



Legislation Details (With Text)

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In control: Committee on Land Use

On agenda: 3/22/2018

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Title: Resolution approving the decision of the City Planning Commission on Application No. N 180122 ZRX, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 2, Borough of the Bronx (L.U. No. 32).

Sponsors:

Indexes:

Attachments: 1. Res. No. 255, 2. Land Use Calendar - Week of February 26, 2018 - March 2, 2018, 3. REVISED - Land Use Calendar - Week of February 26, 2018 - March 2, 2018, 4. March 7, 2018 - Stated Meeting Agenda, 5. Land Use Calendar - Week of March 12, 2018 - March 16, 2018, 6. Hearing Testimony - Planning 2-26-18, 7. Hearing Transcript - Planning 2-26-18, 8. March 22, 2018 - Stated Meeting Agenda, 9. Hearing Transcript - Stated Meeting 3-22-18, 10. Minutes of the Stated Meeting - March 22, 2018, 11. Committee Report

Date	Ver.	Action By	Action	Result
3/15/2018	*	Committee on Land Use	Approved by Committee	
3/22/2018	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 255**

Resolution approving the decision of the City Planning Commission on Application No. N 180122 ZRX, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 2, Borough of the Bronx (L.U. No. 32).

By Council Members Salamanca and Kallos

WHEREAS, the City Planning Commission filed with the Council on February 20, 2018 its decision dated February 14, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Economic Development Corporation and The Peninsula JV, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Section 74-745 for the purpose of modifying parking and loading regulations; modifying Section 123-90 for the purpose of establishing a Special Mixed Use District; and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area; which in conjunction with the related actions would facilitate the development of a five-building mixed-use development with approximately 740 units of affordable housing and light industrial commercial, and community facility uses in the Hunts Point neighborhood of Bronx Community

District 2, (Application No. N 180122 ZRX), Community District 2, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180121 ZMX (L.U. No. 31), a zoning map amendment to change a portion of the development site from an R6 zoning district to an R7-2/M1-2 Special Mixed Use District, MX-17; C 180123 ZSX (L.U. No. 33), a special permit to modify bulk regulations within an LSGD; and C 180124 ZSX (L.U. No. 34), a special permit to modify loading berth requirements within an LSGD; and C 180126 PPX (L.U. No. 35), disposition of City-owned property;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 26, 2018;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 2, 2018 (CEQR No. 17DME001X);

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) 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 Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 180122 ZRX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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

* * *

74-745 Modifications of parking and loading regulations

For a #large-scale general development# the City Planning Commission may permit:

* * *

(b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located either within a #Special Mixed Use District# in Community District 2 in the Borough of The Bronx, or within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, that contains where such #zoning lots# in the waterfront area contain one or more #retail or service uses# listed in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment in the waterfront area exceeds 8,500 square feet in #floor area#, the Commission may waive or reduce the number of required loading berths, provided that:

- (1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;
- (2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;
- (3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and
- (4) such modification will not impair or adversely affect the development of the surrounding area.

* * *

ARTICLE XII - SPECIAL PURPOSE DISTRICTS

Chapter 3 Special Mixed Use District

* * *

123-90 Special Mixed Use Districts Specified

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 16: (4/20/16)

Ocean Hill/East New York, Brooklyn

The #Special Mixed Use District# - 16 is established in Ocean Hill and East New York in Brooklyn as indicated on the #zoning maps#.

#Special Mixed Use District# - 17: (date of adoption) Hunts Point, the Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

THE BRONX

* * *

The Bronx Community District 2

* * *

Map 2 - [date of adoption]



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

Area 2 - [date of adoption] – MIH Program Option 1

Portion of Community District 2, The Bronx

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on March 22, 2018, on file in this office.

City Clerk, Clerk of The Council