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**IN THE MATTER OF** an application submitted by New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 7.

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This application for an amendment of the Zoning Resolution of the City of New York to modify Appendix F was filed by the Department of Housing Preservation and Development (HPD) on October 10, 2017 to establish a Mandatory Inclusionary Housing (MIH) area on property (Block 1863, Lots 5, 10, 13, 17, and 26) located on West 108<sup>th</sup> Street in the Manhattan Valley neighborhood of Manhattan, Community District 7. This application, in conjunction with the related actions (C 180114 HAM and C 180112 ZMM), would facilitate the development of two new buildings with affordable and supportive housing and community facility uses.

#### **RELATED ACTIONS**

In addition to the zoning text amendment (N 180113 ZRM) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

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|---------------------|--|
| <b>C 180114 HAM</b> | Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of City-owned property to a developer selected by HPD |
| <b>C 180112 ZMM</b> | Zoning map amendment to change an R8B zoning district to an R8A district   |

#### **BACKGROUND**

A description of this application, the surrounding area, and the proposed project is included in the report on the related UDAAP action (C 180114 HAM).

## **ENVIRONMENTAL REVIEW**

This application (N 180113 ZRM), in conjunction with the applications for the related actions (C 180114 HAM and C 180112 ZMM), 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 lead agency is the New York City Department of Housing Preservation and Development. The designated CEQR number is 17HPD083M.

A summary of the environmental review appears in the report for the related UDAAP action (C 180114 HAM).

## **PUBLIC REVIEW**

This application (N 180113 ZRM) was duly referred to Manhattan Community Board 7 and the Manhattan Borough President on October 16, 2017 in accordance with the procedures for non-ULURP matters, along with the application for the related actions (C 180114 HAM and C 180112 ZMM), which were certified as complete by the Department of City Planning and duly referred to Manhattan Community Board 7 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 7 held two public hearings on this application (N 180113 ZRM) in October 30, 2017 and November 20, 2017. On December 5, 2017, by a vote of 28 in favor, none opposed, three present but not voting, and four abstentions, the Community Board voted to approve the application with conditions. A summary of the vote and conditions of the Community Board appear in the report for the related UDAAP action (C 180114 HAM).

### **Borough President Recommendation**

This application (N 180113 ZRM) was considered by the Borough President of Manhattan, who on January 24, 2018 recommended approval of the application. A summary of the Borough President's recommendation appears in the report for the related UDAAP action (C 180114 HAM).

### **City Planning Commission Public Hearing**

On January 17, 2018 (Calendar No. 3), the City Planning Commission scheduled January 31, 2018 for a public hearing on this application (N 180113 ZRM) and the applications for the related actions (C 180114 HAM and C 180112 ZMM). The hearing was duly held on January 31, 2018 (Calendar No. 15). There were 23 speakers in favor of the application and one in opposition, as described in the report for the related UDAAP application (C 180114 HAM).

### **CONSIDERATION**

The Commission believes that the proposed zoning text amendment (N 180113 ZRM), in conjunction with the applications for the related actions (C 180114 HAM and C 180112 ZMM), is appropriate. A full consideration and analysis of the issues and reasons for approval appear in the report for the related UDAAP application (C 180114 HAM).

### **RESOLUTION**

**RESOLVED**<sup>1</sup>, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on March 2, 2018, with respect to this application (CEQR No. 17HPD083M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. 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, through the Land Disposition Agreement between HPD and the project sponsor, those project components related to the environment and mitigation measures that were identified as practicable.

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<sup>1</sup> This has been modified to reflect the FEIS information as detailed in the Environmental Review Section of the lead report (C 180114 HAM).

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 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 as follows:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution.

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## **APPENDIX F**

### **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

#### **MANHATTAN**

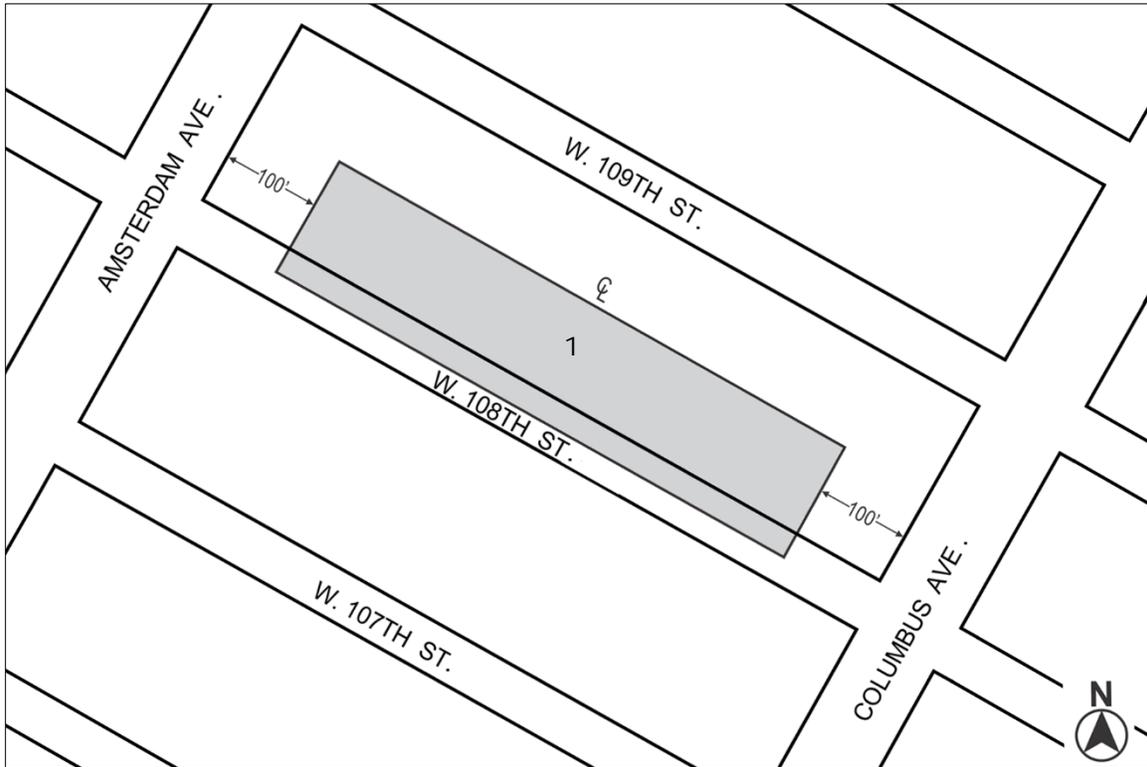
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#### **Manhattan Community District 7**

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Map 3 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area 1 [date of adoption] — MIH Program Option 2

Portion of Community District 7, Manhattan

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The above resolution (N 180113 ZRM), duly adopted by the City Planning Commission on March 14, 2018 (Calendar No. 12), is filed with the Office of the Speaker, City Council and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

**KENNETH J. KNUCKLES**, *Esq.*, *Vice-Chairman*

**RAYANN BESSER, ALFRED C. CERULLO, III, RICHARD W. EADDY,**

**CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ**, *Commissioners*