



CITY PLANNING COMMISSION

May 21, 2008/Calendar No. 7

C 080248 ZMX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. changing from an M1-1 District to an R6 District property bounded by Seneca Avenue, Longfellow Avenue, a line 100 feet southerly of Seneca Avenue, and a line midway between Longfellow Avenue and Bryant Avenue;
2. changing from an M1-1 District to an M1-2 District property bounded by Bruckner Expressway and its westerly centerline prolongation, Pedestrian Street and its northeasterly centerline prolongation, Longfellow Avenue, a line 150 feet northerly of Seneca Avenue, a line midway between Longfellow Avenue and Bryant Avenue, a line 100 feet southerly and southeasterly of Garrison Avenue, a line midway between Bryant Avenue and Faile Street, Garrison Avenue, Manida Street, a line 100 feet southeasterly of Garrison Avenue, Barretto Street, a line 75 feet northerly of Lafayette Avenue, Manida Street, Lafayette Avenue, Tiffany Street, a line 175 feet southerly of Spofford Avenue, a line midway between Barretto Street and Casanova Street, a line 100 feet northerly of Randall Avenue, Bryant Avenue, Spofford Avenue, Longfellow Avenue, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly centerline prolongation, Longfellow Avenue, a line 300 feet northerly of Oak Point Avenue, Casanova Street, Randall Avenue, Worthen Street and its northwesterly centerline prolongation, and Bruckner Boulevard;
3. changing from an M2-1 District to an M1-2 District property bounded by Bruckner Expressway, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the easterly street line of Edgewater Road, Lafayette Avenue, a line midway between Whittier Street and Longfellow Avenue, Seneca Avenue, Longfellow Avenue, and Pedestrian Street and its northeasterly centerline prolongation;
4. changing from an M3-1 District to an M1-2 District property bounded by:
 - a. Worthen Street and its northwesterly centerline prolongation, Randall Avenue, Casanova Street, a line 300 feet northerly of Oak Point

Avenue, Longfellow Avenue, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwesterly prolongation of a line 75 feet northwesterly of Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard; and

- b. East Bay Avenue, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, and Whittier Street; and
5. establishing within an existing R6 District a C1-4 District bounded by:
- a. Lafayette Avenue, Bryant Avenue, a line 75 feet southerly of Lafayette Avenue, and Faile Street; and
 - b. Hunt's Point Avenue, a line perpendicular to the easterly street line of Faile Street distance 400 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Faile Street and the southerly street line of Lafayette Avenue, a line 100 feet northeasterly of Hunt's Point Avenue, a line perpendicular to the northeasterly street line of Hunt's Point Avenue distance 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hunt's Point Avenue and the westerly street line of Bryant Avenue, Hunt's Point Avenue, Spofford Avenue, a line 100 feet westerly of Faile Street, a line 100 feet southwesterly of Hunt's Point Avenue, and Coster Street; and
6. establishing a Special Hunts Point District bounded by Bruckner Expressway and its westerly centerline prolongation, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the easterly street line of Edgewater Road, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly centerline prolongation, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, Whittier Street, East Bay Avenue, Longfellow Avenue, Oak Point Road, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwesterly prolongation of a line 75 feet northwesterly of Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard, and excluding the area bounded by Garrison Avenue, a line midway between Bryant Avenue and Faile Avenue, a line 100 feet southerly of Garrison Avenue, a line midway between Longfellow Avenue and Bryant

Avenue, a line 150 feet northerly of Seneca Avenue, Longfellow Avenue, Spofford Avenue, Bryant Avenue, a line 100 feet northerly of Randall Avenue, a line midway between Barretto Street and Casanova Street, a line 175 feet southerly of Spofford Avenue, Tiffany Street, Lafayette Avenue, Manida Street, a line 75 feet northerly of Lafayette Avenue, Barretto Street, a line 100 feet southeasterly of Garrison Avenue, and Manida Street;

Borough of the Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 7, 2008, and subject to the conditions of CEQR Declaration E-210.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on January 2, 2008. The requested action, in conjunction with the related zoning text amendment, would facilitate the establishment of the Special Hunts Point District.

