Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action and determines whether a proposed action is compatible with those conditions or may affect them. This analysis also considers the Proposed Actions' compliance with, and effect on, the area's zoning and other applicable public policies.

As described in Chapter 1, "Project Description," the New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions (collectively, the "Proposed Actions") to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation and preserve neighborhood character. The directly affected area comprises approximately 96 blocks of the East Harlem neighborhood in Manhattan, Community District 11.

The Proposed Actions include:

- ***Zoning map amendments.*** The proposed rezoning would replace all or portions of existing R7-2, C8-3, M1-2, M1-4, C4-4, C4-4D, R8A, R7A, and C6-3 districts within the rezoning area with M1-6/R9, M1-6/R10, C4-6, C6-4, R10, R9, R7A, R7B, and R7D districts. In addition, the proposed rezoning would replace or eliminate portions of existing C1-2, C1-4, C2-4, and C1-5 overlays with C1-5 or C2-5 overlays and establish new C1-5 overlays. The proposed rezoning action would also amend the Zoning Map to include the boundaries of the Special East Harlem Corridors District (EHC) along major thoroughfares within the rezoning area, as well as modified boundaries of the Special Transit Land Use District (TA).
- ***Zoning text amendments.*** The Proposed Actions include amendments to the text of the City's Zoning Resolution to:
  - Establish the EHC Special District along major corridors within the rezoning area including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue, and East 116th Street corridors to establish special use, bulk, ground-floor design and parking regulations;
  - Create a new City Planning Commission (CPC) special permit that would allow for the development, conversion, or enlargement of hotels within the proposed EHC Special District;
  - Modify existing provisions of the Special 125th Special District applicable to the portion of the special district located at the intersection of East 125th Street and Park Avenue to implement new special use, bulk, ground-floor design, and parking regulations;
  - Modify the boundaries of the TA District to reflect the current plans of the Metropolitan Transportation Authority (MTA) for prospective Second Avenue Subway locations, and require all new developments in the TA District to be reviewed by MTA and the CPC to

ensure the inclusion of necessary transportation-related facilities in those developments, as deemed necessary; and

- Amend Appendix F of the Zoning Resolution to apply the Mandatory Inclusionary Housing (MIH) program to portions of the proposed rezoning area, including areas where zoning changes would promote new housing.

- ***Urban Renewal Plan (URP) amendments.*** The Proposed Actions include amendments to the Milbank Frawley Circle-East URP to:
  - Remove the supplementary setback control on Sites along Park Avenue between East 110th Street and East 123rd Street.
  - Change the designated land use of Site 9 from 'residential / public & semi-public' to 'residential.'
  - Change the designated land use of Site 25A from 'residential, residential/commercial, and commercial/semi-public' to 'residential.'
- ***Determination of consistency with the Waterfront Revitalization Program (WRP)***. Portions of the rezoning area are within the Coastal Zone and will require review by the CPC, in its capacity as the City Coastal Commission (CCC), to determine if they are consistent with the relevant WRP policies.

The Proposed Actions seek to facilitate a vibrant, inclusive residential neighborhood with a wide variety of local and regional commercial activities, job opportunities, and attractive streets that are safe and inviting for residents, workers, and visitors.

PRINCIPAL CONCLUSIONS

As described in detail in this chapter, no significant adverse impacts on land use, zoning, or public policy are anticipated. The Proposed Actions would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing zoning and land uses. Furthermore, the Proposed Actions would not result in development that conflicts with adopted public policies.

The Proposed Actions would provide opportunities for new housing, including substantial amounts affordable housing, along key corridors, particularly Park, Third, and Second Avenues, which would expand housing choices for current and future residents. The Proposed Actions would require permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs. The proposed zoning changes would unlock development opportunities and allow for a growing residential population. These actions would also facilitate the expansion of customer bases for existing and new businesses, such as grocery stores, pharmacies, and other services, which would help local businesses continue to flourish. The Proposed Actions also seek to reinforce and protect the existing character and context of the mid-blocks by focusing new residential density along the major north–south corridors in the Project Area, and by introducing contextual residential districts on select mid-blocks.

The Proposed Actions would be consistent with the City's Waterfront Revitalization Program (WRP). Per the WRP Consistency Assessment (WRP #16-172), which was reviewed by DCP's Waterfront and Open Space Division, the Proposed Actions would support the applicable policies of the City's WRP.

B. METHODOLOGY

The analysis methodology is based on the guidelines of the *CEQR Technical Manual* and examines the effects of the Proposed Actions on land use, zoning, and public policy, and determines the potential for the Proposed Actions to result in significant adverse impacts. As described in Chapter 1, "Project Description," in order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was established for both the No Action and With Action Conditions for the 2027 Analysis, or "Build," Year.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would result in a significant change in land use or would substantially affect regulations or policies governing land use. An assessment of zoning is typically performed in conjunction with a land use analysis when the action would result in a change in zoning or result in the loss of a particular use. Therefore, a detailed analysis has been prepared that describes existing and anticipated future conditions for the 2027 Build Year, assesses the nature of any changes on these conditions created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

Various sources were used to comprehensively analyze the land use, zoning, and public policy characteristics of the study area, including field surveys, land use, and zoning maps, and online sources from DCP and the New York City Department of Buildings (DOB).

STUDY AREAS

This chapter identifies a primary study area where the land use effects of the Proposed Actions are direct, and a secondary study area where indirect effects may occur. The primary study area encompasses the blocks that would be directly affected by the Proposed Actions (i.e., properties within the Project Area). The secondary study includes neighboring areas within a ¼-mile boundary from the primary study area, which could experience indirect impacts (see **Figure 2-1**).

As described in Chapter 1, "Project Description," the Project Area or primary study area comprises all or portions of an approximately 96-block area of East Harlem and is generally bounded by East 104th Street to the south, East 132nd Street to the north, Park Avenue to the west and Second Avenue to the east. North of East 126th Street, the primary study area extends west to Fifth Avenue.

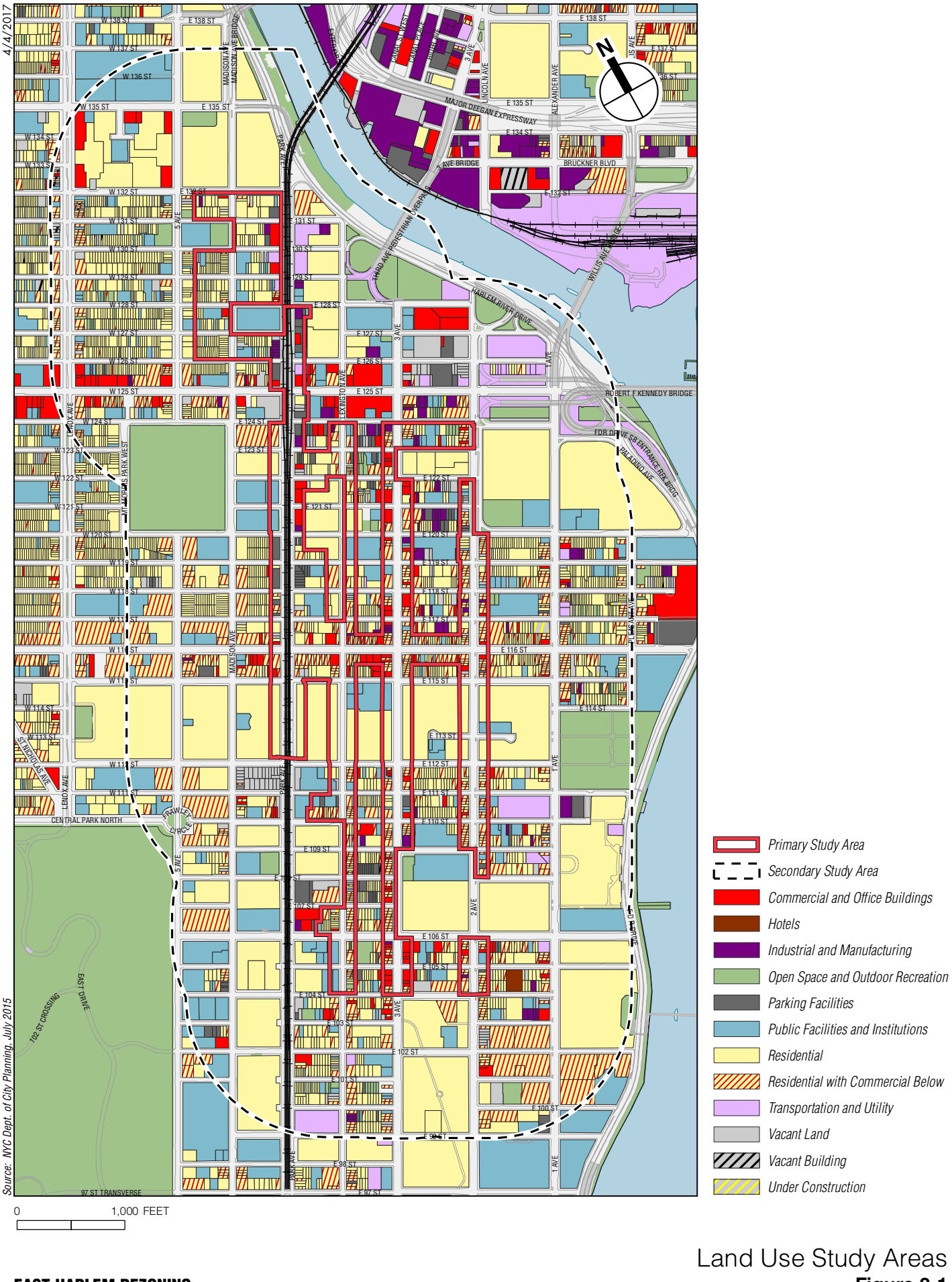
The secondary study area extends an approximate ¼ mile from the boundary of the primary study area and is generally bounded by East 99th Street to the south, the Harlem River Drive and West 137th Street to the north, Fifth and Lenox Avenues to the west and First Avenue to the east.

C. EXISTING CONDITIONS

LAND USE

PRIMARY STUDY AREA

The Proposed Actions would affect a 96-block area of Manhattan Community District 11, extending from East 104th Street to the south to East 132nd Street to the north, generally between Fifth and Second Avenues (see **Figure 2-1**). The area is defined by a series of north-



Land Use Study Areas

Figure 2-1

south corridors, with East 125th Street dividing the north and central sections and East 116th Street dividing the central and southern sections.

As presented in **Figure 2-1** and **Table 2-1**, the primary study area is comprised of a mix of land uses, with residential being the most predominant land use, accounting for approximately 34 percent of the lots, 33 percent of the total lot area, and 39 percent of the total built floor area. Approximately 3 percent of the lots are occupied with one- and two-family homes, 27 percent of the lots contain multi-family walk-up buildings, and 4 percent of the lots contain multi-family elevator buildings. However, because of the high concentration of New York City Housing Authority (NYCHA) tower-in-the-park-style developments (which are comprised of multiple buildings on superblocks), the percentage of the total built floor area from multi-family elevator buildings is 19 percent (the highest percentage of total built floor among the residential typologies).

Mixed commercial and residential buildings account for the second highest percentage of the primary study area lots and building area (37 percent and 37 percent, respectively), while representing a slightly smaller percentage (29 percent) of the primary study area lot area.

The third most prevalent land uses are commercial and office, public facilities and institutions, each representing 11 percent of the total lot area within the primary study area. Commercial and office buildings account for 8 percent of the total lots and 10 percent of the total built floor area. These lots are primarily concentrated along the commercial corridors of the study area, including the avenues and East 125th and East 116th Streets. Public facilities and institutions account for 6 percent of the total lots in the primary study area and 9 percent of the total built floor area. Public facilities and institutions range in size and type, and include small-scale community centers and places of worship, public schools, and large hospitals.

Vacant land occupies 8 percent of the primary study area lots (5 percent of the total lot area), parking facilities occupy 4 percent of the primary study area lots (6 percent of the total lot area), and industrial and manufacturing uses occupy 2 percent of the primary study area lots (3 percent of the total lot area and 4 percent of the built floor area), and transportation and utility uses occupy 0.3 percent of the primary study area lots and built floor area (0.8 percent of the total lot area). Because the neighborhood's major parks are located outside of the primary study area, open space comprises approximates 0.3 percent of the primary study area's lots, or 0.4 percent of the total lot area.

