



## **CITY PLANNING COMMISSION**

February 16, 2011/ Calendar No. 7

C110115ZMX

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

1. changing from an R7-2 District to an R7A District property bounded by East 163<sup>rd</sup> Street, a line 100 feet northwesterly of Melrose Avenue, East 162<sup>nd</sup> Street, and Courtlandt Avenue;
2. changing from an R7-2 District to an R8 District property bounded by East 163<sup>rd</sup> Street, Melrose Avenue, East 162<sup>nd</sup> Street and a line 100 feet northwesterly of Melrose Avenue,
3. establishing within the proposed R8 District a C1-4 District bounded by East 163<sup>rd</sup> Street, Melrose Avenue, East 162<sup>nd</sup> Street, and a line 100 feet northwesterly of Melrose Avenue;

Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purpose only) dated October 25, 2010.

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The New York City Department of Housing Preservation and Development (HPD) filed an application for zoning map amendment on October 12, 2010 to rezone the northern portion of the block bounded by 162nd Street in the south, Melrose Avenue to the east, 163rd Street to the north and Courtlandt Avenue to the west (Block 2408) from an R7-2 Zoning District to R7A and R8/C1-2 districts, in Community District 3 of the Bronx. The rezoning will facilitate the construction of a mixed-use development, known as Courtlandt Crescent, within the Melrose Commons Urban Renewal Area.

### **RELATED ACTIONS**

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

1. C110114HUX      Second amendment to the Melrose Commons Urban Renewal Plan
2. C110116HAX      UDAAP designation, project approval and disposition of city-owned properties to developers to be selected by HPD.

## **BACKGROUND**

A description of this application, the surrounding area and the proposed project is included in the report on the related action for the proposed zoning map amendment (C 110116 HAX).

## **ENVIRONMENTAL REVIEW**

The Technical Memorandum dated October 7, 2010 regarding this application (C110115ZMX) determined that the proposed project would not result in any new or different impacts than those identified in the Melrose Commons Urban Renewal Amendments Final Environmental Impact Statement (FEIS) – CEQR No. 06HPD008X. The Final Environmental Impact Statement issued on April 27, 2007 was reviewed pursuant to Article 8 of the New York State Environmental Conservation Law and Volume 6 of NYCRR Part 617, 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 is the Department of Housing Preservation and Development.

## **UNIFORM LAND USE REVIEW PROCEDURE**

This application (C 110115 ZMX), in conjunction with the related applications (C110114 HUX and C110116 HAX), was certified as complete by the Department of City Planning on October 25, 2010, and was duly referred to Bronx Community Board 3 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 3 held a public hearing on this application on December 14, 2010, and on that date, by a vote of 25 in favor, 0 opposed with 0 abstentions, adopted a resolution recommending approval.

### **Borough President Recommendation**

The Borough President held a public hearing on this application on December 21, 2010, and issued a recommendation on January 11, 2011, approving the application.

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

On January 5, 2011 (Calendar No. 6), the City Planning Commission scheduled January 26, 2011 for a public hearing on this application (C 110115 ZMX). The hearing was duly held on January 26, 2011 (Calendar No. 19) in conjunction with the related applications (C110114 HUX and C110116 HAX). There were a number of appearances as described in the report on the related zoning map amendment application (C 110115 ZMX) and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the proposed zoning map amendment (C 110115ZMX), in conjunction with the related applications to amend the Melrose Commons Urban Renewal Plan (110114 HUX) and UDAAP designation, project approval, and disposition of City-owned property (C 110116 HAX), are appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related zoning map amendment application (C 110116 HAX).

### **RESOLUTION**

**RESOLVED**, that the City Planning Commission, after consideration of the proposed action, and the sufficiency of information in the 2007 FEIS, finds that the application will not result in environmental impacts substantially different from or greater than those described in the 2007 FEIS and would not alter the conclusions of the 2007 FEIS, and that having considered such materials and the 2007 FEIS for which a Notice of Completion was issued on April 27, 2007, the City Planning Commission certifies that the requirements of the New York State Environmental Quality Review Act and

regulations promulgated pursuant thereto have been met, and finds that the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable, by incorporating as conditions to the decision those mitigation measures that were identified as practicable; 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 consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, is further amended by changing the Zoning Map, Section No. 3d:

1. changing from an R7-2 District to an R7A District property bounded by East 163rd Street, a line 100 feet northwesterly of Melrose Avenue, East 162nd Street, and Courtlandt Avenue;
2. changing from an R7-2 District to an R8 District property bounded by East 163rd Street, Melrose Avenue, East 162nd Street and a line 100 feet northwesterly of Melrose Avenue,
3. establishing within the proposed R8 District a C1-4 District bounded by East 163rd Street, Melrose Avenue, East 162nd Street, and a line 100 feet northwesterly of Melrose Avenue;

Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purpose only) dated October 25, 2010.

The above resolution (C 110115 ZMX), duly adopted by the City Planning Commission on February 16, 2011 (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, FAICP, Chair**  
**KENNETH J. KNUCKLES, Esq., Vice Chairman**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, ALFRED C. CERULLO, III,**  
**BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,**  
**NATHAN LEVENTHAL, ANNA HAYES LEVIN, SHIRLEY A. McRAE,**  
**KAREN A. PHILLIPS, Commissioners**