



Legislation Text

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File #: Res 1632-2017, Version: \*

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**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1632**

**Resolution approving the decision of the City Planning Commission on ULURP No. C 170226 ZMM, a Zoning Map amendment (L.U. No. 700).**

**By Council Members Greenfield and Richards**

WHEREAS, the City Planning Commission filed with the Council on June 22, 2017 its decision dated June 21, 2017 (the "Decision"), on the application submitted by the New York City Educational Construction Fund and AvalonBay Communities, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6b, changing an existing R7-2 and R10A Districts to a C2-8 and an R10 District. This amendment in conjunction with the related actions would facilitate a new mixed-use development on an entire city block with residential, commercial and community facility uses in the East Harlem neighborhood of Manhattan, (ULURP No. C 170226 ZMM), Community District 11, Borough of Manhattan (the "Application");

WHEREAS, the Application is related applications N 170227 ZRM (L.U. No. 701), a zoning text amendment to modify lot coverage requirements and to designate a Mandatory Inclusionary Housing (MIH) area; C 170228 ZSM (L.U. No. 702), a special permit to modify bulk and open space requirements within a mixed use development; and C 170229 ZSM (L.U. No. 703), a special permit to waive accessory off-street parking requirements for a mixed use development in the transit zone;

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 July 17, 2017;

WHEREAS, the Council has considered the land use 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 June 9, 2017 (CEQR No. 16ECF001M), which identified significant adverse impacts with respect to transportation (traffic, transit, and pedestrians) and construction (traffic, noise and open space);

**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 proposed action is the one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FEIS; and
- (3) consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement will be minimized or avoided by incorporating as conditions to the approval those mitigative measures which 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 Section 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, C 170226 ZMM, incorporated by reference herein, 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 No. 6b:

1. changing from an R7-2 District to a C2-8 District property bounded by Second Avenue, East 97<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, and a line midway between East 97<sup>th</sup> Street and East 96<sup>th</sup> Street;
2. changing from an R7-2 District to an R10 District property bounded by a line 100 feet easterly of Second Avenue, East 97<sup>th</sup> Street, First Avenue, and a line midway between East 97<sup>th</sup> Street and East 96<sup>th</sup> Street;
3. changing from an R10A District to a C2-8 District property bounded by Second Avenue, a line midway between East 97<sup>th</sup> Street and East 96<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, and East 96<sup>th</sup> Street; and
4. changing from an R10A District to an R10 District property bounded by a line 100 feet easterly of Second Avenue, a line midway between East 97<sup>th</sup> Street and East 96<sup>th</sup> Street, First Avenue, and East 96<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated January 17, 2017, 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 August 24, 2017, on file in this office.

City Clerk, Clerk of The Council