Table 2-1
Existing Land Uses within the Primary Study Area

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential Total	357	34.1%	1,098,663	32.9%	3,468,793	38.7%
One &Two Family	28	2.7%	43,243	1.3%	83,176	0.9%
Multi-Family Walk-Ups	283	27.0%	614,653	18.4%	1,645,107	18.3%
Multi-Family Elevator	46	4.4%	440,767	13.2%	1,740,510	19.4%
Mixed Residential & Commercial	387	36.9%	964,583	28.9%	3,352,755	37.4%
Commercial & Office	83	7.9%	375,205	11.2%	911,696	10.2%
Industrial & Manufacturing	24	2.3%	103,821	3.1%	347,700	3.9%
Transportation & Utility	3	0.3%	27,122	0.8%	22,863	0.3%
Public Facilities & Institutions	60	5.7%	368,168	11.0%	845,889	9.4%
Open Space & Outdoor Recreation	3	0.3%	12,362	0.4%	-	0.0%
Parking Facilities	46	4.4%	207,014	6.2%	22,521	0.3%
Vacant Land	78	7.4%	168,558	5.1%	-	0.0%
NO DATA	7	0.7%	10,414	0.3%	-	0.0%
Primary Study Area Total	**1,048**	**100.0%**	**3,335,910**	**100.0%**	**8,972,217**	**100.0%**

Source: New York City PLUTO data files v2016.

The primary study area is defined by a series of north-south corridors, with East 125th Street dividing the north and central sections and East 116th Street dividing the central and southern sections. Major corridors and subareas of the neighborhood are described in more detail below.

North of East 125th Street

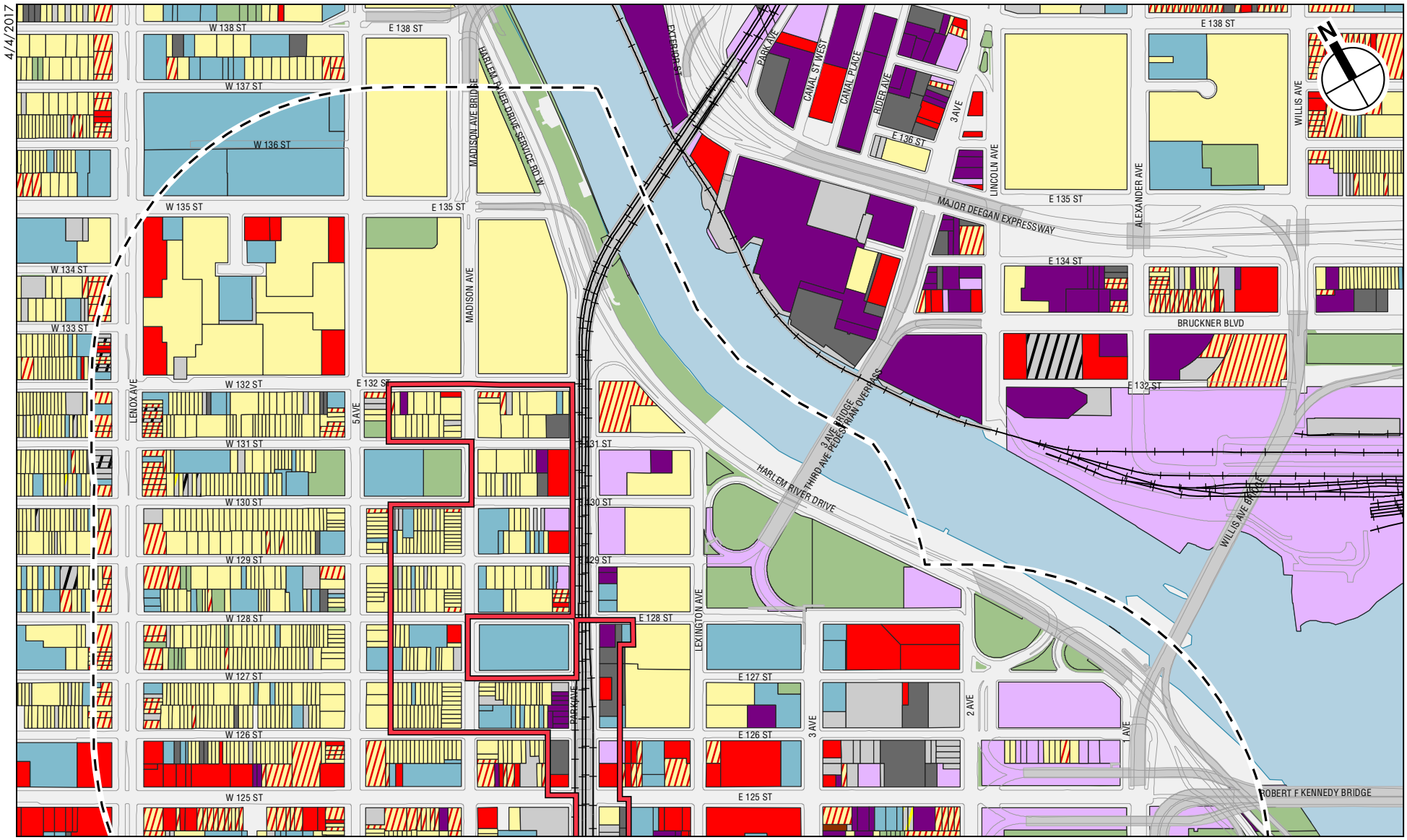
The North of East 125th Street subarea is comprised of a mix of uses, including residential, commercial, automotive uses, manufacturing uses, and parking (see **Figures 2-2, 2-2a, and 2-2b**). As presented in **Table 2-2**, residential use is the predominant land use, accounting for approximately 70 percent of the lots, 58 percent of the total lot area, and 68 percent of the total built floor area. Approximately 7 percent of the lots are occupied with one and two family homes, 56 percent of the lots contain multi-family walk-up buildings, and 7 percent of the lots contain multi-family elevator buildings.

Public facilities and institutions account for the second highest percentage of the subarea land uses. Public facilities and institutions account for 8 percent of the lots, 14 percent of the total lot area and 10 percent of the building area.

Vacant land accounts for 8 percent of the lots and 6 percent of the total lot area. Mixed residential and commercial buildings account for 6 percent of the lots, 4 percent of the total lot area, and 5 percent of the building area. Industrial and manufacturing uses are 1 percent of the lots, 3 percent of the total lot area, and 6 percent of the building area. Open spaces and parking facilities are present but not proportionally high in comparison to other uses within the subarea.

The area west of Park Avenue between East 125th and East 132nd Streets is characterized by well-maintained three- to four-story brownstones on the mid-blocks and five- to seven-story mid-rise buildings on the avenue. The surrounding area is predominantly residential with a few ground-floor retail uses along portions of Madison Avenue.

The northern portion of Park Avenue has a different neighborhood character from that found along Madison Avenue. The viaduct is a dominant structure along Park Avenue and provides public parking at grade as well as Department of Sanitation (DSNY) facilities. The predominant uses in this area are automotive and manufacturing. Along the west side of Park Avenue there

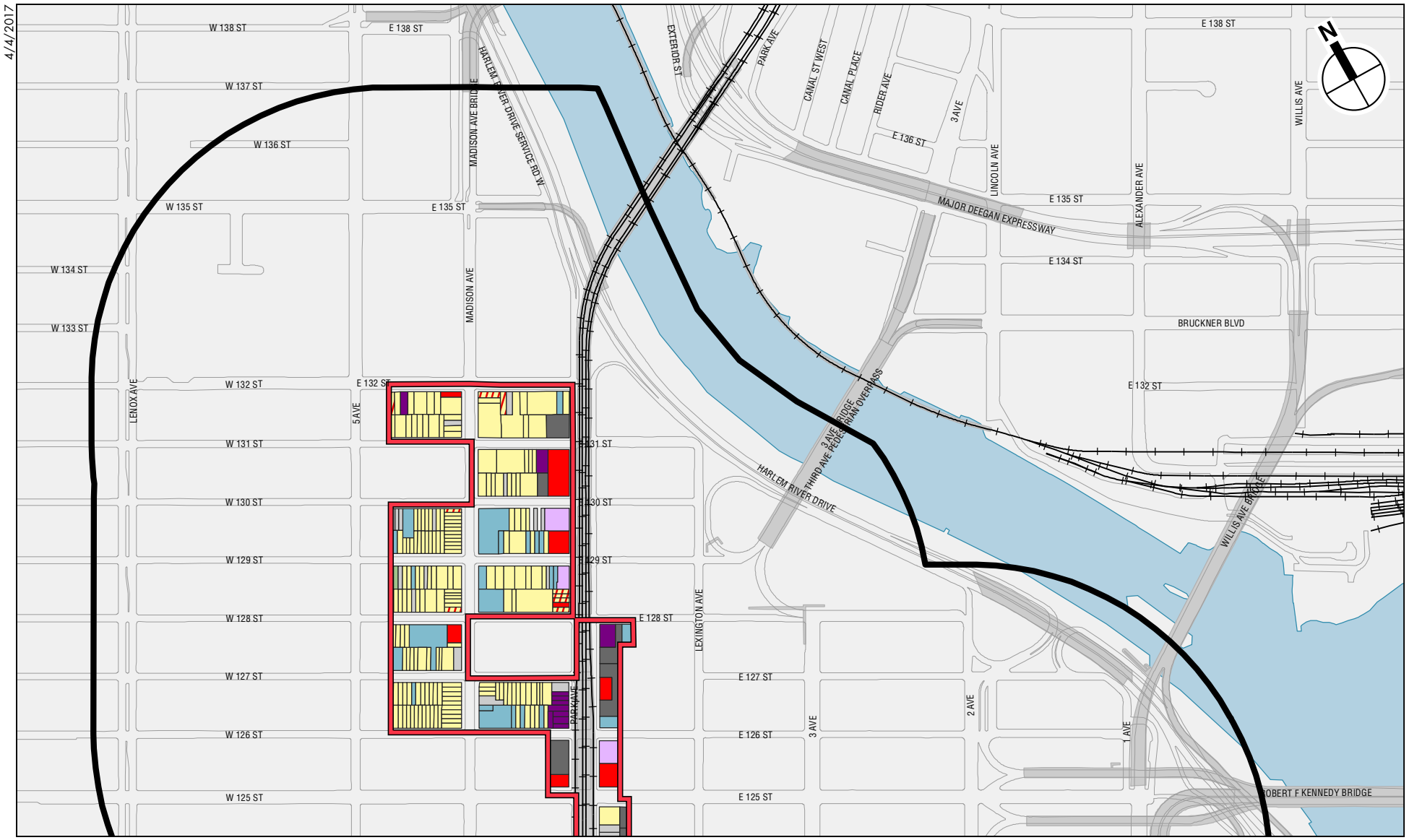


Primary Study Area
Secondary Study Area
Commercial and Office Buildings
Hotels
Industrial and Manufacturing
Open Space and Outdoor Recreation
Parking Facilities
Public Facilities and Institutions
Residential
Residential with Commercial Below
Transportation and Utility
Vacant Land
Vacant Building
Under Construction

