



IN THE MATTER OF an application submitted by 1776 Eastchester Realty LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify the text of the special permit for non-profit hospital staff dwellings in Article VII, Chapter 4, and to modify Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 11.

This application (N 170446 ZRX) for a zoning text amendment to ZR Section 74-70 (NON-PROFIT HOSPITAL STAFF DWELLINGS), and to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area (Option 1 and Option 2) coterminous with the rezoning area, was filed by 1776 Eastchester Realty LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC on May 26, 2017. The proposed zoning text amendment, in conjunction with two related actions, would facilitate the development of 182 units of non-profit hospital staff housing above an existing parking garage.

RELATED ACTIONS

In addition to the application for a zoning text amendment (N 170446 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 170445 ZMX Zoning map amendment to change an M1-1 district to R5, C4-2, and C4-2A districts.

- C 170447 ZSX Zoning special permit to allow for construction of non-profit hospital staff dwellings.

BACKGROUND

A full background discussion and description of this application appears in the report for the related application for a zoning map amendment (C 170445 ZMX).

ENVIRONMENTAL REVIEW

This application (N 170446 ZRX), in conjunction with the related actions (C 170445 ZMX and C 170447 ZSX), 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 City Planning Commission. The designated CEQR number is 17DCP165X.

A summary of the environmental review, including the revised Environmental Assessment Statement (EAS), issued on October 13, 2017, appears in the report on the related application for a zoning map amendment (C 170445 ZMX).

PUBLIC REVIEW

This application (N 170446 ZRX) was referred to Community Board 11 and the Bronx Borough President on June 5, 2017, for information and review in accordance with the procedures for non-ULURP matters, in conjunction with the applications for the related actions (C 170445 ZMX and C 170447 ZSX), which were certified as complete by the Department of City Planning and were duly referred 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 (N 170446 ZRX) on August 9, 2017, and on that date, by a vote of 27 in favor, five opposed, and with one abstention, adopted a resolution recommending approval of the application with a condition. A summary of the Community Board's recommendation appears in the report for the related zoning map amendment (C 170445 ZMX).

Borough President Recommendation

This application (N 170446 ZRX) was considered by the Bronx Borough President, who held a public hearing on August 24, 2017 and issued a recommendation on September 11, 2017 for approval of this application. A summary of the Borough President's recommendation appears in the report for the related zoning map amendment (C 170445 ZMX).

City Planning Commission Public Hearing

On September 6, 2017 (Calendar No. 4), the City Planning Commission scheduled September 19, 2017 for a public hearing on this application (N 170446 ZRX) and the applications for the related actions. The hearing was duly held on September 19, 2017 (Calendar No. 26). Four speakers testified in favor of the application, as described in the report for the related zoning map amendment (C 170445 ZMX), and the hearing was closed.

CONSIDERATION

The Commission believes that the application for the proposed zoning text amendment (N 170446 ZRX), in conjunction with the related actions, is appropriate. A full consideration and analysis of issues and the reasons for approving this application appear in the related report for the zoning map amendment (C 170445 ZMX).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the actions described herein having considered the Environmental Impact Statement (EIS), for which a Notice of Completion was issued on June 9, 2017, with respect to this application (CEQR No. 17DCP165X) 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 modified, 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

* * *

74-70 NON-PROFIT HOSPITAL STAFF DWELLINGS

The City Planning Commission may permit #non-profit hospital staff dwellings# in accordance with the conditions of paragraph (a) of this Section, provided that the findings of paragraph (b) are met.

(a) The Commission may permit:

- (1) ~~It~~ in all #Residence Districts#, or in C1, C2, C3, C4, C5, C6 or C7 Districts, ~~the City Planning Commission may permit~~ #non-profit hospital staff dwellings# located on a #zoning lot#, no portion of which is located more than 1,500 feet

from the non-profit or voluntary hospital and related facilities, ~~provided that the following findings are made;~~ or

(2) in C4-2 Districts without a letter suffix, in Community District 11 in the Borough of the Bronx, #non-profit hospital staff dwellings# on #zoning lots# located not more than 1,500 feet from the non-profit or voluntary hospital and related facilities.

