



IN THE MATTER OF an application submitted by the 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 11.

This application for an amendment to the Zoning Resolution was filed by the Department of Housing, Preservation and Development (HPD) on April 17, 2017, to create a Mandatory Inclusionary Housing area that would require, through zoning actions, a share of new housing to be permanently affordable.

RELATED ACTIONS

In addition to the proposed zoning text amendment (N 170362 ZRM) that is the subject of this report, 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:

- C 170361 ZMM Zoning map amendment to change existing R7-2 and R7-2/C1-4 districts to R9 and R9/C2-5 districts.

- C 170363 HAM Urban Development Action Area Project (UDAAP) designation and project approval and the disposition of City-owned property.

- C 170364 PQM Acquisition of a portion of the disposition area by the City for community garden use.

- C 170365 ZSM Special permit to modify the height and setback and yard requirements within a Large-Scale General Development.

- C 170366 ZSM Special permit to allow commercial use above the second story within a mixed-use building.
- C 170367 ZSM Special permit to modify parking requirements within a Large Scale General Development.
- N 170368 ZCM Certification from the City Planning Commission to modify the ground-floor use requirements for a building facing a wide street.

BACKGROUND

A full background discussion and description of this application appears in the report on the related UDAAP action (C 170363 HAM).

ENVIRONMENTAL REVIEW

This application (N 170362 ZRM), in conjunction with the related actions (C 170361 ZMM, C 170363 HAM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM, C 170367 ZSM and N 170368 ZCM), 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 designated CEQR number is 17DCP048M. The lead agency is the City Planning Commission.

A summary of the environmental review, including the Final Environmental Impact Statement (FEIS), issued on September 19, 2017, appears in the report on the related UDAAP action (C 170363 HAM).

PUBLIC REVIEW

This application (N 170362 ZRM), along with an application for a City Planning Commission certification (N 170368 ZCM), was referred for information and review in accordance with the procedures for non-ULURP matters on April 24, 2017, in conjunction with the related actions (C 170361 ZMM, C 170363 HAM, C 170364 PQM, C 170365 ZSM, C 170366 ZSM and C 170367 ZSM), which were certified as complete by the Department of City Planning on April 24, 2017 and duly referred to Manhattan Community Board 11 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 11 held a public hearing on the application (N 170362 ZRM) on June 27, 2017 and on that date, by a vote of 29 in favor, five in opposition, and with three abstentions, adopted a resolution recommending approval with conditions.

A summary of the Community Board's recommendations appears in the report for the related UDAAP action (C 170363 HAM).

Borough President Recommendation

This application (N 170362 ZRM) was considered by the Manhattan Borough President, who issued a recommendation approving the application with conditions on August 2, 2017.

A summary of the Borough President's recommendations appear in the report for the related UDAAP action (C 170363 HAM).

City Planning Commission Public Hearing

On August 9, 2017 (Calendar No. 21), the City Planning Commission scheduled August 23,

2017 for a public hearing on this application (N 170362 ZRM) and the applications for the related actions. The hearing was duly held on August 23, 2017 (Calendar No. 39).

There were eight speakers in favor of the application and none in opposition, as described in the report on the related application for a UDAAP action (C 170363 HAM).

CONSIDERATION

The Commission believes that this proposed text amendment to the Zoning Resolution, in conjunction with the related actions, 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 for a UDAAP action (C 170363 HAM).

RESOLUTION

RESOLVED, that having considered the Sendero Verde Development Alternative in the Final Environmental Impact Statement (FEIS) of the Harlem Neighborhood Rezoning applications, for which a Notice of Completion was issued on September 19, 2017, with respect to this application (CEQR No. 17DCP048M), and the Technical Memorandum, dated September 29, 2017, 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 available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts identified in the Sendero Verde Development Alternative of the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Land Disposition

Agreement(s) with the City, those project components related to the environment and mitigation measures determined to be practicable.

The report of the City Planning Commission, together with the FEIS and the Technical Memorandum dated September 29, 2017, constitute 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, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environment determination, and the consideration described in this report, the Zoning Resolution of the City of New York, effective as December 15, 1961, and as subsequently modified, 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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

Manhattan Community District 11

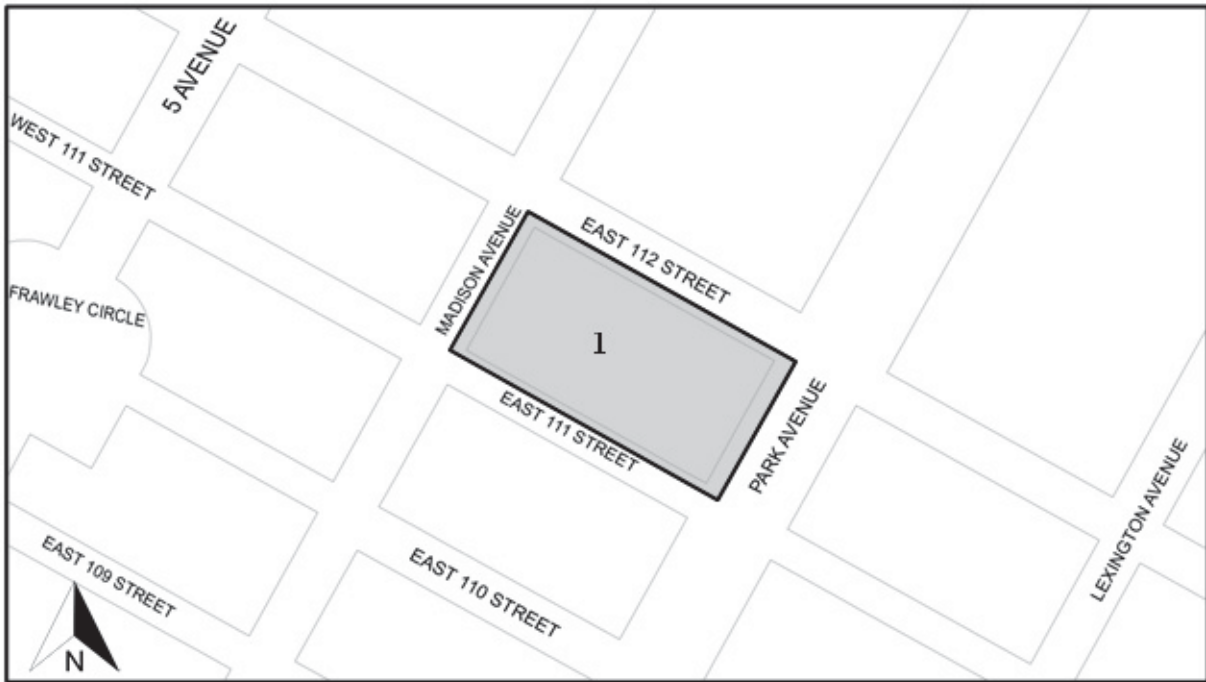
* * *

In the R9 District within the areas shown on the following Map 2:

* * *

Map 2 - (date of adoption)

[PROPOSED MAP]



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

Area 1 (date of adoption) - MIH Program Option 1 and Deep Affordability Option

Portion of Community District 11, Manhattan

* * *

The above resolution (N 170362 ZRM), duly adopted by the City Planning Commission on October 2, 2017 (Calendar No. 6), 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,

MICHELLE R. DE LA UZ,

JOSEPH DOUEK, RICHARD W. EADDY,

CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ *Commissioners*