0 500 FEET

EAST HARLEM REZONING

North of 125th Street Subarea
Figure 2-2

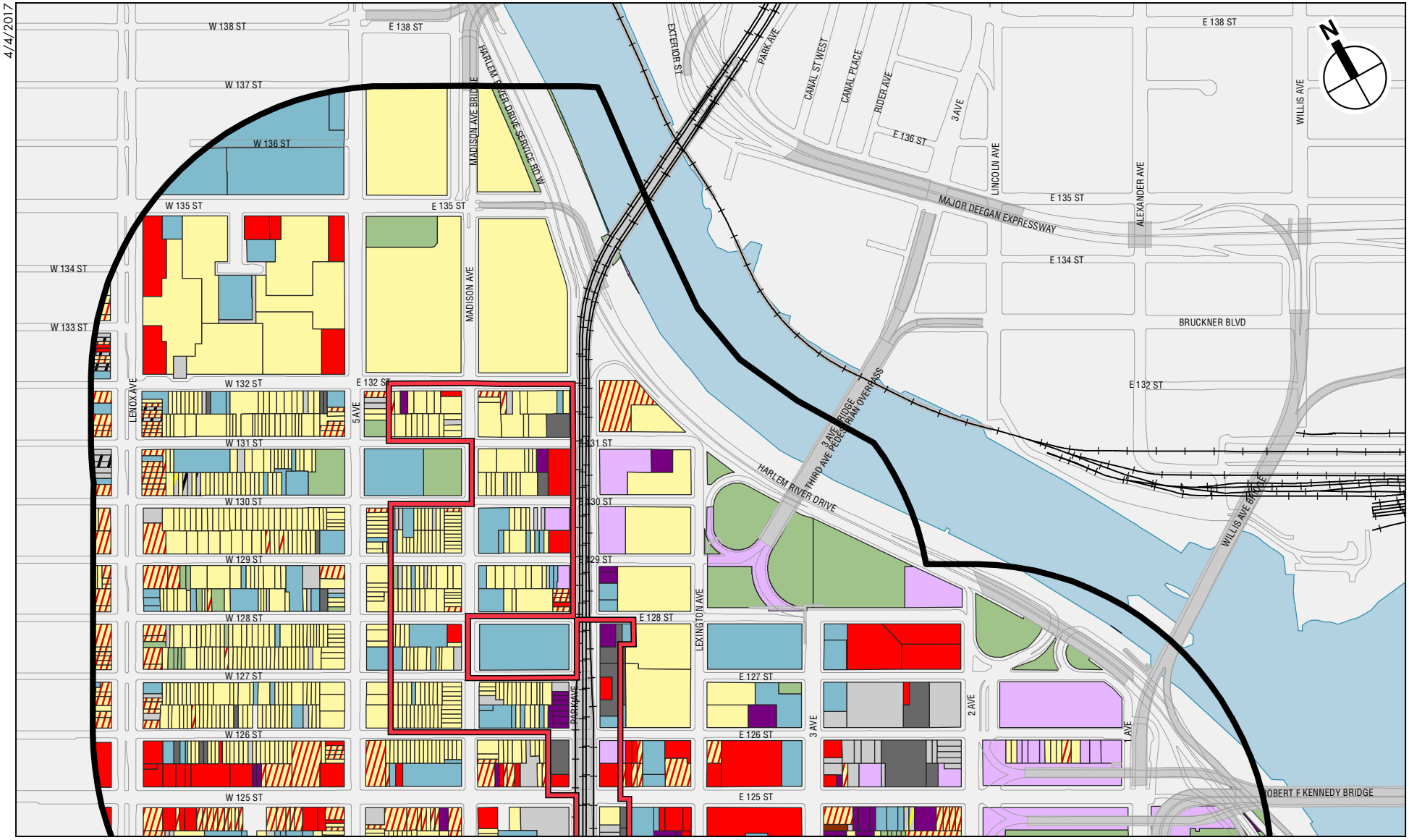


EAST HARLEM REZONING

North of 125th Street Subarea

Figure 2-2a

4/4/2017



Primary Study Area
Secondary Study Area
Commercial and Office Buildings
Hotels
Industrial and Manufacturing
Open Space and Outdoor Recreation
Parking Facilities
Public Facilities and Institutions
Residential
Residential with Commercial Below
Transportation and Utility
Vacant Land
Vacant Building
Under Construction

0 500 FEET

EAST HARLEM REZONING

North of 125th Street Subarea
Figure 2-2b

are residential and commercial uses as well as a structures and surface parking, a gas station, and a large storage facility with office space and community facility uses on the ground floor. The east side of Park Avenue is characterized by manufacturing uses and parking. DSNY leases a large parking facility on the east side of the avenue, and Consolidated Edison has a substation, which is also on the east side of the avenue. There are also community facility, institutional, and parking uses along the east side. Although residential uses are only zoned in the most northern portion of Park Avenue, there are residential uses along the west side of Park Avenue in non-residential districts that predate the 1961 Zoning Resolution.

The area surrounding the intersection of East 125th Street and Park Avenue represents the meeting of two critical neighborhood corridors that connect the northern portion of Park Avenue to the mid-section of East 125th Street. In 2008, this portion of East Harlem was rezoned; however, there were maximum height and setback rules embedded in the zoning that limited building heights. The southwestern corner was mapped with a higher density zoning to accommodate a known development at the time of the rezoning. The northwestern corner of 125th Street was modified with the Corn Exchange Building. This building, originally known as the Mount Morris Bank, had been a mixed-use building with retail, office, and residential uses; however, the building fell into disrepair after the 1970s. In recent years, it was restored, offering new opportunities for retail and office space. The northeast corner is occupied by a 12-story building that is used as office space with ground-floor retail, and the southeast corner is occupied by a number of smaller buildings with ground-floor retail space with an unpermitted transient hotel use above.

In additional to the retail and office uses located at this commercial node, the Harlem-125th Street Metro-North Railroad station is located on the northern portion of East 125th Street and Park Avenue. The current station was built in 1897, and regional rail service provides connections to Grand Central Terminal to the south and to the Bronx, Westchester County, and Connecticut to the north. The southern portion of the block is occupied by a non-functioning comfort station. In 2013, a New York City Department of Transportation (DOT) Plaza program reactivated the space in front of the comfort station as a public plaza.

Table 2-2
Existing Land Uses within the North of 125th Street Subarea

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential Total	200	70%	528,504	58%	1,555,385	68%
One &Two Family	21	7%	33,260	4%	63,287	3%
Multi-Family Walk-Ups	160	56%	348,646	38%	888,629	39%
Multi-Family Elevator	19	7%	146,598	16%	603,469	26%
Mixed Residential & Commercial	16	6%	37,102	4%	123,299	5%
Commercial & Office	6	2%	32,708	4%	191,431	8%
Industrial & Manufacturing	3	1%	30,181	3%	145,501	6%
Transportation & Utility	3	1%	27,122	3%	22,863	1%
Public Facilities & Institutions	22	8%	131,182	14%	237,519	10%
Open Space & Outdoor Recreation	1	0%	7,417	1%	-	0%
Parking Facilities	6	2%	54,073	6%	4,996	0%
Vacant Land	24	8%	52,010	6%	-	0%
NO DATA	6	2%	9,549	1%	-	0%
Secondary Study Area Total	287	100%	909,848	100%	2,280,994	100%

Source: New York City PLUTO data files v2016.

Between East 125th Street and East 116th Street

As presented in **Table 2-3**, this subarea is comprised of a mix of land uses, with residential being the predominant land use, accounting for approximately 25 percent of the lots, 31 percent of the total lot area, and 28 percent of the total built floor area. Approximately 1 percent of the lots are occupied with one and two family homes, 18 percent of the lots contain multi-family walk-up buildings, and 6 percent of the lots contain multi-family elevator buildings. However, because of the presence of NYCHA developments, multi-family elevator buildings represent the highest portion of residential building area at 26 percent.

Mixed residential and commercial buildings account for the second-most predominant land use in the subarea. Mixed residential and commercial buildings account for 37 percent of the lots, 30 percent of the total lot area, and 38 percent of the building area. It is clear that the subarea can be characterized as a residential neighborhood with ground-floor commercial uses along the avenues.

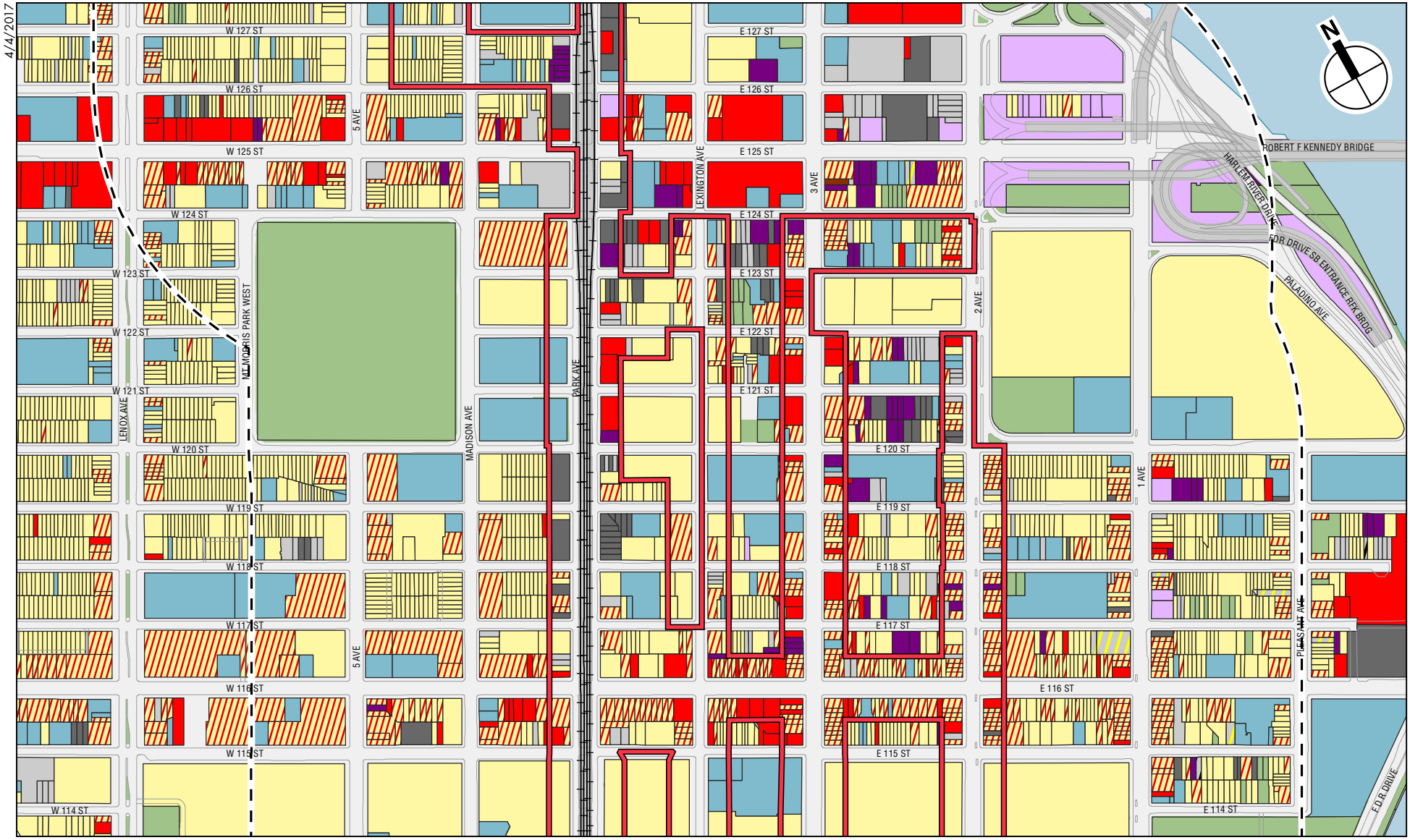
Table 2-3
Existing Land Uses within the Between East 125th Street and East 116th Street Subarea

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential Total	94	25%	424,652	31%	1,490,575	38%
One &Two Family	4	1%	5,847	0%	10,641	0%
Multi-Family Walk-Ups	67	18%	157,830	12%	473,397	12%
Multi-Family Elevator	23	6%	260,975	19%	1,006,537	26%
Mixed Residential & Commercial	137	37%	404,972	30%	1,487,440	38%
Commercial & Office	32	9%	159,183	12%	448,824	11%
Industrial & Manufacturing	17	5%	56,505	4%	146,295	4%
Transportation & Utility	-	-	-	-	-	-
Public Facilities & Institutions	21	6%	118,754	9%	340,908	9%
Open Space & Outdoor Recreation	2	1%	4,945	0%	-	0%
Parking Facilities	30	8%	117,708	9%	1,925	0%
Vacant Land	35	9%	70,147	5%	-	0%
NO DATA	1	0%	865	0%	-	0%
Secondary Study Area Total	369	100%	1,357,731	100%	3,915,967	100%

Source: New York City PLUTO data files v2016.

