



CITY PLANNING COMMISSION

March 12, 2008/Calendar No. 14

C 080222 ZMX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, changing from an R7-2 District to an R7A District property bounded by Courtlandt Avenue, East 162nd Street, Melrose Avenue, and a line 100 feet northeasterly of East 161st Street, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated January 7, 2008.

The application for an amendment of the Zoning Map was filed by the Department of Housing Preservation and Development on December 18, 2007, changing from an R7-2 District to an R7A District to facilitate the development of an seven-story residential building and three two-story townhouses on property located along East 162nd Street and Courtlandt Avenue, portion of Site 56 of the Melrose Commons Urban Renewal Area.

RELATED ACTIONS

In addition to the special permit which is the subject of this report (C 080222 ZMX), 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 080223 HAX	UDAAP designation and project approval and disposition of City-owned property;
N 080246 HCX	Approval of a minor change to the First Amended Melrose Commons Urban Renewal Plan.

BACKGROUND

A detailed description of the proposed project and the area is contained in the report on the related UDAAP designation and project approval and disposition of City-owned property application (C 080223 HAX).

ENVIRONMENTAL REVIEW

This application (C 080222 ZMX), in conjunction with the related applications (C 080223 HAX and N 080246 HCX) 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 06HPD008X. The lead agency is the Department of Housing Preservation and Development.

It was determined that this application would not result in environmental impacts that would be substantially different from or greater than those described in the 1994 FEIS and 2007 FEIS for the Melrose Commons URA project. In a letter dated December 28, 2007 with a copy of the Notice of Minor Modification and the Technical Memorandum for the CEQR No. 06HPD008X application, it was determined that the proposed changes do not alter the conclusions of the FEIS and that therefore the Notice of Completion issued on April 27, 2007 remains in effect.

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UNIFORM LAND USE REVIEW

This application (C 080222 ZMX), in conjunction with related applications (C 080223 HAX), was certified as complete by the Department of City Planning on July 9, 2007, and was duly referred to Community Board 1 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 3 held a public hearing on this application on January 8, 2008 and on that date by a vote of 22 to 0 with 0 abstentions, adopted a resolution recommending approval of the application, however this recommendation is non-complying since a public hearing was scheduled before the application was certified.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application with conditions on February 11, 2008. A summary of the borough president's recommendation is included in the report on the related application (C 080223 HAX)

City Planning Commission Public Hearing

On January 30, 2008 (Calendar No. 5), the City Planning Commission scheduled February 13, 2008, for a public hearing on this application (C 080222 ZMX). The hearing was duly held on February 13, 2008 (Calendar No. 35), in conjunction with the public hearing on the related application (C 080223 HAX).

There were three speakers in favor of the application and no speakers in opposition, as described in the report on the related UDAAP designation and project approval and disposition of City-owned property application (C 080223 HAX).

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the zoning map amendment (C 080222 ZMX) is appropriate.

A full consideration and analysis of the issues and reasons for approving this application appears in the report on the related UDAAP designation and project approval and disposition of City-owned property application (C 080223 HAX).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on April 27, 2007 and a letter dated December 28, 2007 with a copy of the Notice of Minor Modification and the Technical Memorandum, with respect to this application (CEQR No. 06HPD008X), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the Environmental Impact Statement will be minimized or avoided to the maximum extent possible 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 others factors and standards; that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 2001 of the New York Charter, that based on the environmental determination(s) and the consideration and findings 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. 6a, changing from an R7-2 District to an R7A District property bounded by Courtlandt Avenue, East 162nd Street, Melrose Avenue, and a line 100 feet northeasterly of East 161st Street, Borough of the Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated January 7, 2008.

The above resolution (C 080222 ZMX), duly adopted by the City Planning Commission on March 12, 2008 (Calendar No. 14), 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 Chair

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

ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,

RICHARD W. EADDY, NATHAN LEVENTHAL, SHIRLEY A. McRAE,

JOHN MEROLO, KAREN A. PHILLIPS, Commissioners