



## Legislation Text

---

**File #:** Res 1715-2008, **Version:** \*

---

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1715

Resolution approving the decision of the City Planning Commission on ULURP No. C 080397 (A) ZMM, a Zoning Map change (L.U. No. 923).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on October 10, 2008 its decision dated October 7, 2008 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for the proposed modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for an amendment to the Zoning Map (ULURP No. C 080397 (A) ZMM (the "Application"));

WHEREAS, the Application is related to ULURP Application Number N 080398 (A) ZRM (L.U. No. 924), an amendment to Article 2, Chapter 3 of the Zoning Resolution of the City of New York, to apply the Inclusionary Housing Program to the proposed R7A districts on Second Avenue, First Avenue, Avenue A and Avenue C, to the proposed R8A districts on East Houston Street, Delancey Street, Avenue D, Second Avenue and Pitt Street, and to the proposed R9A districts on Chrystie Street in Manhattan;

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 November 12, 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 **September 26, 2008** (CEQR No. 07DCP078M);

### 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 action under the R7A/C6-3A with Inclusionary Alternative, 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 No. 12c:

- 1) changing from an R7-2 District to an R7A District property bounded by:
  - a) East 13<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 7<sup>th</sup> Street, and a line 100 feet westerly of Second Avenue;
  - b) East 13<sup>th</sup> Street, a line 100 feet easterly of First Avenue, East 6<sup>th</sup> Street, First Avenue, East 2<sup>nd</sup> Street, a line 100 feet easterly of First Avenue, East Houston Street, and a line 100 feet westerly of First Avenue;
  - c) East 13<sup>th</sup> Street, a line 100 feet easterly of Avenue A, the northerly, westerly and southerly boundary line of Tompkins Square Park, a line 100 feet easterly of Avenue A, a line 100 feet southerly of East 2<sup>nd</sup> Street, a line 100 feet westerly of Avenue A, East 4<sup>th</sup> Street, Avenue A, the westerly centerline prolongation of East 5<sup>th</sup> Street, and a line 100 feet westerly of Avenue A;
  - d) East 13<sup>th</sup> Street, a line 100 feet easterly of Avenue B, East 2<sup>nd</sup> Street, Avenue B, a line 100 feet southerly of East 2<sup>nd</sup> Street, a line 100 feet westerly of Avenue B, the southerly, easterly and northerly boundary line of Tompkins Square Park, and a line 100 feet westerly of Avenue B;
  - e) East 12<sup>th</sup> Street, Avenue C - Loaisida Avenue, East 10<sup>th</sup> Street, a line 100 feet easterly of Avenue C - Loaisida Avenue, a line midway between East 2<sup>nd</sup> Street and East 3<sup>rd</sup> Street, Avenue C - Loaisida Avenue, East 2<sup>nd</sup> Street, and a line 100 feet westerly of Avenue C - Loaisida Avenue; and
  - f) a line 100 feet southerly of East Houston Street, Pitt Street, Rivington Street, a line 100 feet westerly of Pitt Street, a line 100 feet northerly of Delancey Street, a line midway between Essex Street and Norfolk Street, the southerly boundary line of a playground and its easterly prolongation, and Norfolk Street;
- 2) changing from an C6-1 District to a R7A District property bounded by East 7<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 3<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;