Commercial and office use account for 9 percent of the lots, 12 percent of the lot area, and 11 percent of the building area. Vacant land accounts for 9 percent of the lots and 5 percent of the total lot area. Parking facilities account for 8 percent of the lots and 9 percent of the lot area. Public facilities and institutions account for 6 percent of the lots, 9 percent of the lot area, and 9 percent of the building area. Industrial and manufacturing uses are not very prevalent in the subarea, and account for only 5 percent of the lots, 4 percent of the lot area, and 4 percent of the building area.

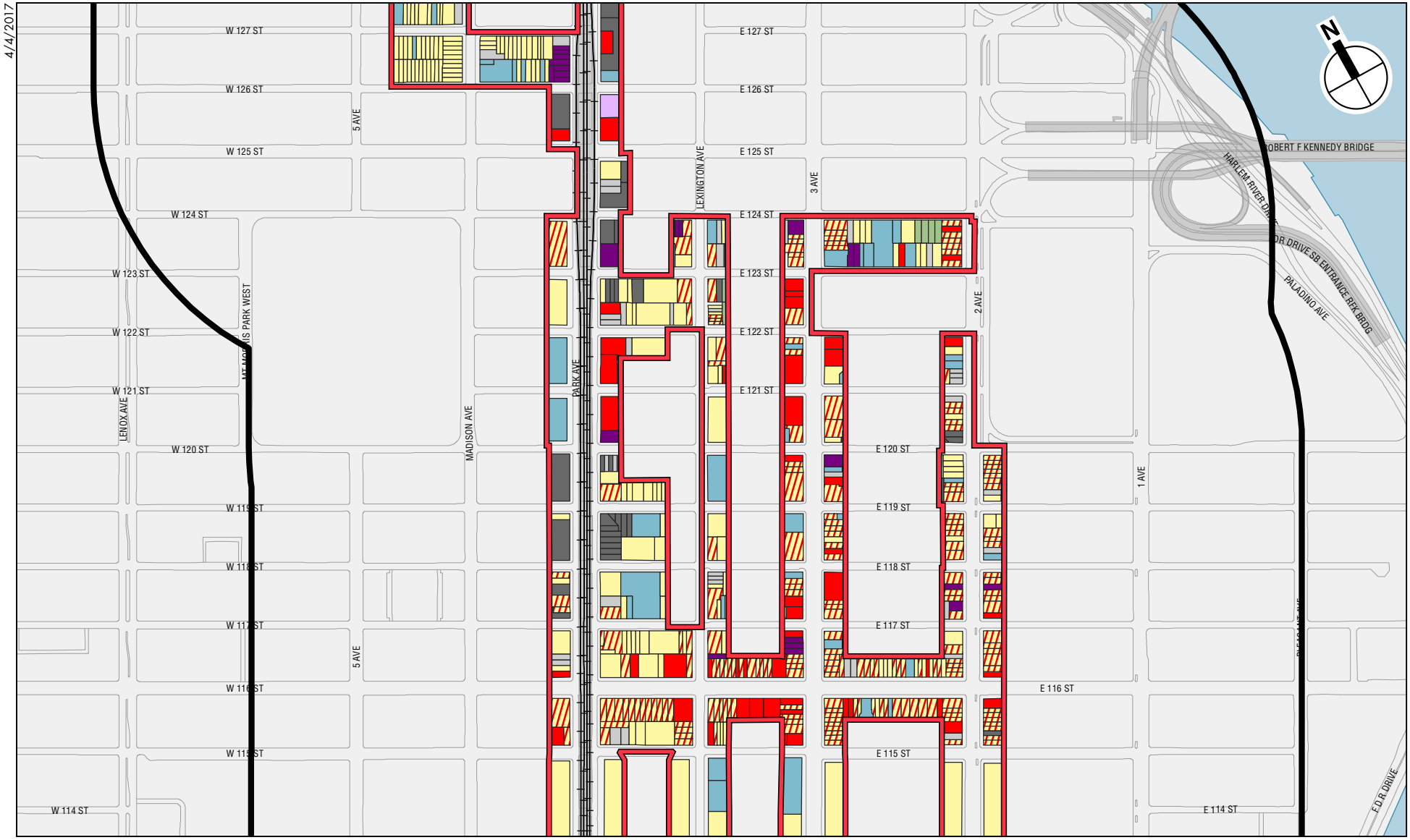
This portion of Park, Lexington, Third, and Second Avenues stretches from East 124th to East 115th Streets (see **Figures 2-3, 2-3a, and 2-3b**). This segment of Park Avenue is characterized by residential, institutional, and manufacturing uses with surface parking, including public and institutional parking, beneath the viaduct. The west side of Park Avenue is mainly characterized by a number of parking lots and institutional uses with few residential uses located in the southern portion of this area. As stipulated by the Milbank Frawley Urban Renewal Plan (URPs), residential development was prohibited within 100 feet of the viaduct. The east side of



Between East 125th Street and East 116th Street Subarea

EAST HARLEM REZONING

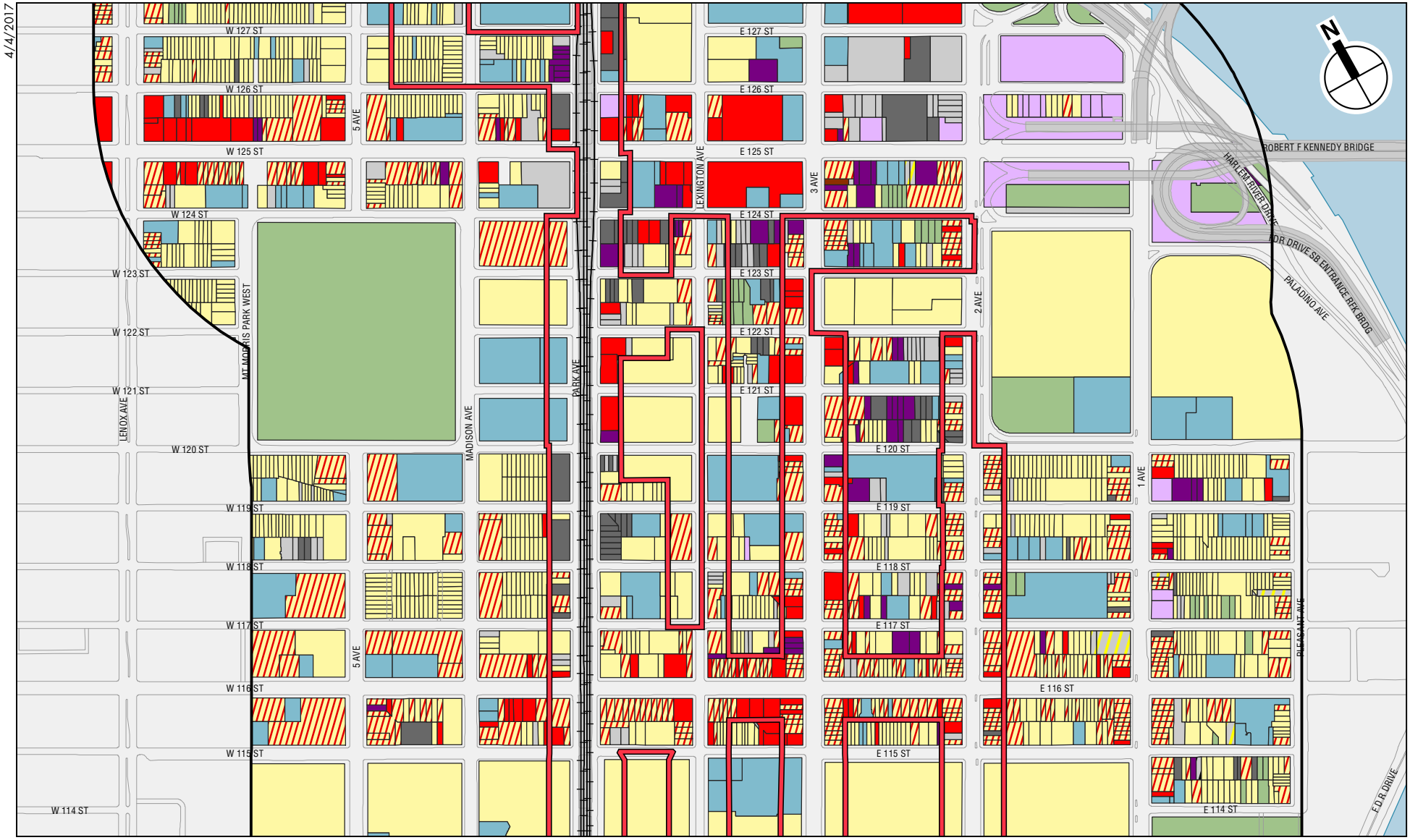
Figure 2-3



Between East 125th Street and East 116th Street Subarea

EAST HARLEM REZONING

Figure 2-3a



Between East 125th Street and East 116th Street Subarea

EAST HARLEM REZONING

Figure 2-3b

Park Avenue, roughly from East 123rd Street to East 119th Street, is characterized by active manufacturing uses, while the southern portion on both sides of the avenue is primarily residential with few commercial uses. As a result of the number of parking lots fronting Park Avenue and the disconnected and limited amount of commercial space, Park Avenue has very limited pedestrian activity and is mainly used as a north-south connector.

Lexington Avenue is a major north-south corridor in East Harlem. The subway operates along Lexington Avenue with stations at East 103rd, East 110th, East 116th, and East 125th Streets. Express service is also provided at the 125th Street station. Lexington Avenue is characterized by mixed-use buildings with residential uses and ground-floor retail. The residential character of Lexington Avenue is predominately tenement-style buildings ranging in height from four to six stories. This building form changes between East 118th and East 122nd Streets, where tower-in-the-park buildings are located on the west side of Lexington Avenue with heights ranging from 11 to 32 stories. Between East 115th and East 112th Streets, the building heights are typical of the tower-in-the-park building typology with 14-story buildings located on both sides of Lexington Avenue. The midblocks between Lexington and Park Avenues are predominantly residential in character with some community facility uses. The residential buildings range in height from five to seven stories and the community facility uses include churches and schools. Some of the midblocks contain open spaces that are accessory to the residential towers along Lexington Avenue. There are no commercial uses between Park and Lexington Avenues except along East 116th and 124th Streets, where commercial overlays are currently mapped.

Third Avenue, unlike Park Avenue, has greater pedestrian activity and active retail uses. Although the East Harlem Rezoning (adopted in 2003) did not result in new residential developments occupying the higher density envelopes, the corridor remains an active commercial destination for local residents. However, the lack of development has resulted in the underutilization of many sites and buildings with vacant upper stories along Third Avenue. Some buildings along Third Avenue are sealed off and/or used as storage. Although a few recent developments have resulted in building envelopes that reflect the existing zoning, most buildings along Third Avenue have very few residential units and/or are occupied by one-story commercial uses. Taino Towers, located at East 122nd and East 123rd Streets between Third and Second Avenues, is one of largest residential developments in East Harlem. Built in 1979 with federal assistance, Taino Towers includes four 35-story residential towers with 656 units atop a four-story commercial base. Portions of the Robert Wagner Houses, a NYCHA development, are located on a superblock along Second Avenue between East 120th and East 124th Streets. The remainder of Second Avenue is characterized by tenement-type buildings with ground-floor retail.

The north side of East 116th Street is included in this subarea. East 116th Street is a major east-west corridor connecting East Harlem to Central Harlem. This corridor is the center of the El Barrio/Spanish Harlem neighborhood and provides a variety of local retail uses that cater to Latino residents. The built form is characterized by four- to seven-story tenement-style residential buildings with ground-floor retail. At Park Avenue and East 116th Street is La Marqueta, a retail space originally created as the Park Avenue Retail Market under Mayor LaGuardia. This underutilized market space was once a thriving market where as many as 500 local vendors operated, selling ethnic food for the Caribbean and Latino diaspora. However, the limited pedestrian traffic and commercial uses along Park Avenue have affected the vitality of the La Marqueta space. Two important nodes along East 116th Street are at Lexington Avenue, where the local subway line is located, and Third Avenue, which connects 116th Street to the Third Avenue commercial corridor.

South of East 116th Street

As presented in **Table 2-4**, mixed commercial and residential buildings predominate in this subarea, with 60 percent of the lots comprising this land use. Mixed residential and commercial represents 49 percent of the lot area and 63 percent of the building area. The second-most common land use is residential, representing 16 percent of the lots, 14 percent of the lot area and 15 percent of the building area. The most predominant residential typology is multi-family walk-up buildings, representing 14 percent of the residential lots and 10 percent of the residential building area.

