



CITY PLANNING COMMISSION

June 8, 2022 / Calendar No. 15

C 220220 ZMM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c:

1. eliminating from within an existing R8 District a C1-5 District bounded by West 54th Street, a line 150 feet easterly of Ninth Avenue, a line midway between West 54th Street and West 53rd Street, a line 150 feet westerly of Eighth Avenue, West 53rd Street, a line 250 feet easterly of Ninth Avenue, a line 55 feet northerly of West 53rd Street, and Ninth Avenue; and
2. changing from an R8 District to a C6-2 District property bounded by West 54th Street, a line 150 feet westerly of Eighth Avenue, West 53rd Street, a line 250 feet easterly of Ninth Avenue, a line 55 feet northerly of West 53rd Street, and Ninth Avenue;

Borough of Manhattan, Community District 4, as shown on a diagram (for illustrative purposes only) dated January 3, 2022.

This application for a zoning map amendment was filed by the New York City Department of Housing Preservation and Development (HPD) on November 24, 2021. The zoning map amendment, along with the related actions, would facilitate the construction of a nine-story, mixed-use development containing 112 permanently affordable dwelling units, approximately 67 of which would be supportive housing, along with commercial and community facility space, at 806 Ninth Avenue in the Clinton/Hell's Kitchen neighborhood of Manhattan Community District 4.

RELATED ACTIONS

In addition to the acquisition that is the subject of this report (C 220220 ZMM), implementation of the proposed development also requires action by the City Planning Commission on the following

applications, which are being considered concurrently with this application:

- N 220219 ZRM** Zoning text amendment to allow CPC to modify, by special permit, non-FAR bulk regulations
- C 220221 (A) ZSM** Special permit pursuant to Zoning Resolution Section 96-112 to allow for modifications to Article IX, Chapter 6 (Special Clinton District) regulations
- C 220222 PPM** Disposition of city-owned property
- C 220223 PQM** Acquisition of city-owned property

BACKGROUND

A full background discussion and description of this application appears in the report for the related special permit (C 220221 (A) ZSM).

ENVIRONMENTAL REVIEW

The application (C 220220 ZMM), in conjunction with the applications for the related actions (N 220219 ZRM, C 220221 (A) ZSM, C 220222 PPM, and C 220223 PQM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQR), and the SEQR regulations set forth in Volume 6 of the New York Code of Rules and Regulations (NYCRR), Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 20HPD053M. The lead agency is HPD.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on December 23, 2021.

UNIFORM LAND USE REVIEW

On January 3, 2022, this application (C 220220 ZMM), in conjunction with the applications for the related actions (C 220221 ZSM, C 220222 PMM, and C 220223 PQM), was certified as complete by the Department of City Planning and was duly referred to Community Board 4 and the Manhattan Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 220219 ZRM), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Review

Manhattan Community Board 4 held public hearings on this application and the related actions on March 2, 2022. On March 2, 2022, by a vote of 32 in favor, seven opposed, and none abstaining, adopted a resolution recommending disapproval of the application with conditions. A summary of the community board's recommendations appears in the report for the related special permit (C 220221 (A) ZSM).

Borough President Review

The application was considered by the Manhattan Borough President, who on April 13, 2022, issued a recommendation approving the application with conditions. A summary of the borough president's recommendations appears in the report for the related special permit (C 220221 (A) ZSM).

City Planning Commission Public Hearing

On April 13, 2022 (Calendar No. 1), the City Planning Commission scheduled April 27, 2022, for a public hearing on this application (C 220220 ZMM) and the related applications (N 220219 ZRM, C 220221 (A) ZSM, C 220222 PPM, and C 220223 PQM). The hearing was duly held on April 27, 2022 (Calendar No. 13). There were five speakers in favor of the application and 11 in opposition, as described in the report on the related special permit application (C 220221 (A) ZSM), and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed zoning map amendment (C 220220 ZMM), in conjunction with the related applications (N 220219 ZRM, C 220221 (A) ZSM, C 220222 PPM, and C 220223 PQM), is appropriate. A full consideration and analysis of the issues and the reasons for approving the application appears in the report on the related application (C 220221(A) ZSM).

