks, Pulaski Park and East 134<sup>th</sup> Street Playground, are located on three lots in the rezoning area.

### **Existing Zoning**

The rezoning area is currently zoned M2-1, M1-2 and M3-1 and one lot zoned R6. These areas are more specifically described below.

#### *M1-2 District*

The majority of the rezoning area extending from Lincoln Avenue to near Willow Avenue is zoned M1-2. M1-2 is a light manufacturing district that often acts as a buffer to adjacent residential or commercial districts. The M1-2 zoning district has a maximum FAR of 2.0 for manufacturing and commercial uses, permitting use groups 4-14 and 16-17. The M1-2 district has a maximum front wall height of 60 feet or four stories, which ever is less. The parking requirement varies by use. Uses must adhere to strict performance standards.

Although the area is zoned manufacturing, it contains a mix of uses, including manufacturing, warehouse, commercial, and residential uses as well as several vacant and partially underutilized lots. Currently, there exists six wholesale, six construction, five manufacturing and nine retail and office uses. The manufacturing uses on these blocks are light industrial and are compatible with the proposed mixed-use zoning. The two largest are a warehousing and building supply operations business and a commercial bakery. The residential uses include apartments with

ground floor retail and thirty-nine two- and three-family rowhouses. There are several vacant lots, eleven vacant buildings, five partially vacant buildings, and nineteen other underutilized lots in this area.

### M2-1 District

The portion of the rezoning area that is west of Lincoln Avenue is zoned M2-1. This manufacturing district occupies the middle ground between light and heavy industrial areas. The existing M2-1 district has a maximum FAR of 2.0 for commercial and industrial uses, including use groups 6-14 and 16-17. The parking requirement varies by use. The maximum front wall height is 60 feet or four stories, whichever is less.

Uses in this area include: warehouses, a self storage facility, a construction related business, a utility use and one building that contains multiple uses such as office, retail, manufacturing and warehousing. Much of the land on these large blocks remain underutilized.

### M3-1 District

One lot within the study area south of 132<sup>nd</sup> Street is zoned M3-1. This lot is located east of the Willis Avenue Bridge and is comprised of the former New Haven Railroad Passenger Station, a now vacant three-story building. M3 districts are for heavy industries than often can generate noise, traffic and pollutants. Use groups permitted are 6-14 and 16-18. The parking requirement varies by use. The M3-1 district has a maximum FAR of 2.0 and has a maximum front wall



height of 60 feet or four stories, whichever is less. This district has the lowest performance standards of all manufacturing districts to allow for essential uses such as power plants. Although M3-1 zoning is intended for heavy industry, this site has never had such a use.

### R6 District

One lot in the rezoning area, serving as the access approach to the Triborough Bridge, is zoned R6. It is adjacent to an existing residential neighborhood zoned R6 located across the Major Deegan Expressway. R6 is a medium density residential district with a maximum residential FAR of 2.43. The maximum FAR for community facilities is 4.8. The parking requirement is 70 percent of dwelling units.

### **Proposed Zoning**

The Department of City Planning is proposing to extend the boundaries of the existing Port Morris Special Mixed Use District to all or part of eleven-blocks generally bounded by Park Avenue to the west, Willow to the east, East 134th Street to the north and East 132<sup>nd</sup> Street and the Harlem River to the south and currently zoned M1-2, M2-1 and M1-3 and one lot zoned R6. The proposed Zoning Map amendment would pair a light manufacturing district (M1) and a residence district (R) to regulate uses and building size within the rezoning area. For these proposed mixed-use districts, regulations would generally allow a broad range of residential, community facility, commercial, and most light manufacturing uses as-of-right in most circumstances. The two contextual zoning districts would be tailored to insure that new

buildings will fit in with their surroundings. The other non-contextual district allows for taller buildings along the waterfront. The proposed zoning changes are as follows:

*M1-2 & R6 to M1-2/R6A (MX-1)*

This four block area, currently zoned M1-2, would be an expansion of the Special Mixed Use District to the east, generally bounded by East 134<sup>th</sup> Street, Brown Place, Bruckner Boulevard, and Willow Avenue. In addition, there is one lot that comprises the approach ramp to the Triborough Bridge that is zoned R6.