Table 2-4
Existing Land Uses within the South of 116th Street Subarea

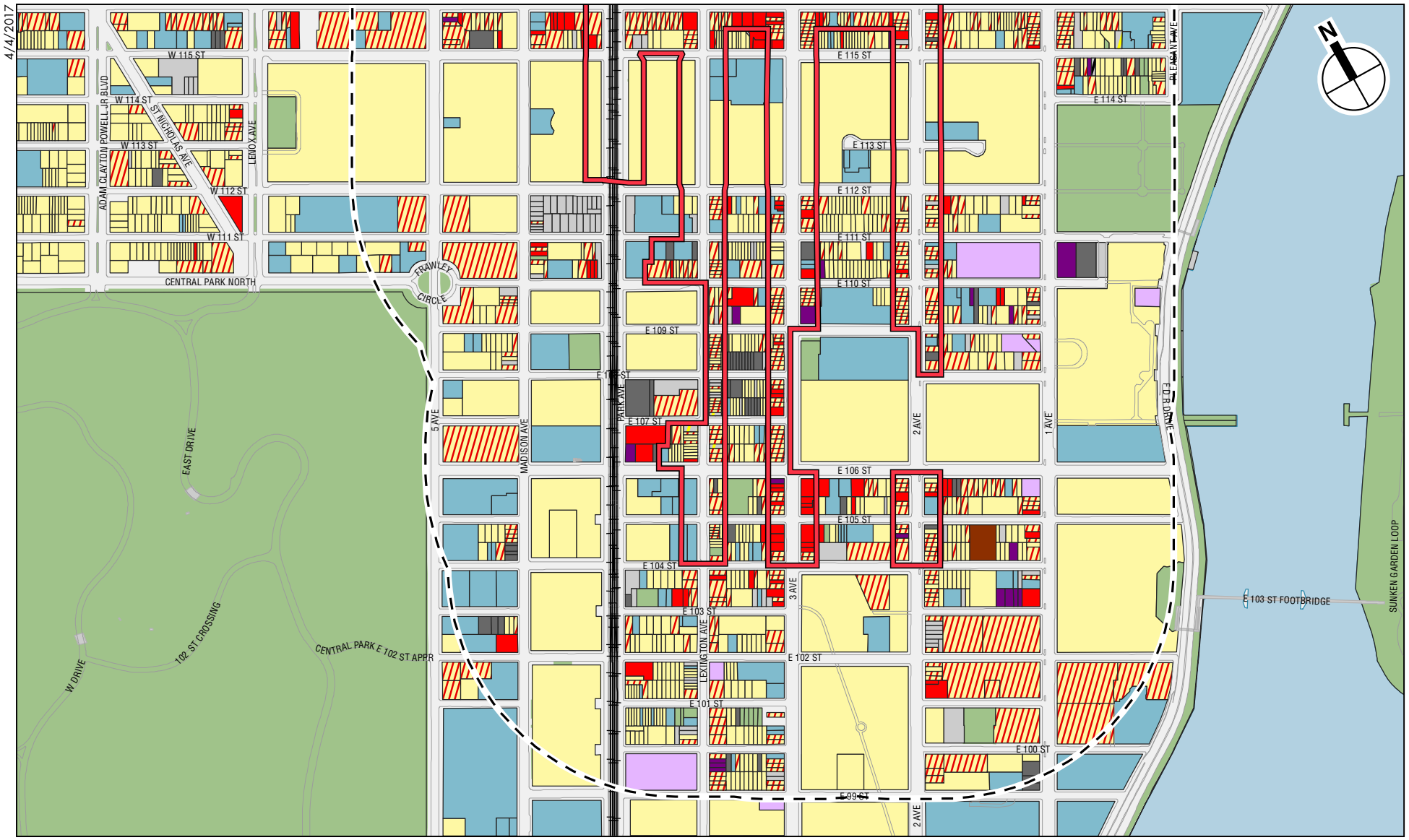
Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential Total	63	16%	145,507	14%	422,833	15%
One &Two Family	3	1%	4,136	0%	9,248	0%
Multi-Family Walk-Ups	56	14%	108,177	10%	283,081	10%
Multi-Family Elevator	4	1%	33,194	3%	130,504	5%
Mixed Residential & Commercial	234	60%	522,509	49%	1,742,016	63%
Commercial & Office	45	11%	183,314	17%	271,441	10%
Industrial & Manufacturing	4	1%	17,135	2%	55,904	2%
Transportation & Utility	-	-	-	-	-	-
Public Facilities & Institutions	17	4%	118,232	11%	267,462	10%
Open Space & Outdoor Recreation	-	-	-	-	-	-
Parking Facilities	10	3%	35,233	3%	15,600	1%
Vacant Land	19	5%	46,401	4%	-	0%
NO DATA	-	-	-	-	-	-
Secondary Study Area Total	392	100%	1,068,331	100%	2,775,256	100%

Source: New York City PLUTO data files v2016.

Commercial and office uses are common in the subarea, with commercial land use occupying 11 percent of the lots, 17 percent of the lot area and 10 percent of the building area. Within the subarea, vacant land is also common, occupying 5 percent of the lots and 4 percent of the total lot area. Public facilities and institutions represent 4 percent of the lots, 11 percent of the lot area, and 10 percent of the building area. Parking facilities and industrial and manufacturing land uses are present but not proportionally high in comparison to other uses within the subarea.

Much of Park Avenue within this area is typified by large, tower-in-the-park NYCHA developments (see **Figures 2-4, 2-4a, and 2-4b**). The Lehman and Carver Houses are located on the west side of Park Avenue between East 104th and East 110th Streets. The Metro-North Railroad viaduct transitions at East 110th Street from an open steel to a solid stone structure. The stone viaduct allows pedestrians to cross at each intersection; however, the pedestrian conditions along and underneath the viaduct require improvements to enhance safety and create a more welcoming pedestrian environment. The east side of Park Avenue is characterized by a mix of uses ranging from public housing, commercial uses, and community gardens. Included in this subarea is the south side of east 116th Street corridor, which includes residential buildings with ground-floor retail space and commercial buildings.

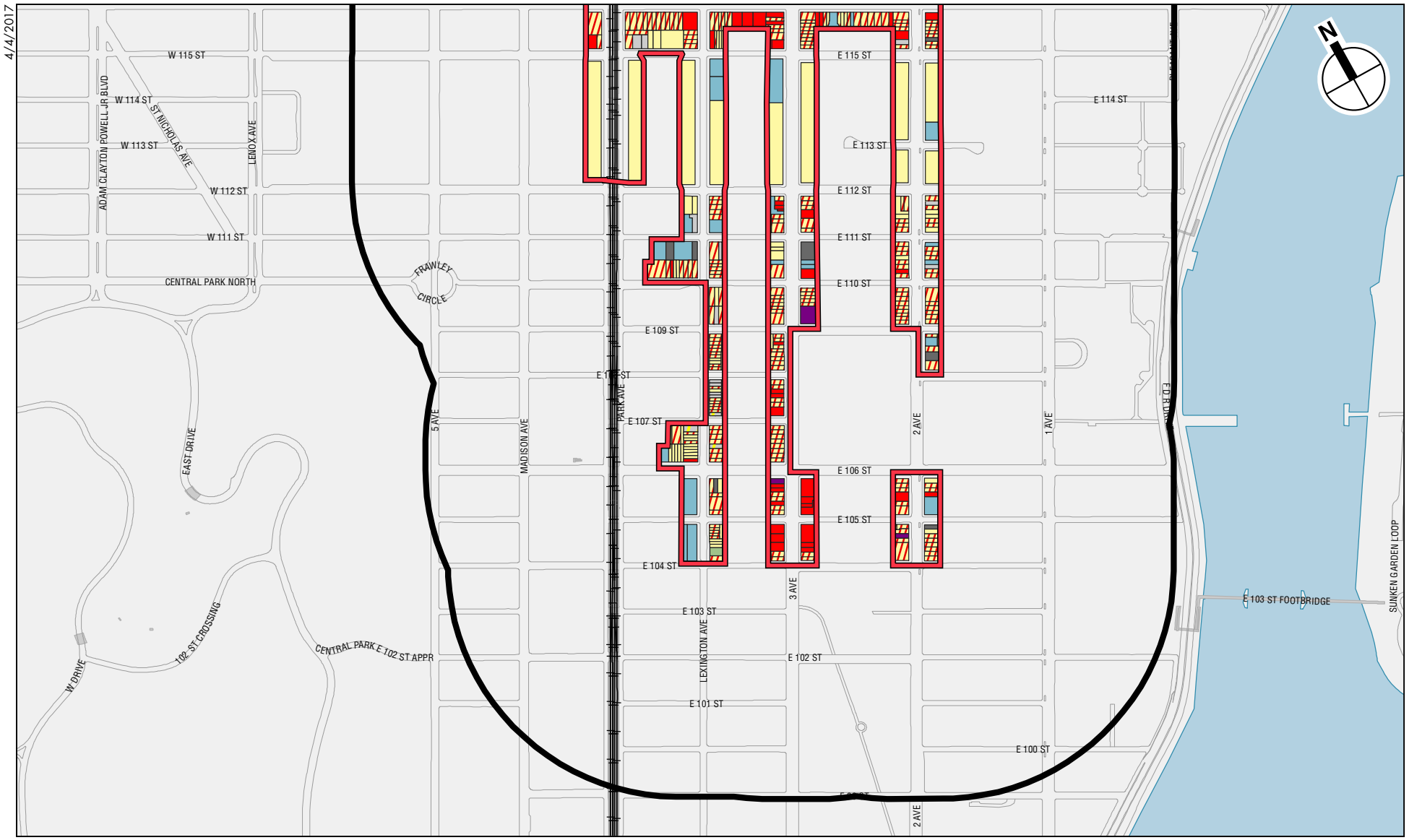
This section of Lexington Avenue has a neighborhood character that is similar to that of the northern part of Lexington Avenue, with mixed-use residential and commercial buildings. With the exception of the 18-story NYCHA on the west side of Lexington Avenue, the building heights step down to a range of between four and eight stories.