RELATED ACTION

In addition to an amendment to the Zoning Map, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 080247 ZRX: Zoning Text Amendment to establish the Special Hunts Point District.

Background

The Department of City Planning seeks approval of a zoning map amendment, in conjunction with the related zoning text amendment, to facilitate the establishment of the Special Hunts Point District.

A more detailed description of this application, the surrounding area and related zoning text amendment are included in the report on the related application for the proposed amendment to the Zoning Resolution to establish the Special Hunts Point District, (N 080247 ZRX).

ENVIRONMENTAL REVIEW

This application (C 080248 ZMX) in conjunction with the application for the related action (N 080247 ZRX) 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 New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 08DCP034X. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a negative declaration was issued on January 7, 2008. The Negative Declaration included (E) designations for hazardous materials.

To avoid the potential for hazardous materials impacts, the proposed rezoning includes (E) designations for hazardous materials on the following properties:

Block 2733, Lot 58
Block 2755, Lot 52
Block 2761, Lot 126
Block 2762, Lot 160
Block 2763, Lots 335 and 384
Block 2765, Lot 168

Block 2766, Lot 31
Block 2769, Lots 102 and 205
Block 2777, Lots 353, 428, 433, and 442

The (E) designation would require that the fee owner of such a site conduct a testing and sampling protocol and remediation where appropriate, to the satisfaction of the Department of Environmental Protection (DEP) before the issuance of a building permit by the Department of Buildings (DOB) pursuant to Section 11-15 of the Zoning Resolution (Environmental Requirements). The (E) designation also includes a mandatory construction-related health and safety plan which must also be approved by DEP.

With the implementation of the above (E) designations, no significant adverse impacts related to hazardous materials would occur.

UNIFORM LAND USE REVIEW

On January 7, 2008, this application (C 080248 ZMX) was certified as complete by the Department of City Planning, and was duly referred to Community Board 2 and the Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the related application for a zoning text amendment, (N 080247 ZRX), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on the applications (C 080248 ZMX, N 080247 ZRX) on February 27, 2008, and on that date, by a vote of 26 in favor, 0 opposed and 0 abstaining, adopted a resolution recommending approval of this application.

Borough President Recommendation

The application (C 080248 ZMX) was considered by the Borough President, who issued a recommendation on April 1, 2008 approving the application subject to conditions.

A summary of the Borough President's recommendation appears in the report on the related application for the proposed amendment to the Zoning Resolution to establish the Special Hunts Point District, (N 080247 ZRX).

City Planning Commission Public Hearing

On March 26, 2008, (Calendar No. 3), the City Planning Commission scheduled April 9, 2008, for a public hearing on the application (C 080248 ZMX). The hearing was duly held on April 9, 2008 (Calendar No. 18), in conjunction with the application for the related action (N 080247 ZRX).

There were two speakers, as described in the report on the related application for the proposed amendment to the Zoning Resolution to establish the Special Hunts Point District, (N 080247 ZRX), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 080248 ZMX), in conjunction with those for related actions, was reviewed by the Department of City Planning for consistency with the policies of the New York City Revitalization Program (WRP), as amended by the 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 Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 07-087.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map , in conjunction with the related action, is appropriate.

A full consideration and analysis of the issues, and reasons for approving this application appears in the related application for the proposed amendment to the Zoning Resolution to establish the Special Hunts Point District, (N 080247 ZRX).

