



CITY PLANNING COMMISSION

December 19, 2005 / Calendar No. 9

C 030461 ZMX

IN THE MATTER OF an application submitted by Adar Assets Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, establishing within an existing R7-1 District a C2-4 District bounded by a line 100 feet southwesterly of East Tremont Avenue, a line 100 feet southeasterly of Crotona Parkway, Elsmere Place, a line 180 feet southeasterly of Crotona Parkway, a line 100 feet southwesterly of Elsmere Place, and Crotona Parkway, Borough of the Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated July 25, 2005, and subject to the conditions of CEQR Declaration No. E-150.

This application for a zoning map amendment was submitted by Adar Assets Corp on May 9, 2003 to facilitate the redevelopment of an existing building for commercial/retail uses.

BACKGROUND

The applicant is requesting a zoning map amendment to establish a C2-4 commercial overlay in an existing R7-1 residential district to facilitate the redevelopment of a vacant 31,829 square foot building, most recently used as a community facility, with general retail and commercial uses.

The rezoning area is located in the Bronx Park South neighborhood in Bronx Community District 6. The proposal would establish a C2-4 commercial overlay on the north-east and south-east corners of Crotona Parkway and Elsmere Place, both of which are located on Tax Block 2985. The application owns Lot 25 on the south-east corner which is developed with a vacant two-story building formerly occupied by a community facility. Very small portions of the vacant lots 70 and 72 on the south side of Elsmere Place are also part of the rezoning area. The largest portion of the rezoning area at the north-east corner of Crotona Parkway and Elsmere Place is a vacant lot (Lot 31). A small portion of vacant lot 64 in the north side of Elsmere place is also included in the rezoning area.

Other land uses on Block 2985 include of four- and five- story apartment buildings, a church

with accessory parking lots used by the church, retail uses on East Tremont Avenue and vacant land. Land uses in the surrounding area include four- and five-story apartment buildings and one- and two-family homes. East Tremont Avenue is a major commercial corridor in the Bronx. This portion is characterized by local retail uses in single-story buildings and mixed commercial and residential buildings.

The proposed C2-4 commercial overlay would abut an existing C1-4 overlay on East Tremont Avenue and would allow a mix of neighborhood commercial uses including drug stores, restaurants and auto sales, (Use Groups 6, 7, 8, 9 and 14) with a maximum Floor Area Ratio (FAR) of 2.00. The existing R7-1 residential district does not allow commercial uses. The maximum residential FAR would remain the same at 3.44.

The area is served by transit, including the Bx 19 bus which runs north-south on Crotona Parkway and the Bx 40 and Bx 42 which run east-west on East Tremont Avenue. The nearest subway station is the West Farms station on the 2 and 5 trains about five blocks to the southeast.

If the rezoning is approved the applicant intends to locate commercial uses in the existing building.

ENVIRONMENTAL REVIEW

This application (C 030461 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 lead agency is the City Planning Commission. The designated CEQR number is 03DCP064X.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on July 25, 2005.

UNIFORM LAND USE REVIEW

This application (C 030461 ZMX) was certified as complete by the Department of City Planning on July 25, 2005, and was duly referred to Bronx Community Board 6 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 6 held a public hearing on this application on September 14, 2005, and on that date, by a vote of 18 to 0 with 1 abstention, adopted a resolution recommending approval of the application with the following conditions:

- 1) That the owner(s) of the property shall work with the community board in tenancing the property's commercial spaces.
- 2) That the owner(s) of the property shall not rent nor lease the commercial spaces to businesses such as bars, social clubs, pool halls, liquor stores or other establishments that will negatively impact the area's quality of life.
- 3) That in tenancing the commercial portions of the property, that the owner(s) shall take into account that there are schools, churches and private homes in the immediate vicinity of the property and that he/they shall not rent or lease space to businesses that will have a detrimental affect on the above.

Borough President Recommendation

This application was considered by the Bronx Borough President who issued a recommendation approving the application on October 27, 2005.

City Planning Commission Public Hearing

On November 2, 2005 (Calendar No. 1), the City Planning Commission scheduled November 16, 2005 for a public hearing on this application (C 030461 ZMX). The hearing was duly held on November 16, 2005 (Calendar No. 19). There were two speakers in favor of the application and none in opposition.

The speakers were the applicant and his representative. The representative gave a brief description of the project, including the history of the building on Lot 25, the existing uses and the intentions of the owner.

There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes the application for a Zoning Map amendment to map a C2-4 commercial overlay on Crotona Parkway is appropriate.

This action would facilitate the development of commercial and office uses in a long vacant building on Crotona Parkway, as well as expanding the options for development of vacant land. The proposed uses are needed in the community which is underserved by retail. This action will also strengthen the existing retail businesses on Crotona Parkway and East Tremont Avenue by expanding the variety of retail options.

With regard to the concerns raised by the Community Board, the applicant has sent a letter the Chair of the City Planning Commission dated December 12, 2005 in which he agrees to “cooperate with the community board in regards to leasing the subject property... (He) agrees

not to lease or rent to any bars, social clubs, pool halls, liquor stores”.

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. 3d, establishing within an existing R7-1 District a C2-4 District bounded by a line 100 feet southwesterly of East Tremont Avenue, a line 100 feet southeasterly of Crotona Parkway, Elsmere Place, a line 180 feet southeasterly of Crotona Parkway, a line 100 feet southwesterly of Elsmere Place, and Crotona Parkway, Borough of the Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated July 25, 2005, and which includes CEQR Designation No. E-150 is approved.

The above resolution (C 030461 ZMX), duly adopted by the City Planning Commission on December 19, 2005 (Calendar No. 9), 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

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