



## Legislation Text

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**File #:** Res 1651-2008, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1651

Resolution approving the decision of the City Planning Commission on ULURP No. C 080333 ZMM, a Zoning Map change (L.U. No. 872).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on September 2, 2008 its decision dated August 27, 2008 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 080333 ZMM) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 080331 HAM (L.U. No. 870), designation of an urban development action area project and disposition of city-owned property; C 080332 HUM (L.U. No. 871), 15<sup>th</sup> Amended Harlem-East Harlem Urban Renewal Plan; and N 090083 HGM (L.U. No. 873), (additional property designation, Harlem-East Harlem Urban Renewal Area;

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 September 16, 2008;

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 and the Final Environmental Impact Statement ("FEIS") for which a Notice of Completion was issued on August 15, 2008 (CEQR No. 07DME025M);

**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 considerations, from among the reasonable alternatives thereto, the proposed action is the one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

- (3) The adverse environmental impacts disclosed in the FEIS 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; and

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, the Council approves the Decision.

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. 5c, 6a and 6b:

1. changing from an R7-2 District to a C6-3 District property bounded by East 127<sup>th</sup> Street, a line 250 feet westerly of Second Avenue, a line midway between East 126<sup>th</sup> Street and East 127<sup>th</sup> Street, Second Avenue, East 126<sup>th</sup> Street, and Third Avenue;
2. changing from a C4-4 District to a C6-3 District property bounded by a line midway between East 125<sup>th</sup> Street/Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 125<sup>th</sup> Street/ Dr. Martin Luther King Jr. Boulevard, a line 130 feet easterly of Third Avenue, a line 75 feet southerly of East 125<sup>th</sup> Street/ Dr. Martin Luther King Jr. Boulevard, and Third Avenue; and
3. changing from an M1-2 District to a C6-3 District property bounded by:
  - a. East 127<sup>th</sup> Street, Second Avenue, a line midway between East 126<sup>th</sup> Street and East 127<sup>th</sup> Street, and a line 250 feet westerly of Second Avenue; and
  - b. East 126<sup>th</sup> Street, Second Avenue, East 125<sup>th</sup> Street/ Dr. Martin Luther King Jr. Boulevard, a line 100 feet easterly of Third Avenue, a line midway between East 125<sup>th</sup> Street/ Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, and Third Avenue;

as shown in a diagram (for illustrative purposes only) dated March 24, 2008, Community District 11, Borough of Manhattan.

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 October 7, 2008, on file in this office.

City Clerk, Clerk of The Council