EAST HARLEM REZONING

South of 116th Street Subarea

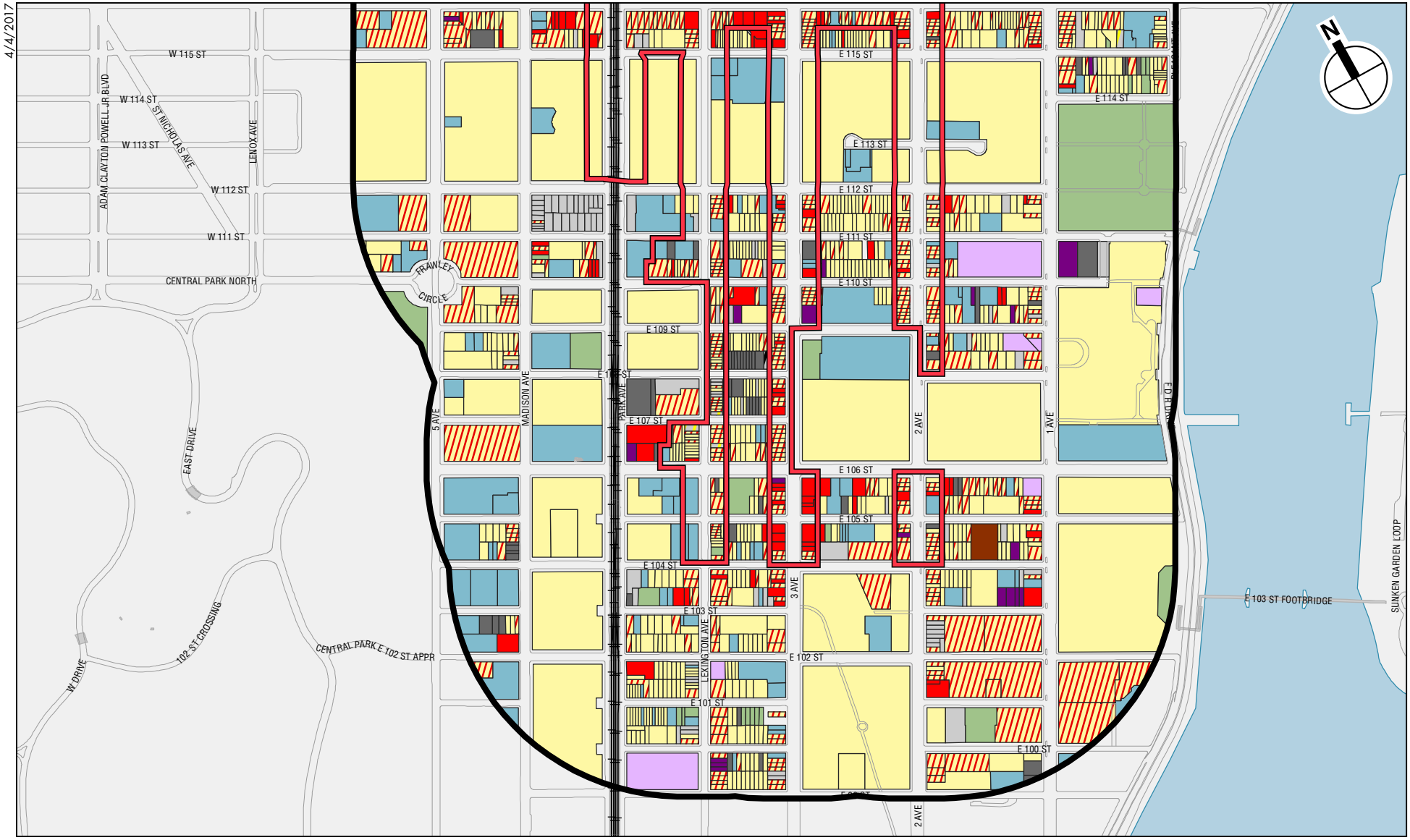
Figure 2-4



EAST HARLEM REZONING

South of 116th Street Subarea

Figure 2-4a



EAST HARLEM REZONING

South of 116th Street Subarea

Figure 2-4b

Buildings along Third Avenue south of East 116th Street are characterized by four- to seven-story tenement-style buildings with ground-floor retail. Although the area is zoned for high-density residential use, many properties contain vacant upper stories and ground-floor retail is the only use. Franklin Plaza Co-op Houses is the largest residential development in this area. Created in 1960, it is a multi-family development with fourteen 20-story buildings along segments of Third and Second Avenues. Second Avenue, similar to Third Avenue, is characterized by four- to seven-story residential buildings and ground-floor retail. However, there has been some new residential development on small lots with buildings as tall as 10 stories.

SECONDARY STUDY AREA

As presented in **Figure 2-1** and **Table 2-5**, the secondary study area is comprised of a mix of land uses, with residential being the most predominant land use, accounting for approximately 53 percent of the lots, 50 percent of the total lot area, and 53 percent of the total built floor area. Residential uses associated with NYCHA developments are the most significant in the secondary study area. The secondary study area contains numerous superblocks occupied with public housing, most of which are south of East 115th Street, but NYCHA developments are located throughout the secondary study area. Approximately 6 percent of the lots in the secondary study area contain one and two family homes, 39 percent contain multi-family walk-up buildings, and 7 percent are occupied with multi-family elevator buildings. However, because of the high concentration of NYCHA developments, the total built floor area from multi-family elevator buildings is 42 percent (this is the highest percentage of total built floor among the residential typologies).

Table 2-5
Existing Land Uses within the Secondary Study Area

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential Total	1,416	52.8%	12,680,544	50.0%	33,034,376	53.6%
One &Two Family	167	6.2%	276,163	1.1%	508,521	0.8%
Multi-Family Walk-Ups	1,055	39.3%	2,501,425	9.9%	6,626,862	10.8%
Multi-Family Elevator	194	7.2%	9,902,956	39.1%	25,898,993	42.0%
Mixed Residential & Commercial	471	17.6%	2,875,495	11.3%	13,438,001	21.8%
Commercial & Office	114	4.3%	1,014,038	4.0%	2,912,461	4.7%
Industrial & Manufacturing	54	2.0%	521,652	2.1%	1,043,254	1.7%
Transportation & Utility	19	0.7%	486,987	1.9%	241,986	0.4%
Public Facilities & Institutions	230	8.6%	3,470,913	13.7%	10,468,299	17.0%
Open Space & Outdoor Recreation	49	1.8%	2,589,032	10.2%	140,025	0.2%
Parking Facilities	94	3.5%	612,937	2.4%	314,207	0.5%
Vacant Land	224	8.4%	1,057,768	4.2%	-	0.0%
NO DATA	11	0.4%	47,557	0.2%	17,454	0.0%
Secondary Study Area Total	**2,682**	**100.0%**	**25,356,923**	**100.0%**	**61,610,063**	**100.0%**

Source: New York City PLUTO data files v2016.

Mixed commercial and residential buildings account for the second highest percentage of the primary study area lots and building area (18 percent and 22 percent, respectively), while representing a slightly smaller percentage (11 percent) of the primary study area lot area.

The third most prevalent land uses are public facilities and institutions, representing 14 percent of the primary study area total lot area. Public facilities and institutions account for 7 percent of the total lots in the primary study area and 17 percent of the total built floor area. Public facilities

and institutions range in size and type, and include small-scale community centers and places of worship, public schools, and large hospitals.

Commercial and office buildings comprise 4 percent of the total lots in the primary study area, 4 percent of the total lot area, and 5 percent of the total built area. Commercial and office buildings are not a prevalent use within the secondary study area. Vacant land occupies 8 percent of the primary study area lots (54 percent of the total lot area), parking facilities occupy 4 percent of the primary study area lots (2 percent of the total lot area), industrial and manufacturing uses occupy 2 percent of the primary study area lots (2 percent of the total lot area and 2 percent of the built floor area), and transportation and utility uses occupy 0.7 percent of the primary study area lots and built floor area (2 percent of the total lot area). Because the neighborhood's major parks are located outside of the primary study area, open space comprises approximates 2 percent of the primary study area's lots, or 10 percent of the total lot area. The largest open space within the secondary study area is Marcus Garvey Park at East 120th Street and Madison Avenue. Marcus Garvey Park is an approximately 20-acre open space containing playgrounds, slides, pools, fountains, and an amphitheater. The smaller Thomas Jefferson Park is located on First Avenue, between East 111th and East 114th Streets. A small portion of the northeast corner of Central Park is located within the secondary study area.

The secondary study area has been divided into the following subareas:

North of 125th Street

The North of East 125th Street subarea in the secondary study area is primarily characterized by residential development, comprising three- to five-story apartment buildings on smaller lots and NYCHA developments on larger lots (see **Figures 2-2, 2-2a, and 2-2b**). At 136th Street and Lenox Avenue is the New York City Health and Hospitals Harlem Hospital Center, a large institutional use within the subarea. There are several NYCHA developments in the area, including the Abraham Lincoln Houses at East 135th Street and the Harlem River Drive and the Jackie Robinson Houses at East 128th Street and Lexington Avenue. In general, bulkier buildings are found in this area, especially west of Third Avenue and north of East 125th Street. Large residential apartment buildings located in this area include the 1775 Houses, an 11-story apartment complex that fronts on East 126th Street between Lexington Avenue and Park Avenue. Three-story rowhouses are located just to the west of the 1775 Houses. A mid-rise NYCHA development, Robinson Houses, takes up the majority of the block from East 128th to East 129th Street between Park Avenue and Lexington Avenue. Just north of the Robinson Houses is an abandoned lot, Con Edison substation construction, and eight- to nine-story residential buildings on the corner of Lexington Avenue and East 129th Street. The Salvation Army and the East End Job Center (including an associated playground for toddlers) are located on Third Avenue in this area. A recently constructed mixed-use affordable housing development known as Harlem River Point is located along Park Avenue, between East 131st and East 132nd Streets. Several institutional uses are located along Third Avenue in this area including the Church of God, Salvation Army, P.S. 30, and Kings Academy. Located at Third Avenue and 125th Street are several blocks devoted to parking facility use, including the East-End Parking Corporation.

To the northeast and east, the North of 125th Street subarea contains a mixture of uses including parking, transportation and utility, residential, industrial, vacant land and open space. A substantial amount of transportation infrastructure exists in this area including the entrance ramps to Harlem River Drive, the Third Avenue Bridge, the Willis Avenue Bridge, and the Triborough Bridge. A former Metropolitan Transportation Authority (MTA) bus depot occupies

the full block east of Second Avenue between East 126th Street and East 127th Street. A large number of parks can also be found within this area, including open space associated the Triborough Bridge, Crack is Wack Playground located east of Second Avenue between East 127th Street and Harlem River Drive, and Harlem River Park located between the entrance ramps to the Third Avenue Bridge and Harlem River Drive. Mid-rise residential buildings are located along East 126th Street east of Second Avenue. Vacant land is found east of Second Avenue between East 124th Street and East 125th Street.

Between East 125th and East 116th Streets

The land uses east of Park Avenue in this subarea are primarily residential with some mixed residential with ground-floor commercial (see **Figures 2-3, 2-3a, and 2-3b**). The main institutional use within this area is the Henry J. Carter Specialty Hospital and Nursing Facility. A school and several churches are also located in the area. Open space in this subarea consists of Marcus Garvey Park, an approximately 20-acre open space containing playgrounds, slides, pools, fountains and an amphitheater. The land uses west of Park Avenue in this subarea consist of residential, commercial, and institutional uses, with parking facilities, community gardens, and vacant lots interspersed throughout the area. As in the primary study area, the commercial uses are concentrated along the corridors of Lexington Avenue, Third Avenue, and Second Avenue. The only major open spaces in this area are the open spaces associated with the NYCHA's Senator Robert F. Wagner Houses developments and the Triborough Plaza at 124th Street.

