



Legislation Details (With Text)

**File #:** Res 2295-2009      **Version:** \*      **Name:** LU 1256 - Veto - Zoning, Economic Development Corporation and Related Retail Armory, LLC, Bronx (C090236MMX)

**Type:** Resolution      **Status:** Disapproved

**In control:** Committee on Land Use

**On agenda:** 12/14/2009

**Enactment date:**      **Enactment #:**

**Title:** Resolution disapproving the decision of the City Planning Commission on ULURP No. C 090236 MMX, an amendment to the City Map (L.U. No. 1256).

**Sponsors:**

**Indexes:**

**Attachments:** 1. Res. No. 2295 - 12/14/09, 2. Committee Report 12/14/09, 3. Mayor's Veto Message, 4. Committee Report 12/21/09, 5. Hearing Transcript - Stated Meeting 12/14/09, 6. Hearing Transcript - Land Use 12/21/09, 7. Hearing Transcript - Stated Meeting 12/21/09

Date	Ver.	Action By	Action	Result
12/14/2009	*	Committee on Land Use	Disapproved by Committee	
12/14/2009	*	City Council	Disapproved by Council	Pass
12/17/2009	*	Mayor	Vetoed by Mayor	
12/21/2009	*	City Council	Overridden by Council	Pass
12/21/2009	*	Committee on Land Use	Hearing Held by Committee	
12/21/2009	*	Committee on Land Use	Disapproved by Committee	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 2295

Resolution disapproving the decision of the City Planning Commission on ULURP No. C 090236 MMX, an amendment to the City Map (L.U. No. 1256).

By Council Member Avella

WHEREAS, the City Planning Commission filed with the Council on October 19, 2009 its decision dated October 19, 2009 (the "Decision"), on the application submitted by the New York City Economic Development Corporation, Related Retail Armory, LLC, and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Reservoir Avenue at its intersection with West Kingsbridge Road;
- the establishment of a Park (Barnhill Square);
- the adjustment of legal grades necessitated thereby; and

- any acquisition or disposition of real property related thereto,

in accordance with Map No. 13126, dated May 11, 2009, and signed by the Borough President, (ULURP No. C 090236 MMX), Community District 7, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 090237 MMX (L.U. No. 1257), an 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; C 090437 ZMX (L.U. No. 1258), a Zoning Map Amendment, changing an R6 district to a C4-4 district; and C 090438 PPX (L.U. No. 1259), a disposition of City-owned property;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(2) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 17, 2009;

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 1, 2009 (CEQR No. 08DME004X); and

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

RESOLVED:

Having considered the FEIS, with respect to the 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 consideration from among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) 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;
- (4) 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 the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the New York City Charter, the Council disapproves the Decision.

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 December 14, 2009, disapproved by the Mayor on December 17, 2009 and readopted by The City Council on December 21, 2009 and that said Resolution is adopted notwithstanding the objection of the Mayor.

.....  
City Clerk, Clerk of The Council