(b) To permit such #non-profit hospital staff dwellings#, the Commission shall find:

~~(a)~~(1) that the #bulk# of such #non-profit hospital staff dwelling# and the density of population housed on the site will not impair the essential character or the future use or development of the surrounding area; and

~~(b)~~(2) that the number of #accessory# off-street parking spaces provided for such #use# will be sufficient to prevent undue congestion of #streets# by such #use#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

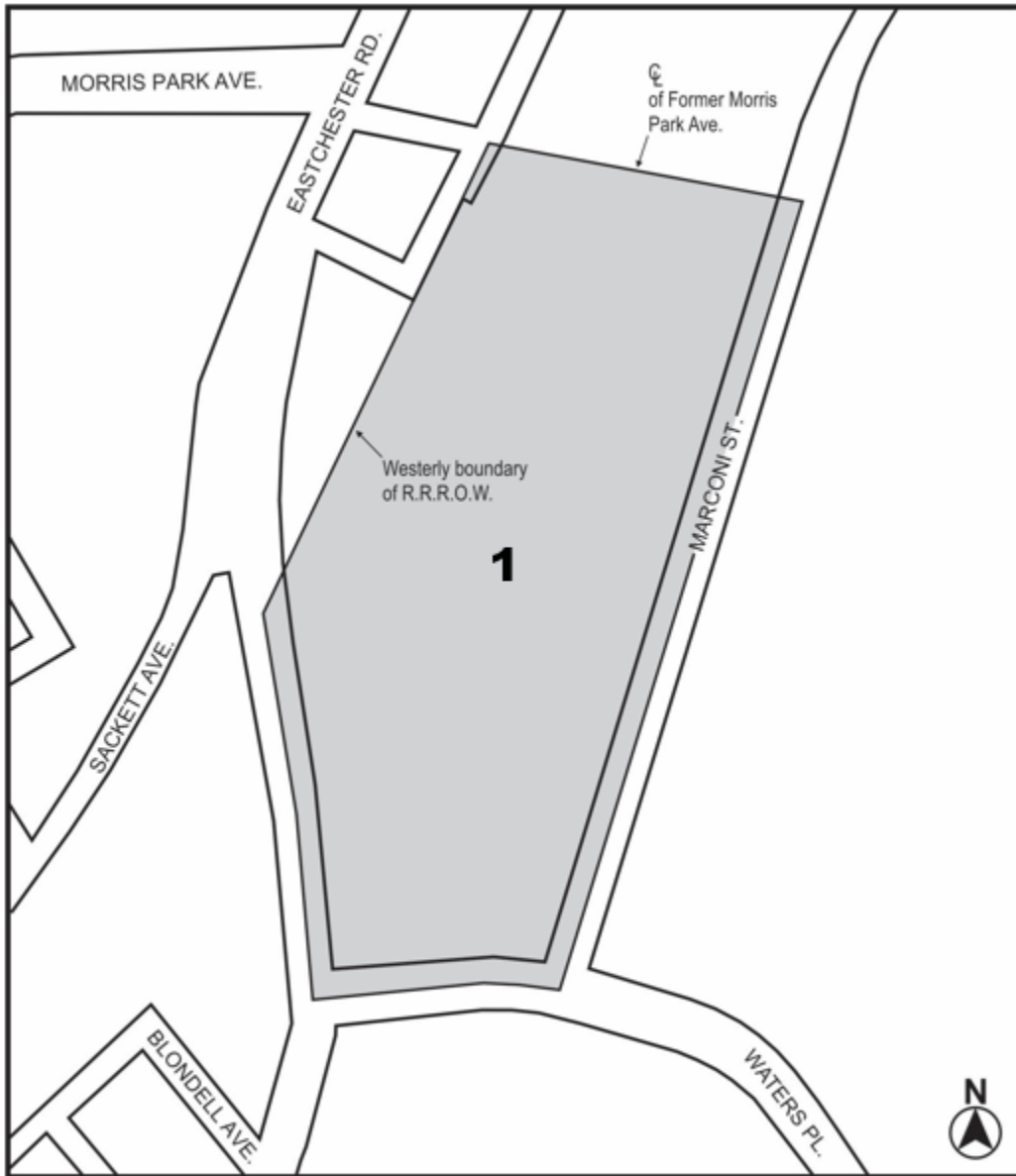
THE BRONX

* * *

The Bronx Community District 11

Map 1- [date of adoption]

[PROPOSED MAP]



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

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

Portion of Community District 11, The Bronx

* * *

The above resolution (N 170446 ZRX), duly adopted by the City Planning Commission on October 18, 2017 (Calendar No. 15), 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*

KENNETH J. KNUCKLES, Esq., Vice Chair

RAYANN BESSER, ALFRED C. CERULLO, III,

MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, *Commissioners*