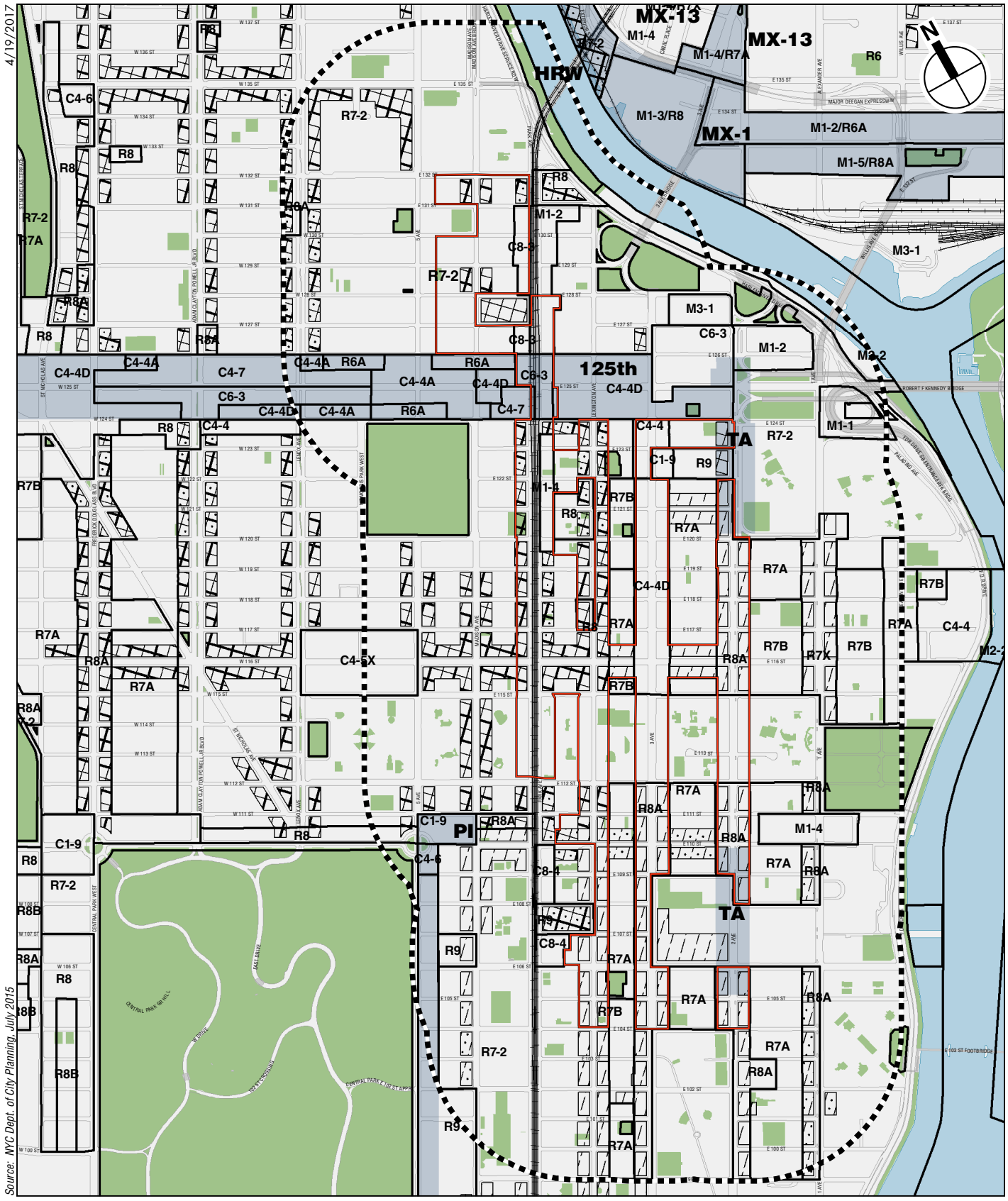
South of East 116th Street

The secondary study area extends from the south side of East 116th Street beyond the Project Area boundary to East 99th Street (see **Figures 2-4, 2-4a, and 2-4b**). In this subarea, the secondary study area is primarily characterized by NYCHA residential developments, which include Carver Houses, Dewitt Clinton Houses, Woodrow Wilson Houses, Lehman Houses, Jefferson Houses, and the James Weldon Johnson Houses. Interspersed between the residential superblocks are institutional uses including the northern portion of "Museum Mile" along Fifth Avenue, hospitals, community centers, and houses of worship.

ZONING

PRIMARY STUDY AREA

Much of the existing zoning has remained unchanged since the 1961 Zoning Resolution was established, with the exception of three zoning map amendments adopted over the last 13 years. The 2003 East Harlem Rezoning changed many of the mapped R7-2 and C4-4 districts to contextual districts and increased residential density along Third Avenue in an effort to facilitate additional residential and commercial opportunities. The 2003 rezoning boundaries were from East 96th to 124th Streets and east of Lexington Avenue. The 125th Street Rezoning, which rezoned portions of East Harlem, was adopted in 2008, and mapped the 125th Street corridor as a Special District from Broadway to Second Avenue between 124th and 126th Streets. The East 125th Street Rezoning, also adopted in 2008, rezoned the block bounded by East 125th and East 126th Streets and Second and Third Avenues to C6-3 to facilitate the development of a mixed-use project, that includes residential, commercial, entertainment, and community facility uses. Existing zoning districts are shown in **Figure 2-5** and discussed below.



EAST HARLEM REZONING

Existing Zoning
Figure 2-5

M1-2 and M1-4

M1-2 and M1-4 districts allow commercial uses and a wide range of light manufacturing, warehouses, and auto service uses. Heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution (ZR). Many commercial uses are restricted to 10,000 square feet in M1 districts. Building height in both districts is determined by the sky exposure plane, which begins 60 feet above the street line. Residential uses are not allowed in either district, however certain community facility uses are allowed. Commercial and manufacturing developments have an FAR of 2.0 in both districts.

An M1-2 district is located in the northern portion of the Project Area. The M1-2 district is mapped on the east side of Park Avenue between East 128th and East 131st Streets. Commercial and manufacturing developments have an FAR of 2.0 in M1-2 districts; community facility developments have a maximum FAR of 4.80. M1-2 districts are subject to off-street parking requirements based on the type of use and size of an establishment. M1-4 is a light manufacturing district mapped on the east side of Park Avenue, roughly between East 124th and East 119th Streets. M1-4 districts allow 2.0 FAR for commercial and manufacturing developments and 6.5 FAR for community facility developments. There are no off-street parking requirements in M1-4 districts.

Existing land uses within the M1-2 and M1-4 districts include warehouses/storage for light industrial uses, auto-related businesses such garages and surface parking, wholesale market office, flooring business, a moving facility, and vacant or underutilized land.

C8-3

There are two C8-3 districts mapped in the northern portion of the Project Area along the west side of Park Avenue between East 126th and East 127th Streets and between East 128th and East 131st Streets. C8-3 districts allow a maximum commercial FAR of 2.0 and are designed for heavy commercial uses, such as auto service, sales, and repairs. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. C8 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet in C8-3 districts, and typically produces low-rise, one-story structures. C8-3 districts also permit community facility uses at a maximum FAR of 6.5. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels, and amusements such as theatres are also permitted. No new residential uses are permitted. C8-3 districts typically require substantial parking.

Existing land uses within the C8 districts include gas stations; car sales lots; auto-repair shops; small, local retail shops mixed with residential uses above the ground floor; and storage and office space.

C6-3

The C6-3 district is mapped along portions of Park Avenue within the Special 125th Street District and is mapped in areas that would be included in the Project Area. The C6-3 district, outside of the Special 125th Street District of the Core Subdistrict, allows a maximum residential and commercial FAR of 6.0 (8.0 with Voluntary Inclusionary Housing or Visual or Performing Arts Bonus) and community facility FAR of 6.0. As included in the Special 125th Street District provisions, there are special height and setback regulations pertaining to the C6-3 district. The minimum and maximum base height of the streetwall is 60 to 85 feet and the maximum building

height is 160 feet. Regarding streetwall location, all portions of a building must be located at the street line and the portion of a building that exceeds a height of 85 feet shall be set back at least 15 feet from the street line. Additionally, the maximum length of any story located above a height of 85 feet shall not exceed 150 feet.

R7-2

The R7-2 district is currently mapped on approximately 39 full or partial blocks along the Park Avenue corridor, on portions of the mid-blocks between Park and Lexington Avenues, and between Madison and Park Avenues from East 126th and East 132nd Streets. An R7-2 district is a medium-density residential district that permits a maximum FAR of 3.44 for residential uses under Height Factor regulations and 6.5 for community facility uses. The R7-2 district regulations encourage residential towers on large lots.

In addition, the optional Quality Housing Program is available in R7-2 districts, with height, setback, and bulk regulations designed to produce a building form that is consistent with the existing characteristic of the neighborhood. The Quality Housing Program permits a slightly denser development in exchange for height limits and consistent streetwalls. In R7-2 districts on narrow streets (less than 75 feet wide), the Quality Housing Program allows 3.44 residential FAR with a maximum base height of 60 feet and maximum building height of 75 feet. On wide streets, the Quality Housing Program allows buildings up to 4.0 residential FAR with a maximum base height of 65 feet and a maximum building height of 85 feet.

Parking is required for 50 percent of DUs but may be reduced to 30 percent if a zoning lot is smaller than 10,000 square feet or waived if less than 15 spaces are required.

The existing land uses in these areas include parking lots, multi-family residences and community facilities, and vacant land and community gardens.

R8A

R8A districts allow residential and community facility uses to a maximum FAR of 6.02, with 6.5 FAR allowed for community facility developments. Apartment buildings in contextual R8A districts are typically high-lot coverage mid-rise buildings, ranging from between 10 to 12 stories, with buildings set at or near the street line. This high-density residential district is mapped on Third and Second Avenues within the Project Area. Building height in R8A districts is governed by Quality Housing regulations, under which buildings have a base height of 60 to 85 feet and a maximum building height of 120 feet along wide streets, or 125 feet with a qualifying ground floor (base heights of 60 to 80 feet and a maximum building height of 105 feet is allowed along narrow streets). Parking is required for 40 percent of DUs; however, parking may be reduced to 20% if the zoning lot is between 10,001 and 15,000 square feet in size, or waived if the zoning lot is 10,000 sf or less, or if 15 or fewer spaces would be required.

R7A

R7A districts allow residential and community facility to a maximum FAR of 4.0. The R7A district is mapped along East 116th Street, east of Lexington Avenue. In R7A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage buildings up to 80 feet in height. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. The maximum allowable building height is 80 feet (85 feet with a qualifying ground-floor

use) and minimum and maximum base height between 40 and 75 feet. Parking is required for 50 percent of all DUs.

C4-4 and C4-4D

There is one C4-4 district mapped along Third Avenue between East 122nd Street and East 124th Street. C4-4 districts are intended for larger stores serving an area wider than the immediate neighborhood. Commercial uses in C4-4 districts have a maximum FAR of 3.4. Residential and community facility uses in C4-4 districts must comply with the R7-2 bulk requirements; the maximum residential FAR is 3.44 under the standard R7-2 height factor regulations, or 4.0 on wide streets under the Quality Housing Program. The maximum FAR for community facility uses is 6.5. Generally one off-street parking space per 1,000 feet of commercial floor area is required; however, parking is waived if the commercial uses require less than 40 parking spaces.

A C4-4D district is mapped along Third Avenue from East 115th Street to East 122nd Street and between Park Avenue and Second Avenue along East 121st Street. The C4-4D district allows the same range and density of commercial uses as the C4-4 district but allows a greater residential density. The C4-4D must comply with the R8A bulk requirements; the maximum residential FAR is 6.02 and the community facility FAR is 6.5. Similar to the C4-4, the maximum commercial FAR is 3.4. Building and streetwall heights must comply with the R8A bulk regulations.

Commercial Overlays

Commercial overlay districts permitting local commercial retail and service uses are mapped along Park, Lexington, Third, and Second Avenues, as well as along much of East 116th Street.

C1-2, C1-4, and C1-5

There are C1-2, C1-4, and C1-5 commercial overlays mapped throughout the Project Area and along the corridors within the Special District. Residential, community facility, and specific commercial uses are permitted within these commercial overlays. C1 districts allow local retail that serves the immediate surrounding residences (Use Group 6). Commercial buildings in C1 overlays have a maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C1 commercial overlays are regulated by the bulk regulations of the underlying residential districts. In addition, commercial uses in mixed commercial and residential buildings in these districts cannot be located above the first floor. Often mapped in medium density residential areas, C1-4 districts typically require one parking space per 1,000 square feet of commercial uses, whereas C1-5 districts are mapped in areas well-served by public transportation and do not require parking accessory to commercial use. C1-2 districts are typically mapped in a low-density area away from public transportation and generally require one parking space per 300 square feet of commercial floor area.

C2-4 and C2-5

C2-4 and C2-5 commercial overlays are mapped along select block frontages on Park and Lexington Avenues. The C2-4 district is mapped along portions of Park Avenue north of East 116th Street and along portions of Park and Lexington Avenues below East 112th Street. The C2-5 district is mapped in the southern portion of the Project Area along Third Avenue between East 104th and East 112th Streets. C2 commercial overlays are intended to provide local shopping needs, as well as meet broader shopping and service needs than daily activities typically require (Use Groups 6 through 9). Commercial buildings in C2 district overlays have a

maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C2 commercial overlay districts are regulated by the bulk regulations of the underlying residential districts. C2-5 districts do not require parking accessory to commercial uses, but C2-4 districts typically require one parking space per 1,000 square feet of commercial use.

Special Transit Land Use District

The Special Transit Land Use District (TA) relates development along Second Avenue to the future subway line. In place of sidewalk obstructions that impede pedestrian circulation, the special district requires new developments adjoining planned subway stations to reserve space in their projects, by providing an easement, for public access to the subway or other subway-related uses. The TA Special District is mapped at locations along Second Avenue between Chatham Square in Chinatown and East 126th Street in Harlem.

SECONDARY STUDY AREA

The secondary study area includes the zoning districts discussed above under "Primary Study Area" and additional zoning districts, all of which are presented in **Table 2-6** and are described below.

Special 125th Street District

The Special 125th Street District (125) is part of a City initiative to support and enhance 125th Street—Harlem's "Main Street"—as a major arts/entertainment destination and regional business district. The district includes 24 blocks in East, Central, and West Harlem, within an area generally bounded by 124th Street, 126th Street, Broadway and Second Avenue. The aim of the district is to generate new mixed use development while protecting the scale of the 125th Street corridor's commercial and historic rowhouse areas by establishing street wall and height limits. To ensure active and diverse retail uses, special regulations restrict the amount of ground floor street frontage that may be occupied by banks, office and residential lobbies, and other non-active uses. Within the Core Subdistrict, the district requires the inclusion of arts and entertainment uses for developments over a certain size. The district establishes an innovative arts bonus—the first in the City—to provide an incentive for the creation of nonprofit visual or performing arts spaces.

