

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 Nos. 1a, 1b, 1c, and 1d:**

changing from an R1-2 District to an R1-1 District property bounded by a line 300 feet southerly of West 261st Street (straight line portion), Independence Avenue, West 254th Street, Arlington Avenue, West 252nd Street, Henry Hudson Parkway West, a line 400 feet southerly of West 252nd Street, Arlington Avenue, West 247th Street, Independence Avenue, West 246th Street, Douglas Avenue, the westerly centerline prolongation of former West 240th Street, Palisade Avenue, a line perpendicular to the easterly street line of Palisade Avenue distant 931 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Palisade Avenue and the northerly street line of West 232nd Street, Douglas Avenue, West 235th Street, Independence Avenue, West 232nd Street, a line perpendicular to the northerly street line of West 231st Street distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of West 231st Street and the easterly street line of Independence Avenue, West 231st Street, Independence Avenue, the westerly centerline prolongation of West 230th Street, Palisade Avenue, a line 620 feet southerly of the westerly prolongation of the southerly street line of West 231st Street, the westerly boundary line of Riverdale Park and its southerly and northerly prolongations, a line 1100 feet southerly of the westerly prolongation of the southerly street line of West 261st Street (straight line portion), and Palisade Avenue

Borough of the Bronx, Community District 8, as shown on a diagram (for illustrative purposes) dated June 6, 2005.

This application for an amendment of the Zoning Map was filed by the Department of City Planning on May 31, 2005, to rezone all or portions of 23 blocks in the Riverdale-on-Hudson neighborhood of The Bronx, in order to reflect and reinforce the neighborhood's residential context and built form.

BACKGROUND

The Department of City Planning proposes to rezone 23 blocks in the northwest Bronx neighborhood of Riverdale-on-Hudson located in Community District 8. Although a small area near Independence Avenue and West 232nd Street was rezoned in 1986 from R6 to R1-2 (C 850727 ZMX), the existing zoning regulations neither reflect nor encourage the predominant type of housing found in this neighborhood. The proposed changes are in keeping with goals delineated in the *CB 8 2000: A River to Reservoir Preservation Strategy*, a 197-a Plan prepared by the Community Board, and approved by the City Planning Commission on October 22, 2003 and by the City Council on November 19, 2003 (N 000618 NPX). One of the major goals of this plan was to preserve the building context and scale of neighborhoods within Community District 8.

The rezoning area is generally bounded by West 261st Street on the north, Riverdale Avenue / Henry Hudson Parkway on the east, the prolongation of West 230th Street on the south, and the Hudson River on the west. The area is presently zoned R1-2 and is located within the Special Natural Area District (NA-2).

Riverdale-on-Hudson is served by local buses which connect with subway lines at nearby stations on the Broadway (#1), Jerome-Lexington (# 4), and Grand Concourse (D) or Eighth Avenue (A) train routes. The MTA Express BxM-1 and BxM-2 buses also provide express service along Riverdale Avenue and the Henry Hudson Parkway service roads to midtown

Manhattan. Metro North provides commuter rail service from the Riverdale Station, located at West 254th Street and the Hudson River.

Existing Zoning and Context

The Riverdale-on-Hudson area was first developed with large country estates, with substantial building occurring following the construction of the Hudson River Railroad (today the Hudson Division of Metro North) in 1851. Development continued throughout the twentieth century, as large estates were subdivided into smaller lots and developed with large single family houses. This additional development resulted in a unique community of large, historic homes which blend in with a hilly natural setting. Several institutions including Wave Hill, a 28-acre public garden and cultural center, The Passionist Spiritual Center, a religious retreat house run by the Passionist Fathers, the Yeshiva of the Telshe Alumni, and the Riverdale Country School, are located within this R1-2 area.

Today, the rezoning area consists of 328 lots of which 239 (73%) are residentially developed. In recognition of the unique character of this community the entire existing R1-2 zone was designated as a Special Natural Area District (NA-2) in 1975. The NA-2 District provides protection for existing trees and topographic features in the area on any parcel undergoing development or enlargement in the district. These regulations were further strengthened in 2005 with the adoption of zoning text amendments (N 050093 ZRY) that require reviews for most enlargements in addition to new developments and apply to all lots containing significant natural

features and to almost all zoning lots over 10,000 square-feet in area. No changes to special district designation are proposed as part of this application. In addition, a two block area in the vicinity of West 254th Street and Sycamore Avenue was designated as the Riverdale Historic District by the NYC Landmarks Preservation Commission in 1990.

The area presently zoned R1-2 is characterized by large single family detached homes on large lots that are generally over 10,000 square feet in area. This zoning designation limits residential construction to single family detached dwellings with an FAR no greater than 0.5 on lots that are at least 60 feet wide and have a total area of 5,700 square-feet. Community Facility FAR is also set at 0.5.