Although most of this area is zoned for manufacturing, it contains a mix of uses, including warehouse, commercial, manufacturing, residential and vacant and underutilized land. The building types in this area are similar to those in the existing Port Morris Special Mixed Use District zoned M1-2/R6A (MX-1). The proposed M1-2/R6A (MX-1) district aims to preserve the smaller residential buildings while allowing for the reactivation of upper floors of existing taller buildings for residential use.

The proposed M1-2/R6A (MX-1) permits light manufacturing and commercial uses and would allow new residential uses and a wider variety of community facilities. It would permit use groups 1-14 and 16-17. All existing uses would remain conforming. Similar to the existing M1-2 district, the proposed district would allow for a commercial and manufacturing FAR of 2.0. In addition, it would permit residential and community facility uses with a maximum FAR of 3.0. The maximum building height would be 70 feet with a maximum base height of 60 feet.

The residential parking requirement would be 50 percent and the commercial and manufacturing parking requirement would vary with use.

*M1-2 and M3-1 to M1-5/R8A (MX-1)*

Five contiguous blocks south of the existing Special Mixed Use District and zoned M1-2, generally bounded by Bruckner Boulevard to the north, Lincoln Avenue to the west, St. Ann's Avenue to the east, and 132<sup>nd</sup> Street to the south, are proposed to be zoned M1-5/R8A (MX-1).

These blocks also contain a variety of uses including warehouse and industrial, construction, one residential building, two gas stations and several local retail establishments. A large commercial bakery is the largest business in the rezoning area with over 270 workers. Numerous vacant buildings, and vacant lots, and other underutilized lots can also be found in the area.

In addition, one lot (Block 2269, Lot 180 and p/o 62) located south of 132<sup>nd</sup> Street on Willis Avenue, surrounded by the Harlem River Yards within an M3-1 district, and is also proposed to be rezoned to M1-5/R8A (MX-1). This lot contains a long vacant three-story building that was developed as the Haven Railroad Passenger Station

The proposed M1-5/R8A (MX-1) would allow for a maximum commercial and manufacturing FAR of 5.0, a maximum residential FAR of 6.02, and community facility FAR of 6.5. It would permit use groups 1-14 and 16-17. The residential parking requirements would be 40 percent of

dwelling units and there would be no parking requirement for manufacturing or commercial uses. This contextual residential district has a maximum building height of 120 feet as well as street wall and setback regulations that would respect the existing Special Mixed Use District across Bruckner Boulevard and enhance the pedestrian environment along this corridor.

The proposed M1-5/R8A (MX-1) district would border the current and proposed expanded Special Mixed Use District. In the proposed new zoning district, all existing uses would remain conforming. New residential uses as well as a broader range of commercial uses would also be allowed. While little housing currently exists on these blocks, there is potential for upper floor apartments and loft conversions in a number of the currently vacant and underutilized buildings. The higher permitted floor area in this proposed district, compared to the existing Special Mixed Use District across the street, reflects the bulkier and taller building types in this area.

*M2-1 to M1-3/R8 (MX-1)*

One block directly west and one block south of the existing Special Mixed Use District, generally bounded by 134<sup>th</sup> Street to the north, Park Avenue to the west, Lincoln Avenue to the east, and the Harlem River to the south, are proposed to be designated M1-3/R8(MX-1). These two blocks, that are located at the water's edge and border the Third Avenue Bridge entry ramps, have larger lot sizes than the rest of the study area and can support taller and denser development.

The block east of the Third Avenue Bridge (Block 2316) is almost entirely occupied by Verizon for employee parking. There is also a small construction related business along the southern edge of the block, bordering the Harlem River.

