



## **CITY PLANNING COMMISSION**

October 19, 2009 / Calendar No. 4

C 090438 PPX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o 2), pursuant to zoning, Community District 7, Borough of the Bronx.

The application for the disposition of city-owned property was filed by the Department of Citywide Administrative Services on May 12, 2009, to facilitate the development of an approximately 600,000 square foot retail, entertainment, and community facility development within an existing building, the Kingsbridge Armory in the Kingsbridge neighborhood of Community District 7, Borough of the Bronx.

### **RELATED ACTIONS**

In addition to the disposition of city-owned property, which is the subject of this report, implementation of this proposal also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application-

**C 090437 ZMX** Zoning map amendment, changing an R6 district to a C4-4 district;

**C 090236 MMX** Amendment to the City Map involving the elimination, discontinuance and closing of a portion of Reservoir Avenue and West Kingsbridge Road, and the mapping of Barnhill Triangle as parkland;

**C 090237 MMX** Amendment to the City Map involving the elimination, discontinuance and closing of a portion of West 195<sup>th</sup> Street between Reservoir Avenue and Jerome Avenue.

### **BACKGROUND**

A description of this application, the surrounding area and the proposed project is included in the report for the proposed zoning map amendment (C 090437 ZMX).

## **ENVIRONMENTAL REVIEW**

This application (C 090438 PPX), in conjunction with the applications for the related actions (C 090437 ZMX, C 090236 MMX, and C 090237 MMX), 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 08DME004X. The lead agency is the Office of the Deputy Mayor for Economic Development.

It was determined that the proposed action may have a significant effect on the environment, and that an environmental impact statement would be required. A positive declaration was issued on September 2, 2008, and distributed, published, and filed. Summaries of the environmental review process and the Final Environmental Impact Statement (FEIS) appear in the report on the related zoning map change application (C 090437 ZMX).

## **UNIFORM LAND USE REVIEW**

This application (C 090438 PPX), in conjunction with the related applications (C 090437 ZMX, C 090236 MMX, and C 090237 MMX) was certified as complete by the Department of City Planning on May 18, 2009, and was duly referred to Bronx Community Board 7 and the Bronx Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Bronx Community Board 7 held a public hearing on this application (C 090438 PPX), in conjunction with the related applications (C 090437 ZMX, C 090236 MMX, and C 090237 MMX), on June 24, 2009, and on July 14, 2009, by a vote of 24 in favor to 4 opposed, adopted a resolution recommending approval of the action with conditions. A summary of the Bronx Community Board 7 recommendations appears in the report on the related zoning map amendment (C 090437 ZMX).

### **Borough President Recommendation**

This application (C 090438 PPX), in conjunction with the related applications (C 090437 ZMX, C 090236 MMX, and C 090237 MMX), was considered by the Bronx Borough President, who issued a recommendation disapproving the application on September 4, 2009. A summary of the Bronx Borough President's resolution appears in the report on the related zoning map amendment (C 090437 ZMX).

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

On August 19, 2009 (Calendar No. 8), the City Planning Commission scheduled September 9, 2009 for a public hearing on this application (C 090438 PPX). The hearing was duly held on September 9, 2009 (Calendar No. 29), in conjunction with the public hearings on the related actions (C 090437 ZMX, C 090236 MMX, and C 090237 MMX).

There were a number of speakers as described in the report on the related application for the zoning map amendment (C 090437 ZMX), and the hearing was closed.

## **CONSIDERATION**

The Commission believes that this disposition of city-owned property (C 090438 PPX), in conjunction with the related actions (C 090437 ZMX, C090236MMX, and C090237MMX), is appropriate.

A full consideration and analysis of the issues and reasons for approving this application appears in the report on the related application for a zoning map amendment (C 090437 ZMX).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 1, 2009, with respect to this application (CEQR No. 08DME004X), 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 consideration 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 disclosed in the Final Environmental Impact Statement 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 this 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 consideration described in this report, the application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o 2), pursuant to zoning, Community District 7, Borough of the Bronx, is hereby approved.

The above resolution (C 090438 PPX), duly adopted by the City Planning Commission on October 19, 2009 (Calendar No. 4), 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**  
**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, RICHARD W. EADDY,**  
**NATHAN LEVENTHAL, Commissioners**

**KENNETH J. KNUCKLES, ESQ., Vice Chairman**  
**ANNA HAYES LEVIN, SHIRLEY A. MCRAE, KAREN A. PHILLIPS,**  
Commissioners, **Voted No**

**MARIA M. DEL TORO, Commissioner, Recused**