The present R1-2 district is adjacent to R2 and R4 areas on the north and east, and borders R6, R6A and R7A districts on the south and south-east. The City Planning Commission and City Council approved zoning changes in these surrounding areas from R7 and R6 to R7A and R6A (C 040515 ZMX) in September of 2004 in order to limit new development to a building types that would be more contextual with the six to eight story buildings typically found in this area.

Proposed Zoning

In order to reflect the predominant built character of one-and-two-family detached homes on large lots, all or portions of 24 blocks generally located west of Riverdale Avenue / Henry Hudson Parkway and east of the Hudson River between West 230th and West 261st streets are

proposed to be rezoned from R1-2 to R1-1.

The proposed R1-1 district will limit construction to single family detached dwellings on lots that are at least 100 feet wide and have a lot area of 9,500 square-feet. Within the proposed rezoning area, 97% of homes are single family detached structures and 78% of the homes are on lots with areas of 9,500 square feet or greater.. There is no change in use and housing type, or in maximum residential and community facility FAR, as a result of the proposed rezoning.

ENVIRONMENTAL REVIEW

This application (C 050480 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 designated CEQR number is 05DCP084X. 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 June 6, 2005.

UNIFORM LAND USE REVIEW

This application (C 050480 ZMX) was certified as complete by the Department of City Planning on June 6, 2005, and was duly referred to Community Board 8 and the Borough President in

accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 8 held a public hearing on this application on July 12, 2005, and on that date, by a vote of 24 in favor, 0 against with 1 abstention, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation approving the application on August 12, 2005.

City Planning Commission Public Hearing

On August 10, 2005 (Calendar No. 1), the City Planning Commission scheduled August 24, 2005 for a public hearing on this application (C 050480 ZMX). The hearing was duly held on August 24, 2005 (Calendar No. 19). There were four speakers in favor of the application, and no speakers in opposition.

The speakers included the City Councilmember representing District 11, a representative of the Bronx Borough President, the Chair of the Land Use Committee of Community Board 8, and the Chair of the Riverdale Nature Preservancy. All speakers stressed the unique and historic character of the Riverdale-on-Hudson community and how enactment of the proposed zoning

changes would help in the preservation of this neighborhood. The Chair of the community Board 8 Land Use Committee also mentioned how the community sought this rezoning as part of its 197-a plan.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application, was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York 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 Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 05-034.

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

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate.

The Commission believes the proposed zoning changes will reinforce the historic character of the Riverdale-on-Hudson community. The overwhelming character of this community is one of large single family homes on large lots. The Commission notes that 78% of residential properties in the area have lot sizes of 9,500 square-feet or greater. The existing R1-2 zoning has a minimum lot size of 5,700 square-feet thereby allowing subdivision of many of the existing lots. The R1-1, with a minimum lot size of 9,500 square-feet, will limit future lot subdivision development patterns and density.

This proposed change, together with the recently approved revisions to the Special Natural Area District regulations, will ensure that future development will be consistent with the area's existing development patterns and density. The proposed zoning is consistent with recommendations contained in *CB 8 2000: A River to Reservoir Preservation Strategy*, a 197-a Plan prepared by the Community Board, and approved by the City Planning Commission on October 22, 2003 and by the City Council on November 19, 2003 (N 000618 NPX).

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 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 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 Nos. 1a, 1b, 1c, and 1d:

changing from an R1-2 District to an R1-1 District property bounded by a line 300 feet southerly of West 261st Street (straight line portion), Independence Avenue, West 254th Street, Arlington Avenue, West 252nd Street, Henry Hudson Parkway West, a line 400 feet southerly of West 252nd Street, Arlington Avenue, West 247th Street, Independence Avenue, West 246th Street, Douglas Avenue, the westerly centerline prolongation of former West 240th Street, Palisade Avenue, a line perpendicular to the easterly street line of Palisade Avenue distant 931 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Palisade Avenue and the northerly street line of West 232nd Street, Douglas Avenue, West 235th Street, Independence Avenue, West 232nd Street, a line perpendicular to the northerly street line of West 231st Street distant 100 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of West 231st Street and the easterly street line of Independence Avenue, West 231st Street, Independence Avenue, the westerly centerline prolongation of West 230th Street, Palisade Avenue, a line 620 feet southerly of the westerly prolongation of the southerly street line of West 231st Street, the westerly boundary line of Riverdale Park and its southerly and northerly prolongations, a line 1100 feet southerly of the westerly prolongation of the southerly street line of West 261st Street (straight line portion), and Palisade Avenue

Borough of the Bronx, Community District 8, as shown on a diagram (for illustrative purposes) dated June 6, 2005.

The above resolution (C 050480 ZMX), duly adopted by the City Planning Commission on

September 26, 2005, (Calendar No. 1) is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA CAVALUZZI, R.A.
ALFRED C. CERULLO, III, RICHARD W. EADDY, JANE D. GOL, LISA A. GOMEZ,
CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS,
Commissioners