The block west of the Third Avenue Bridge (Block 2319) contains eight warehouse and industrial buildings as well as a new self storage facility and two parking lots. Three of these buildings are partially vacant. The others house approximately fourteen companies, including construction-related, retail and office, manufacturing, and warehousing uses. In all, there is over 50,000 square feet of vacant land available for lease on this block.

This block is separated from the rest of the rezoning area by the Third Avenue Bridge access ramps, the Major Deegan Expressway, and the Harlem River and does not have an orderly streetwall context. The proposed M1-3/R8 (MX-1) allows for taller buildings that can be more appropriately accommodated on these underutilized lots. Surrounding these blocks across the river in Manhattan and in the area north of the Major Deegan Expressway, are taller buildings of sixteen to twenty stories.

The proposed M1-3/R8 (MX-1) would allow for a maximum commercial and manufacturing FAR of 5.0, a maximum residential FAR of 6.02, and a community facility FAR of 6.5. The proposed district would permit use groups 1-14 and 16-17. Residential units and community facilities would become new uses allowed in the proposed mixed-use district, and all existing

uses would remain conforming. The parking requirement would be 40 percent of the residential units and would vary by use for commercial and manufacturing businesses. Building heights would be based on the height factor and the open space ratio. Taller height factor buildings require greater areas of open space. The industrial uses in the proposed M1-3/R8 (MX-1) would have higher performance standards than those permitted in the existing M2-1 district.

## **ENVIRONMENTAL REVIEW**

This application (C 050120 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 05DCP005X. 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 October 4, 2004. The Negative Declaration includes (E) designations for hazardous materials on the following parcels:

Block 2260, Lots 1, 4, 10, 17, 18, 19, 34, 38, 180  
Block 2261, Lots 3, 5, 9, 15, 22, 23, 27, 30, 32, 48, 49, 50, 51, 55, 62  
Block 2277, Lots 1, 2, 5, 10, 78, 82, 94  
Block 2295, Lots 49, 51, 67, 71  
Block 2308, Lots 1, 5, 18  
Block 2316, Lot 1  
Block 2319, Lots 2, 55, 98, 100, 109, 120  
Block 2546, Lots 98, 99, 100, 135, 137, 138, 140

Block 2562, Lots 17, 21, 25, 40, 65, 66, 67, 68

The Negative Declaration also includes (E) designations for noise on the following parcels:

Block 2260, Lots 1, 4, 10, 17, 18, 19, 34, 38, 180  
Block 2261, Lots 3, 5, 9, 15, 22, 23, 27, 30, 32, 48, 49, 50, 51, 55, 62  
Block 2277, Lots 1, 2, 5, 10, 78, 82, 94  
Block 2295, Lots 49, 51, 67, 71  
Block 2308, Lots 1, 5, 18  
Block 2316, Lot 1  
Block 2319, Lots 2, 55, 98, 100, 109, 120  
Block 2546, Lots 98, 99, 100, 135, 137, 138, 140  
Block 2562, Lots 17, 21, 25, 40, 65, 66, 67, 68

In addition, the Negative Declaration includes (E) designations for air quality impacts from HVAC systems on the following parcels:

Block 2316, Lot 1  
Block 2319, Lots 2, 55, and 120  
Block 2246, Lots 135, 137, and 138  
Block 2295, Lots 49, 51, and 67

## **UNIFORM LAND USE REVIEW**

This application (C 050120 ZMX) was certified as complete by the Department of City Planning on October 4, 2004, and was duly referred to Community Board 1 and the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application on October 28, 2004, and on that date, by a vote of 17 in favor, 0 against with 7 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 November 12, 2004.

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

On November 17, 2004 (Calendar No. 1), the City Planning Commission scheduled December 8, 2004 for a public hearing on this application (C 050120 ZMX). The hearing was duly held on December 8, 2004 (Calendar No. 3). There were two speakers in favor of the application, one speaker in favor of the application with modifications and one speaker in opposition.

