



IN THE MATTER OF an application submitted by New York City Economic Development Corporation and The Peninsula JV, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 2.

This application (N 180122 ZRX) for an amendment of the Zoning Resolution of the City of New York concerning modifications to loading berth requirements in large-scale general developments, the designation of a new Mandatory Inclusionary Housing (MIH) area, and to establish a new Special Mixed Use District, MX-17, was filed by the New York City Economic Development Corporation (EDC) and The Peninsula JV, LLC (the applicant) on October 23, 2017, in conjunction with several related actions.

This application, in conjunction with the applications for the related actions (C 180126 PPX, C 180121 ZMX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX), would facilitate the development of a five buildings containing approximately 740 affordable dwelling units in the Hunts Point neighborhood of Community District 2 in the Bronx.

RELATED ACTIONS

In addition to the zoning text amendment (N 180122 ZRX) that is the subject of 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:

C 180126 PPX Disposition of City-owned property

C 180121 ZMX Zoning map amendment to change a portion of the development site from

an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17

C 180123 ZSX Special permit to modify bulk regulations within a large-scale general development (LSGD)

C 180124 ZSX Special permit to modify loading berth requirements within an LSGD

N 180125 ZAX Zoning authorization to modify curb cut requirements

BACKGROUND

A full background discussion and description of this application appears in the report for the related disposition action (C 180126 PPX).

ENVIRONMENTAL REVIEW

This application (N 180122 ZRX), in conjunction with the applications for the related actions (C 180126 PPX, C 180121 ZMX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX), 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 lead is the Office of the Deputy Mayor for Housing and Economic Development (DME). The designated CEQR number is 17DME001X.

A summary of the environmental review appears in the report for the related disposition a (C 180126 PPX).

PUBLIC REVIEW

This application (N 180122 ZRX) and the related application for a zoning authorization (N 180125 ZAX) were duly referred on October 30, 2017, in accordance with the procedures for non-ULURP matters, along with the applications for the related disposition, zoning map amendment and special permit actions (C 180126 PPX, C 180121 ZMX, C 180123 ZSX, and C 180124 ZSX), which were

certified as complete by the Department of City Planning October 30, 2017 and duly referred to Bronx Community Board 2 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

Bronx Community Board 2 held a public hearing on this application (N 180122 ZRX) on November 13, 2017. On November 15, 2017, by a vote of 23 in favor, three opposed, and three abstaining, the Community Board adopted a recommendation to approve the application with conditions. A summary of the Community Board's vote and recommendation appears in the report for the related disposition action (C 180126 PPX).

Borough President Recommendation

The Bronx Borough President held a public hearing on this application (N 180122 ZRX) on December 12, 2017, and on December 19, 2017 issued a recommendation approving the application.

City Planning Commission Public Hearing

On December 13, 2017 (Calendar No. 8), the CPC scheduled January 3, 2018 for a public hearing on this application (N 180122 ZRX), in conjunction with the related applications (C 180126 PPX, C 180121 ZMX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX). The hearing was duly held on January 3, 2018 (Calendar No. 21). Eleven speakers testified in support of the application, as described in the report for the related disposition action (C 180126 PPX), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 180122 ZRX), in conjunction with the related applications (C 180126 PPX, C 180121 ZMX, C 180123 ZSX, C 180124 ZSX, and N 180125 ZAX), is appropriate.

A full consideration and analysis of issues and the reasons for approving this application appear in

the related report for the disposition of City-owned property (C 180126 PPX).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on February 2, 2018, with respect to this application (CEQR No. 17DME001X) and the Technical Memorandum, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those project components related to the environment and mitigation 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 Section 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 as follows:

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII - ADMINISTRATION

Chapter 4 Special Permits by the City Planning Commission

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74-745 Modifications of parking and loading regulations

For a #large-scale general development# the City Planning Commission may permit:

* * *

(b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located either within a #Special Mixed Use District# in Community District 2 in the Borough of The Bronx, or within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, ~~that contains where such #zoning lots# in the waterfront area contain~~ one or more #retail or service uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment in the waterfront area exceeds 8,500 square feet in #floor area#, the Commission may waive or reduce the number of required loading berths, provided that:

- (1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;
- (2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;
- (3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and
- (4) such modification will not impair or adversely affect the development of the surrounding area.

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ARTICLE XII – SPECIAL PURPOSE DISTRICTS

Chapter 3

Special Mixed Use District

* * *

123-90

Special Mixed Use Districts Specified

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 16: (4/20/16)

Ocean Hill/East New York, Brooklyn

The #Special Mixed Use District# - 16 is established in Ocean Hill and East New York in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 17: (date of adoption) Hunts Point, the Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

THE BRONX


* * *

The Bronx Community District 2

* * *

Map 2 – [date of adoption]



 Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 2 - [date of adoption] — MIH Program Option 1

Portion of Community District 2, The Bronx

* * *

The above resolution (N 180122 ZRX), duly adopted by the City Planning Commission on February 14, 2018 (Calendar No. 6), 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.

MARISA LAGO, *Chair*

**RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE R. DE LA UZ,
JOSEPH I. DOUEK, CHERYL COHEN EFFRON, RICHARD EADDY, HOPE KNIGHT,
ANNA HAYES LEVIN, ORLANDO MARIN, LARISA ORTIZ** *Commissioners*