- 3) changing from an R7-2 District to a R7B District property bounded by the southerly boundary line of Tompkins Square Park, a line 100 feet westerly of Avenue B, East 4<sup>th</sup> Street, and a line 100 feet easterly of Avenue A;
- 4) changing from an R7-2 District to a R8A District property bounded by:
  - a) East 10<sup>th</sup> Street, Avenue D, East Houston Street, Pitt Street, a line 100 feet southerly of East Houston Street, Norfolk Street, the southerly boundary line of a playground and its easterly and westerly prolongation, Essex Street, East Houston Street, a line 100 feet easterly of First Avenue, a line midway between East 2<sup>nd</sup> Street and East 1<sup>st</sup> Street, Avenue A, a line 100 feet southerly of East 2<sup>nd</sup> Street, Avenue B, East 2<sup>nd</sup> Street, Avenue C - Loaisida Avenue, a line midway between East 2<sup>nd</sup> Street and East 3<sup>rd</sup> Street, and a line 100 feet westerly of Avenue D; and
  - b) Rivington Street, Pitt Street, Delancey Street and its westerly centerline prolongation (at Clinton Street), a line midway between Suffolk Street and Clinton Street, a line 100 feet northerly of Delancey Street, and a line 100 feet westerly of Pitt Street;
- 5) changing from an R7-2 District to a R8B District property bounded by:
  - a) East 13<sup>th</sup> Street, a line 100 feet westerly of Second Avenue, East 1<sup>st</sup> Street, a line 100 feet easterly of Bowery, and a line 100 feet easterly of Third Avenue;
  - b) East 13<sup>th</sup> Street, a line 100 feet westerly of First Avenue, East Houston Street, and a line 100 feet easterly of Second Avenue;
  - c) East 13<sup>th</sup> Street, a line 100 feet westerly of Avenue A, East 6<sup>th</sup> Street, and a line 100 feet easterly of First Avenue;
  - d) East 4<sup>th</sup> Street, a line 100 feet westerly of Avenue A, a line midway between East 1<sup>st</sup> Street and East 2<sup>nd</sup> Street, a line 100 feet easterly of First Avenue, East 2<sup>nd</sup> Street, and a line 150 feet easterly of First Avenue;
  - e) East 13<sup>th</sup> Street, a line 100 feet westerly of Avenue B, the northerly boundary line of Tompkins Square Park, and a line 100 feet easterly of Avenue A;
  - f) East 4<sup>th</sup> Street, a line 100 feet westerly of Avenue B, a line 100 feet southerly of East 2<sup>nd</sup> Street, and a line 100 feet easterly of Avenue A;
  - g) East 12<sup>th</sup> Street, a line 100 feet westerly of Avenue C - Loaisida Avenue, East 2<sup>nd</sup> Street, and a line 100 feet Easterly of Avenue B; and
  - h) East 10<sup>th</sup> Street, a line 100 feet westerly of Avenue D, a line midway between East 2<sup>nd</sup> street and East 3<sup>rd</sup> Street, and a line 100 feet easterly of Avenue C - Loaisida Avenue;
- 6) changing from a C6-1 District to a C4-4A District property bounded by:

- a) a line 100 feet southerly of East Houston Street, Essex Street, the southerly boundary line of a playground and its westerly prolongation, a line midway between Essex Street and Norfolk Street, a line 100 feet northerly of Delancey Street, and Chrystie Street; and
  - b) a line 100 feet southerly of Delancey Street, Ludlow Street, Grand Street, and Chrystie Street;
- 7) changing from a C6-1 District to a C6-2A District property bounded by:
- a) East 3<sup>rd</sup> Street, a line 100 feet easterly of Second Avenue, East Houston Street, Essex Street, a line 100 feet southerly of East Houston Street, Chrystie Street, East Houston Street, a line 65 feet westerly of Second Avenue, East 1<sup>st</sup> Street, and a line 100 feet westerly of Second Avenue; and
  - b) a line 100 feet northerly of Delancey Street, a line midway between Suffolk Street and Clinton Street, the westerly centerline prolongation of Delancey Street (at Clinton Street), Ludlow Street, a line 100 feet southerly of Delancey Street and Chrystie Street,
- 8) changing from a C6-1 District to a C6-3A District property bounded by Stanton Street, Chrystie Street, Grand Street, a line midway between Bowery and Chrystie Street, a line 100 feet southerly of Delancey Street, and a line 100 feet westerly of Chrystie Street; and
- 9) establishing within a proposed R7A District a C2-5 District bounded by East 7<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, East 3<sup>rd</sup> Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated July 3, 2008 and subject to CEQR Declaration E-216, Community District 3, 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 November 19, 2008, on file in this office.

City Clerk, Clerk of The Council