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, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of the this application and finds that the proposed action is consistent with WRP policies; 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 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 hereby amended by changing the Zoning Map, Section No. 6c:

1. changing from an M1-1 District to an R6 District property bounded by Seneca Avenue, Longfellow Avenue, a line 100 feet southerly of Seneca Avenue, and a line midway between Longfellow Avenue and Bryant Avenue;
2. changing from an M1-1 District to an M1-2 District property bounded by Bruckner Expressway and its westerly centerline prolongation, Pedestrian Street and its northeasterly centerline prolongation, Longfellow Avenue, a line 150 feet northerly of Seneca Avenue, a line midway between Longfellow Avenue and Bryant Avenue, a line 100 feet southerly and southeasterly of Garrison Avenue, a line midway between Bryant Avenue and Faile Street, Garrison Avenue, Manida Street, a line 100 feet southeasterly of Garrison Avenue, Barretto Street, a line 75 feet northerly of Lafayette Avenue, Manida Street, Lafayette Avenue, Tiffany Street, a line 175 feet southerly of Spofford Avenue, a line midway between Barretto Street and Casanova Street, a line 100 feet northerly of Randall Avenue, Bryant Avenue, Spofford Avenue, Longfellow Avenue, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly centerline prolongation, Longfellow Avenue, a line 300 feet northerly of Oak Point Avenue, Casanova Street, Randall Avenue, Worthen Street and its northwesterly centerline prolongation, and Bruckner Boulevard;
3. changing from an M2-1 District to an M1-2 District property bounded by Bruckner Expressway, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette

Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the easterly street line of Edgewater Road, Lafayette Avenue, a line midway between Whittier Street and Longfellow Avenue, Seneca Avenue, Longfellow Avenue, and Pedestrian Street and its northeasterly centerline prolongation;

4. changing from an M3-1 District to an M1-2 District property bounded by:
 - a. Worthen Street and its northwesterly centerline prolongation, Randall Avenue, Casanova Street, a line 300 feet northerly of Oak Point Avenue, Longfellow Avenue, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwestwesterly prolongation of a line 75 feet northwesterly of Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard; and
 - b. East Bay Avenue, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, and Whittier Street; and
5. establishing within an existing R6 District a C1-4 District bounded by:
 - a. Lafayette Avenue, Bryant Avenue, a line 75 feet southerly of Lafayette Avenue, and Faile Street; and
 - b. Hunt's Point Avenue, a line perpendicular to the easterly street line of Faile Street distance 400 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Faile Street and the southerly street line of Lafayette Avenue, a line 100 feet northeasterly of Hunt's Point Avenue, a line perpendicular to the northeasterly street line of Hunt's Point Avenue distance 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hunt's Point Avenue and the westerly street line of Bryant Avenue, Hunt's Point Avenue, Spofford Avenue, a line 100 feet westerly of Faile Street, a line 100 feet southwestwesterly of Hunt's Point Avenue, and Coster Street; and
6. establishing a Special Hunts Point District bounded by Bruckner Expressway and its westerly centerline prolongation, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the

easterly street line of Edgewater Road, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly centerline prolongation, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, Whittier Street, East Bay Avenue, Longfellow Avenue, Oak Point Road, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwesterly prolongation of a line 75 feet northwesterly of Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard, and excluding the area bounded by Garrison Avenue, a line midway between Bryant Avenue and Faile Avenue, a line 100 feet southerly of Garrison Avenue, a line midway between Longfellow Avenue and Bryant Avenue, a line 150 feet northerly of Seneca Avenue, Longfellow Avenue, Spofford Avenue, Bryant Avenue, a line 100 feet northerly of Randall Avenue, a line midway between Barretto Street and Casanova Street, a line 175 feet southerly of Spofford Avenue, Tiffany Street, Lafayette Avenue, Manida Street, a line 75 feet northerly of Lafayette Avenue, Barretto Street, a line 100 feet southeasterly of Garrison Avenue, and Manida Street;

Borough of the Bronx, Community District 2, as shown on a diagram (for illustrative purposes only) dated January 7, 2008, and which includes CEQR Designation E-210.

The above resolution (C 080248 ZMX), duly adopted, by the City Planning Commission on May 21, 2008 (Calendar No. 7), 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, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
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JOHN MEROLO, KAREN A. PHILLIPS, Commissioners