The speakers in support of the proposal included a representative of the Bronx Borough President and an area business owner. They both reiterated that this rezoning would be beneficial to Port Morris and the borough by bringing new uses for vacant and underutilized land and buildings, creating new housing, creating opportunities for high tech offices and encouraging waterfront access. They noted that this rezoning will aid in the continued revitalization of the Port Morris neighborhood. The representative of the Borough President also expressed his desire for the City to create “Industrial Zones” that would protect industrial jobs.



A representative of the New York Industrial Retention Network spoke in favor of the application with two conditions; that the City support the creation of “Industrial Employment Districts” that would restrict non-industrial uses through various means; and that the City reinstate the Industrial Relocation Benefit Program.

An area artist representing the Coalition of Mott Have Artists, who lives in the surrounding residential area, spoke against the proposal because she believed the rezoning would likely raise rents for area artists who could potentially be priced out of the neighborhood.

There were no other speakers and the hearing was closed.

On January 19, 2005 (Calendar No.19) the hearing was reopened. There was one speaker in favor of the application and two speakers in opposition.

The speaker in favor of the application resides within the rezoning area and although in favor of the application, did cite concerns about potential high rents for artists and pollution from trucks coming through the area.

An area resident spoke against the application stating that the City should require developers to build affordable housing. A representative of the Pratt Center spoke in opposition to the rezoning proposal citing that area rents will increase and that the City should require that a percentage of new housing units be made affordable

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 04-082.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

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

The Commission believes that the proposed zoning changes will foster a vital, compatible mix of housing, light industry, commercial enterprises and cultural activities in Port Morris that reflects historic and current trends and activities in the area. The Commission also believes that the amendment to the Zoning Map will permit appropriate levels of residential and mixed-use development and reinvestment along Bruckner Boulevard and the Harlem River in Port Morris, which is well-positioned in relation to mass transit. With regard to density and built form, the Commission considers the proposed zoning controls to be fitting and sensitive to the existing

built fabric of the neighborhood.

In addition, the Commission notes that the mixed-use provisions of Port Morris would continue to allow light industrial uses and would permit new light industrial uses to locate in the mixed use district at similar or greater densities and that no existing industrial uses will become non-conforming as a result of the rezoning. The Commission believes that the introduction of housing to the mix of permitted commercial and industrial uses would strengthen the entrepreneurial spirit of this older industrial neighborhood as it would permit live/work opportunities for artists, inventors, craftsman, and small businesses as well as adaptive reuse of significant buildings. It will expand the opportunities for smaller, light industrial uses while allowing new uses to take advantage of underutilized space.

The Commission believes the proposed M1-2/R6A (MX-1) between Brown Place and Willis Avenue will preserve the existing housing stock, consisting of rowhouses and tenement buildings as well as promote the renovation and reactivation of vacant residential units. The Commission notes that this proposed zoning district is an extension of the existing Port Morris Special Mixed Use District where approximately 185 residential units have been reactivated, renovated, converted, or planned for conversion since the City's first mixed use district was established in 1997. In addition, the Commission notes that the proposed M1-2/R6A (MX-1) district allows light industrial and commercial uses at existing densities and permits residential units at a slightly greater density.

The Commission believes the proposed M1-5/R8A (MX-1) between Lincoln and St. Ann's

avenues on the south side of Bruckner Boulevard will foster the conversion of underutilized warehouse space and the adaptive reuse of existing buildings in this area. The Commission notes that the majority of sites in this area contain partially or completely vacant buildings and lots. The Commission believes that the introduction of mixed use zoning will provide more opportunities for the redevelopment of vacant land and buildings to be developed based on market needs. The Commission also notes that the proposed M1-5/R8A (MX-1) is a contextual district, and therefore new development is subject to maximum building height, streetwall, and setback regulations to respect existing buildings and maintain the pleasant pedestrian experience along Bruckner Boulevard.

