



## **CITY PLANNING COMMISSION**

---

May 9, 2007/Calendar No. 19

C 070235 ZMM

---

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

changing from an R7-2 District to an M1-1 District property bounded by First Avenue, the easterly centerline prolongation of East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, Franklin D. Roosevelt Drive, and Paladino Avenue and its easterly centerline prolongation (at its straight line portion);

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated December 18, 2006.

---

The application for an amendment of the Zoning Map was filed by the Department of Sanitation on December 11, 2006, to rezone a site located at 2590 First Avenue (Block 1811, Lots 21 and 209), from an R7-2 to an M1-1 zoning district. The requested action, in conjunction with the related action, would facilitate the relocation, siting and construction of a new salt storage facility in East Harlem.

### **RELATED ACTION**

In addition to an amendment to the Zoning Map, which is the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

**C 070236 PSM:** Site Selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209) for use as a salt storage facility.

### **BACKGROUND**

The Department of Sanitation is seeking approval of a zoning map amendment, from R7-2 to M1-1, in conjunction with the related site selection action, to facilitate the siting and construction of a new salt storage facility. The area to be rezoned, which comprises the new salt storage

facility site, is located on a block bounded by East 125<sup>th</sup> Street, Paladino Avenue, the FDR Drive and First Avenue.

A more detailed description of this application, the surrounding area and the proposed project are included in the report on the related application for the proposed site selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209), C 070236 PSM.

### **ENVIRONMENTAL REVIEW**

This application (C 070235 ZMM), in conjunction with the application for the related action (C 070236 PSM), 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 007-DOS-001M. The lead agency is the Department of Sanitation.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 13, 2006.

### **UNIFORM LAND USE REVIEW**

This application (C 070235 ZMM), in conjunction with the application for the related action (C 070236 PSM), was certified as complete by the Department of City Planning on December 18, 2006, and was duly referred to Community Board 11 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**

Community Board 11 held a public hearing on this application on February 20, 2007, and on that day, by a vote of 24 in favor, 5 opposed with one abstention, adopted a resolution recommending disapproval of the application with conditions.

A summary of the vote and recommendation of Community Board 11 appears in the report on the related application for the proposed site selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209), C 070236 PSM.

### **Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on March 28, 2007, with conditions.

A summary of the Borough President's recommendation appears in the report on the related application for the proposed site selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209), C 070236 PSM.

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

On March 28, 2007 (Calendar No. 6), the City Planning Commission scheduled April 11, 2007, for a public hearing on this application (C 070235 ZMM). The hearing was duly held on April 11, 2007 (Calendar No. 27), in conjunction with the public hearing on the application for the related action (C 070236 PSM).

There were two speakers in favor of the application and no speakers in opposition, as described in the report on the related application for the proposed site selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209) C 070236 PSM, and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this amendment of the Zoning Map, in conjunction with the related action, is appropriate.

A full consideration and analysis of the issues, and reasons for approving this application, appears in the report on the related application for the proposed site selection of property located at 2590 First Avenue (Block 1811, Lots 21 and 209), C 070236 PSM.

**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. 6b:

changing from an R7-2 District to an M1-1 District property bounded by First Avenue, the easterly centerline prolongation of East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard, Franklin D. Roosevelt Drive, and Paladino Avenue and its easterly centerline prolongation (at its straight line portion);

Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated December 18, 2006.

The above resolution (C 070235 ZMM), duly adopted by the City Planning Commission on May 9, 2007 (Calendar No. 19), 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 BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III,**  
**BETTY Y. CHEN, RICHARD W. EADDY, LISA A. GOMEZ,**  
**NATHAN LEVENTHAL, JOHN MEROLO,**  
**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**