RESOLUTION

RESOLVED, that having considered the Environmental Assessment Statement, for which a Negative Declaration was issued on December 23, 2021 with respect to this application (CEQR No. 20HPD053M), the City Planning Commission finds that the actions described herein will have no significant impact on the environment; 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 No. 8c:

1. eliminating from within an existing R8 District a C1-5 District bounded by West 54th Street, a line 150 feet easterly of Ninth Avenue, a line midway between West 54th Street and West 53rd Street, a line 150 feet westerly of Eighth Avenue, West 53rd Street, a line 250 feet easterly of Ninth Avenue, a line 55 feet northerly of West 53rd Street, and Ninth Avenue; and
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Borough of Manhattan, Community District 4, as shown on a diagram (for illustrative purposes only) dated January 3, 2022.

The above resolution (C 220220 ZMM), duly adopted by the City Planning Commission on June 8, 2022 (Calendar No. 15) 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.

DANIEL R. GARODNICK, Esq., *Chair*

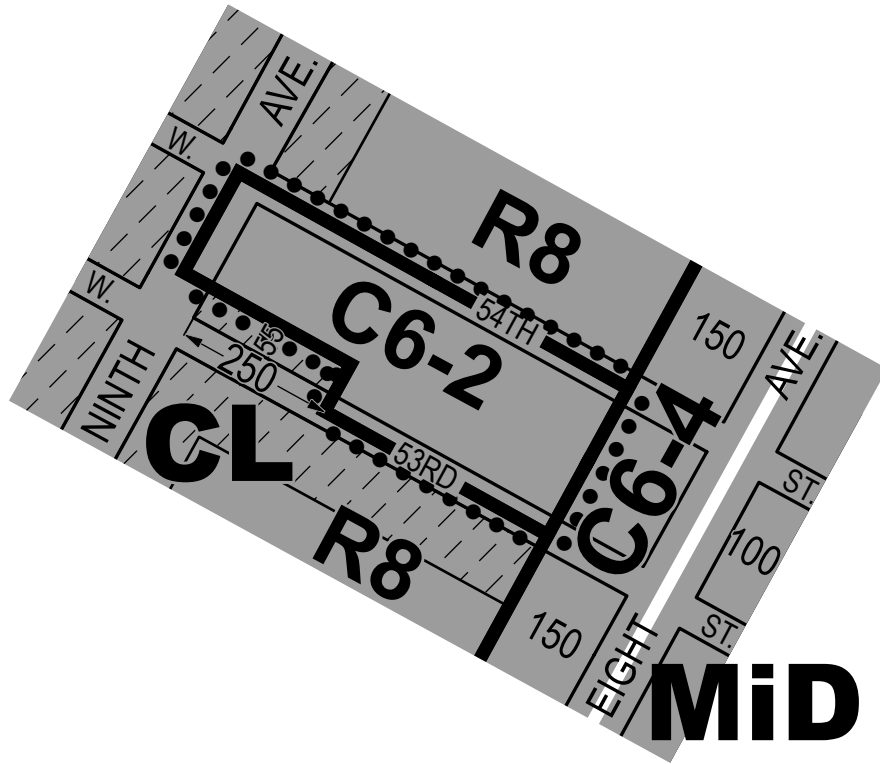
KENNETH J. KNUCKLES, Esq., *Vice-Chairman*

DAVID J. BURNEY, ALFRED C. CERULLO, III, JOSEPH I. DOUEK,

LEAH GOODRIDGE, ANNA HAYES LEVIN, ORLANDO MARÍN,

RAJ RAMPERSHAD, *Commissioners*

LARISA ORTIZ, *Commissioner, ABSTAINING*



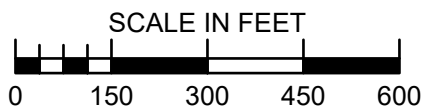
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
ZONING CHANGE
 ON SECTIONAL MAP

8c
 BOROUGH OF
MANHATTAN



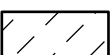

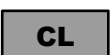
S. Lenard
 S. Lenard, Director
 Technical Review Division



New York, Certification Date:
 January 3rd, 2022



NOTE:

-  Indicates Zoning District Boundary
-  The area enclosed by the dotted line is proposed to be rezoned by eliminating a C1-5 District from within an existing R8 District and by changing an R8 District to a C6-2 District.
-  Indicates a C1-5 District
-  Indicates a Special Midtown District
-  Indicates a Special Clinton District