The proposal establishes an appropriate, height factor zoning district on the blocks along the waterfront that would permit taller residential buildings to take advantage of the waterfront location and their relative isolation from the rest of the residential neighborhood. The Commission notes that these two blocks have irregular, large lots that do not integrate with the existing street grid and do not currently have a street context. These two blocks would facilitate new residential and mixed-use developments that would connect residents to the waterfront. The proposed district would mirror development across the Harlem River in Manhattan and further delineate it.

The Commission believes that fostering new residential and mixed-use development sensitive to the existing built environment will strengthen Port Morris's sense of place, enhance its street vitality, and contribute to the city's plans to find new opportunities for housing development. The Commission believes that the proposed mixed-use zoning provision will further strengthen

the success of the existing Port Morris Special Mixed Use District. Recognizing the area's current trends marked by an important growing arts and creative community, the Commission notes that the proposed zoning would allow live/work studio spaces as well as promote a more diverse range of commercial uses in response to area wide developments, including stores, restaurants, artist studios, and design offices.

The three mixed use districts would strengthen the entrepreneurial spirit of this older industrial neighborhood of New York City as it provides live/work space for artists, inventors, craftsman, and small businesses as well as adaptive reuse of significant buildings. It expands the opportunities for smaller, light industrial uses while allowing new uses to take advantage of underutilized space. Unlike purely commercial or residential districts, the mixed use districts would relate to the surrounding industrial areas while providing much needed housing and services for workers, entrepreneurs, artists, and others.

## **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**, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; 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. 6a and 6b:

1. changing from an R6 district to an M1-2/R6A District property bounded by the northeasterly boundary line of a Park, the northwesterly centerline prolongation of East 134<sup>th</sup> Street, Bruckner Boulevard (Triborough Bridge Approach), East 133<sup>rd</sup> Street, Cypress Place, Bruckner Boulevard, St. Ann's Place, and the southeasterly centerline prolongation of East 134<sup>th</sup> Street;
2. changing from an M1-2 District to an M1-2/R6A District property bounded by:
  - a. East 134<sup>th</sup> Street, St. Ann's Place, Bruckner Boulevard, Cypress Place, East 133<sup>rd</sup> Street, Bruckner Boulevard, and Brown Place; and
  - b. East 134<sup>th</sup> Street, a line 280 feet northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 feet northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard (Triborough Bridge Approach);
3. changing from an M1-2 District to an M1-5/R8A District property bounded by Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, and Lincoln Avenue;
4. changing from an M3-1 District to an M1-5/R8A District property bounded by East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street, and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, and Willis Avenue Bridge; and
5. changing from an M2-1 District to an M1-3/R8 District property bounded by East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation; and

6. establishing a Special Mixed Use District (MX-1) bounded by East 135<sup>th</sup> Street, the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue Bridge Approach, Bruckner Boulevard, Brown Place, East 134<sup>th</sup> Street, the northerly boundary line of Park, East 134<sup>th</sup> Street and its northwesterly centerline prolongation, a line 280 northwesterly of Willow Avenue, a line 100 feet northeasterly of East 133<sup>rd</sup> Street, a line 80 northwesterly of Willow Avenue, East 133<sup>rd</sup> Street, Bruckner Boulevard, St. Ann's Avenue, East 132<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of East 132<sup>nd</sup> Street, distant 370 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 132<sup>nd</sup> Street and the southeasterly street line of Willis Avenue Bridge, a line 210 feet southwesterly of East 132<sup>nd</sup> Street, Willis Avenue Bridge, East 132<sup>nd</sup> Street, and Lincoln Avenue, and its southwesterly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and Park Avenue and its southwesterly centerline prolongation;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 4, 2004, corrected on December 27, 2004, and which includes the CEQR Designation E-143.

The above resolution (C 050120 ZMX), duly adopted by the City Planning Commission on January 31, 2005, (Calendar No. 1) 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

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ALDRED C. CERULLO, III, RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS**, Commissioners