



## **CITY PLANNING COMMISSION**

December 19, 2005 / Calendar No. 6

C 050539 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the New York City Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of seven (7) city-owned properties pursuant to zoning:

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>
2356	20	665 River Avenue
2357	1	665 Cromwell
2357	86	700 Cromwell
2539	p/o Lot 2	69 Major William Deegan Blvd.
2539	32	59 Major William Deegan Blvd.
2539	p/o Lot 50	Major William Deegan Blvd.
2539	p/o Lot 60	Major William Deegan Blvd.

The application for the disposition of City-owned property was filed by BTM Development Partners, LLC and the Economic Development Corporation, on June 20, 2005, to facilitate the development of an approximately 1 million square foot retail center, with approximately 2,610 parking spaces, and a 250 room hotel on an approximately 19 acre site in West Concourse, Community District 4, Borough of the Bronx.

### **RELATED ACTION**

In addition to the disposition of City-owned property, 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:

- |              |   |
|--------------|---|
| C 050531 ZSX | Special Permit to modify height and setback regulations and allow the distribution of floor area without regard to zoning lot lines   |
| C 050074 MMX | Changes to the City Map eliminating East 150 <sup>th</sup> Street between River Avenue and Exterior Street; East 151 <sup>st</sup> Street between River Avenue and Cromwell Avenue; and Cromwell Avenue between Exterior Street and the Metro North Rail Road tracks. |

- C 050530 ZSX Special Permit pursuant to ZR Section 74-512 to permit a public parking garage in excess of 150 spaces
- C 050532 ZSX Special Permit pursuant to ZR Section 74-744 for signs otherwise not permitted
- C 050529 ZMX Zoning Map amendment changing from an M2-1 manufacturing district to a C4-4 commercial district

## **BACKGROUND**

A full background discussion and project description appears in the related report for the grant of a special permit (C 050531 ZSX).

## **ENVIRONMENTAL REVIEW**

This application (C 050539 PPX) in conjunction with the related actions (C 050531 ZSX, C 050074 MMX, C 050530 ZSX, C 050532 ZSX and C 050529 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 04DME017X. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding.

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 050531 ZSX).

## **UNIFORM LAND USE REVIEW**

This application (C 050539 PPX) in conjunction with the related actions (C 050531 ZSX, C 050074 MMX, C 050530 ZSX, C 050532 ZSX and C 050529 ZMX), was certified as

complete by the Department of City Planning on July 11, 2005, and was duly referred to Bronx Community Board 4 and the Bronx Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

### **Community Board Public Hearing**

Community Board 4 held a public hearing on this application on September 14, 2005, and on that date, by a vote of 21 to 2 with 1 abstention, adopted a resolution recommending approval of the application with conditions:

A summary of the recommendation of Community Board 4 appears in the report on the related application for the grant of a special permit (C 050531 ZSX).

### **Borough President Recommendation**

This application was considered by the Bronx Borough who issued a recommendation approving the application with conditions on October 19, 2005.

A summary of the Borough President's recommendation appears in the report on the related application for the grant of a special permit (C 050531 ZSX).

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

On October 19, 2005 (Calendar No. 9), the City Planning Commission scheduled November 2, 2005 for a public hearing on this application (C 050539 PPX). The hearing was duly held on November 2, 2005 (Calendar No. 34) in conjunction with the hearing on the related actions (C 050531 ZSX, C 050074 MMX, C 050530 ZSX, C 050532 ZSX and C 050529 ZMX).

There were a number of speakers, as described in the report on the related application for the

grant of a special permit (C 050531 ZSX), and the hearing was closed.

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

This application, in conjunction with those for the related actions, (C 050531 ZSX, C 050074 MMX, C 050530 ZSX, C 050532 ZSX and C 050529 ZMX), 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 04-094.

A full discussion of the New York City WRP appears in the related report for the grant of a special permit (C 050531 ZSX).

### **CONSIDERATION**

The City Planning Commission believes that this disposition of City-owned land 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 grant of a special permit (C 050531 ZSX).

### **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 8, 2005, with respect to this application (CEQR No. 04DME017X), 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**, 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 the WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, for the disposition of seven (7) city-owned properties pursuant to zoning:

<b>BLOCK</b>	<b>LOT</b>	<b>ADDRESS</b>
2356	20	665 River Avenue
2357	1	665 Cromwell
2357	86	700 Cromwell
2539	p/o Lot 2	69 Major William Deegan Blvd.
2539	32	59 Major William Deegan Blvd.
2539	p/o Lot 50	Major William Deegan Blvd.
2539	p/o Lot 60	Major William Deegan Blvd.

The above resolution (C 050539 PPX), duly adopted by the City Planning Commission on December 19, 2005 (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.

**AMANDA M. BURDEN**, AICP, Chair

**KENNETH J. KNUCKLES**, ESQ., Vice Chairman

**ANGELA M. BATTAGLIA**, **IRWIN G. CANTOR**, P.E., **ANGELA R. CAVALUZZI**, R.A.,

**ALFRED C. CERULLO**, III, **RICHARD W. EADDY**, **JANE D. GOL**, **LISA A. GOMEZ**,

**CHRISTOPHER KUI**, **DOLLY WILLIAMS**, Commissioners

**KAREN A. PHILLIPS** Commissioner, **RECUSED**