Special Park Improvement District

The Special Park Improvement District (PI) is located north of East 102nd Street along the east side of Fifth Avenue. The PI was created to preserve the residential character and architectural quality of Fifth and Park Avenues from East 59th to East 111th Streets. It limits the height of new buildings to 210 feet or 19 stories, whichever is less, and mandates street wall continuity. No bonus is allowed.

Table 2-6
Existing Zoning Districts within the Secondary Study Area

Name	Definition/General Use	Maximum FAR
	Residential Districts	
R6A	R6A are contextual districts that produce high lot coverage, six-or seven-story apartment buildings near the street line.	R: 3.6[1]; CF:3.0
R7B	R7B are contextual districts that generally produce six-to seven-story apartment buildings.	R: 3.0; CF: 3.0
R7X	R7X are contextual districts governed by *Quality Housing* bulk regulations that typically produce 9- to 13-story apartment buildings.	R: 5.0[1]; CF:5
R8A	R8A are contextual districts governed by *Quality Housing* bulk regulations that typically result in high lot coverage 10- to 12-story apartment buildings, set at or near the street line.	R: 7.2[1]; CF:6.5
R8	R8 districts are widely mapped in Upper Manhattan. Apartment buildings in R8 districts can range from mid-rise, 8- to 10-story buildings to much taller buildings set back from the street on large zoning lots. New buildings in R8 districts may be developed under either height factor regulations or the optional Quality Housing regulations that often reflect the older, pre-1961 neighborhood streetscape.	R:6.02 (7.2 on wide street); CF: 6.5
R9	R9 districts are mapped along several major thoroughfares in Manhattan. Buildings can either be developed under *height factor* regulations or the optional *Quality Housing* regulations as in R6 and R8 districts.	R: 8.0[1]; CF: 10
	Commercial Districts	
C1-9	C1-9 districts are commercial districts that are predominantly residential in character and typically mapped along major thoroughfares in high-density areas. C1-9 has a maximum commercial FAR of 2.0 and a maximum residential and community FAR of 10 (or residential FAR of 12 through the Inclusionary Housing program for R10 districts).	R: 10[1]; CF: 10.0; C: 2.0
C4-4A	C4 districts with an A suffix are contextual districts in which the commercial and residential bulk and density regulations can differ from corresponding non-contextual districts. Use Groups 5, 6, 8, 9, 10 and 12, which allow most retail establishments, are permitted in C4 districts.	R: 4.6[1]; CF: 4.0; C: 4.0
C4-4D	C4-4D districts allow the same range of commercial uses as C4-4 districts, -but have a greater residential density. The C4-4D must comply with the R8A bulk requirements. Building and streetwall heights must comply with the R8A bulk regulations.	R: 6.02[1]; CF: 6.5; C: 3.5
C4-5X	C4 districts with an X suffix are contextual districts in which the commercial and residential bulk and density regulations can differ from corresponding non-contextual districts. Use Groups 5, 6, 8, 9, 10 and 12, which allow most retail establishments, are permitted in C4 districts.	R: 5.0[1]; CF: 5.0; C: 4.0
C4-4	C4-4 districts are intended for larger stores serving an area wider than the immediate neighborhood. Commercial uses in C4-4 districts have a maximum FAR of 3.4. Residential and community facility uses in C4-4 districts must comply with the R7-2 bulk requirements; the maximum residential FAR is 3.44 under the standard R7-2 height factor regulations, or 4.0 on wide streets under the Quality Housing Program. The maximum FAR for community facility uses is 6.5. One off-street parking space per 1,000 feet of commercial floor area is required; however, parking is waived if the retail use requires less than 40 parking spaces.	R:4.6[1; CF: 6.5; C: 3.4
C4-7	C4 districts are mapped in regional commercial centers located outside of the central business districts. Use Groups 5, 6, 8, 9, 10 and 12, which allows most retail establishments, are permitted in C4 districts.	R: 12.0[1,2]; CF: 10.0[2]; C: 10.0[2]
C6-3	C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted.	R: 8.0[1]; CF: 10.0[2]; C: 6.0[2]
C8-4	C8 districts, bridging commercial and manufacturing uses, provide for automotive and other heavy commercial services that often require large amounts of land. Typical uses are automobile showrooms and repair shops, warehouses, gas stations and car washes—although all commercial uses as well as certain community facilities are permitted.	C: 5.0; CF: 6.5
	Manufacturing Districts	
M1-1	M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards.	M: 1.0; C: 1.0; CF: 2.4
M2-2	M2 districts occupy the middle ground between light and heavy industrial areas. These districts are mainly mapped in the city's older industrial areas along the waterfront.	M: 5.0; C: 5.0
M3-1	M3 districts are designated for area with heavy industries that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities, and recycling plants.	M: 2.0; C:2.0
	Special Districts	
Special 125th Street District	The Special 125th Street District (125) is part of a city initiative to support and enhance 125th Street—Harlem's "Main Street"—as a major arts/entertainment destination and regional business district. The district includes 24 blocks in East, Central, and West Harlem, see below for details.	See below for details
Special Park Improvement District	The Special Park Improvement District (PI) is located north of East 102 Street along the east side of Fifth Avenue. See below for details.	See below for details

Notes:
R=Residential ; CF=Community Facility; C=Commercial; and M=Manufacturing
[1]Increase in FAR with ***Inclusionary Housing designated area*** bonus
[2]FAR bonus up to 20 percent for a public plaza
Source: NYC Department of City Planning

PUBLIC POLICY

The public policies that affect the primary study area also affect the secondary study area. For this reason, the relevant public policies are only discussed once. Public policies applicable to the primary and secondary study areas are discussed below.

HOUSING NEW YORK

On May 5, 2014, the de Blasio administration released *Housing New York*, a plan intended to build and preserve 200,000 affordable units over the coming decade to support New Yorkers with a range of incomes. The plan details the key policies and programs for implementation, including developing affordable housing on underused public and private sites. *Housing New York* calls for community engagement at the early stages of the planning process, so that community input informs land use and zoning changes intended to generate new affordable housing. Lastly, *Housing New York* calls for providing high quality affordable housing to the most vulnerable residents of New York City. Investing in quality affordable housing for the City's special needs, homeless, and senior households, as well as for people with disabilities will reduce the demand for social expenditures in the long term and provide a more cost-efficient strategy for addressing a critical housing need. On July 26, 2016, the de Blasio administration announced that the City had financed the creation and preservation of nearly 53,000 units of affordable housing since the release of *Housing New York*, with 23,284 units financed during the City's Fiscal Year 2016.

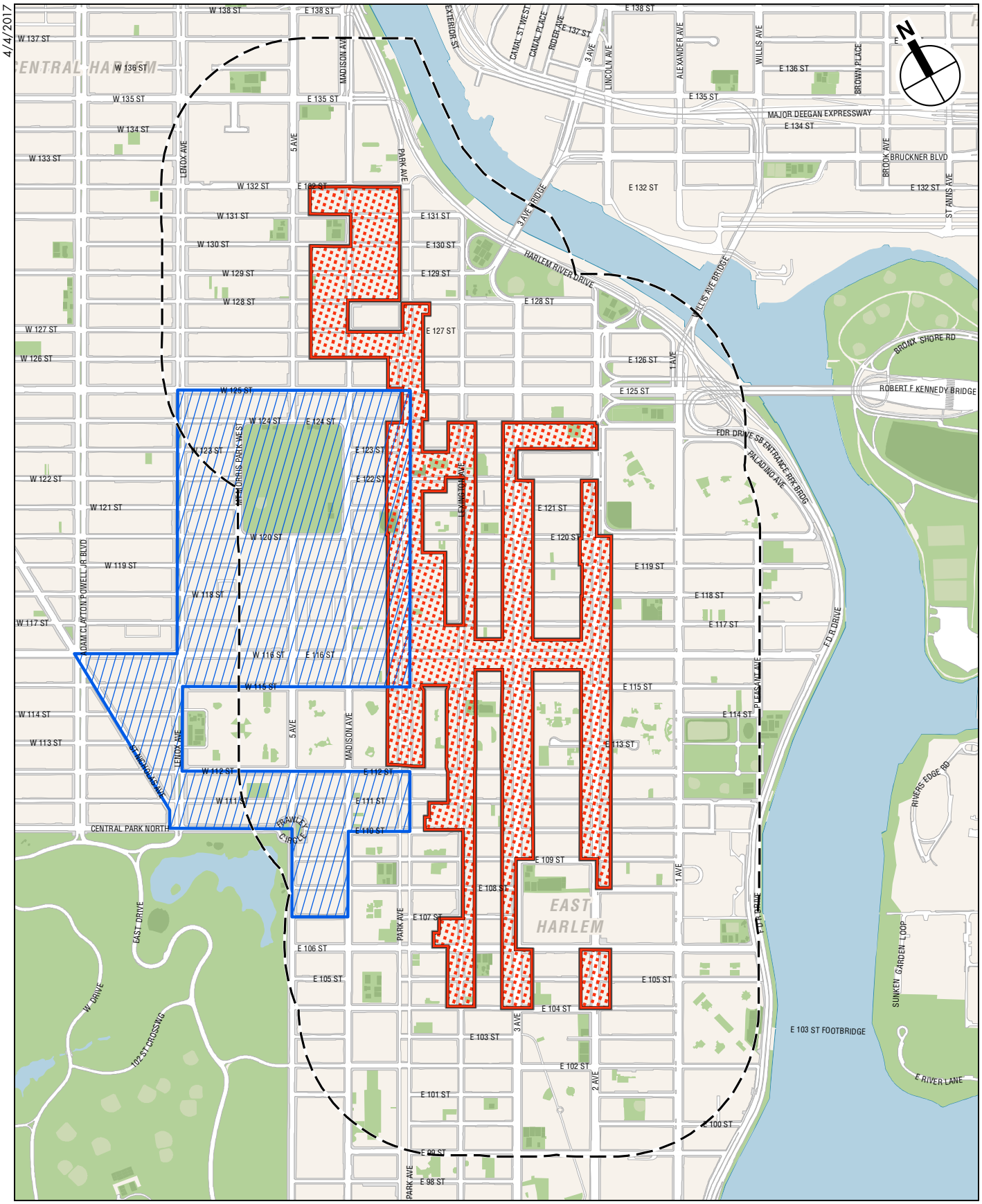
MILBANK FRAWLEY URBAN RENEWAL PLAN

The City designated the Milbank Frawley Urban Renewal Area (URA) in 1992 with the first amendment in 2003 (see **Figure 2-6**). The URA is located in Manhattan, Community District 11 and is generally bounded by East 125th Street to the north, Park Avenue to the east, East 107th Street to the south, and Fifth Avenue to the west. The objectives of the associated URP seek to: redevelop the area in a comprehensive manner, by removing blight and maximizing appropriate land uses; remove or rehabilitate substandard and insanitary structures; remove impediments to land assemblage and orderly development; strengthen the tax base of the City by encouraging development and employment opportunities in the area; provide new housing of high quality; provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking; provide a stable environment within the area which will not be a blighting influence on surrounding neighborhoods.

HARLEM-EAST HARLEM URBAN RENEWAL PLAN

The Harlem-East Harlem URP covers portions of Manhattan Community Districts 10 and 11 from approximately East 106th to East 133rd Streets, generally east of Fifth Avenue (see **Figure 2-7**). The Harlem-East Harlem Urban Renewal Plan that governs the redevelopment of this area was established in 1968. The Plan seeks to accomplish the following: redevelop the area in a comprehensive manner, remove blight and maximize appropriate land use; remove or rehabilitate substandard and unsanitary structures; remove impediments to land assemblage and orderly development; strengthen the tax base of the City by encouraging development and employment opportunities in the area; provide new housing of high quality and/or rehabilitated housing of upgraded quality; provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking; and, provide a stable environment within the area that will not be a blighting influence on surrounding neighborhoods. Design

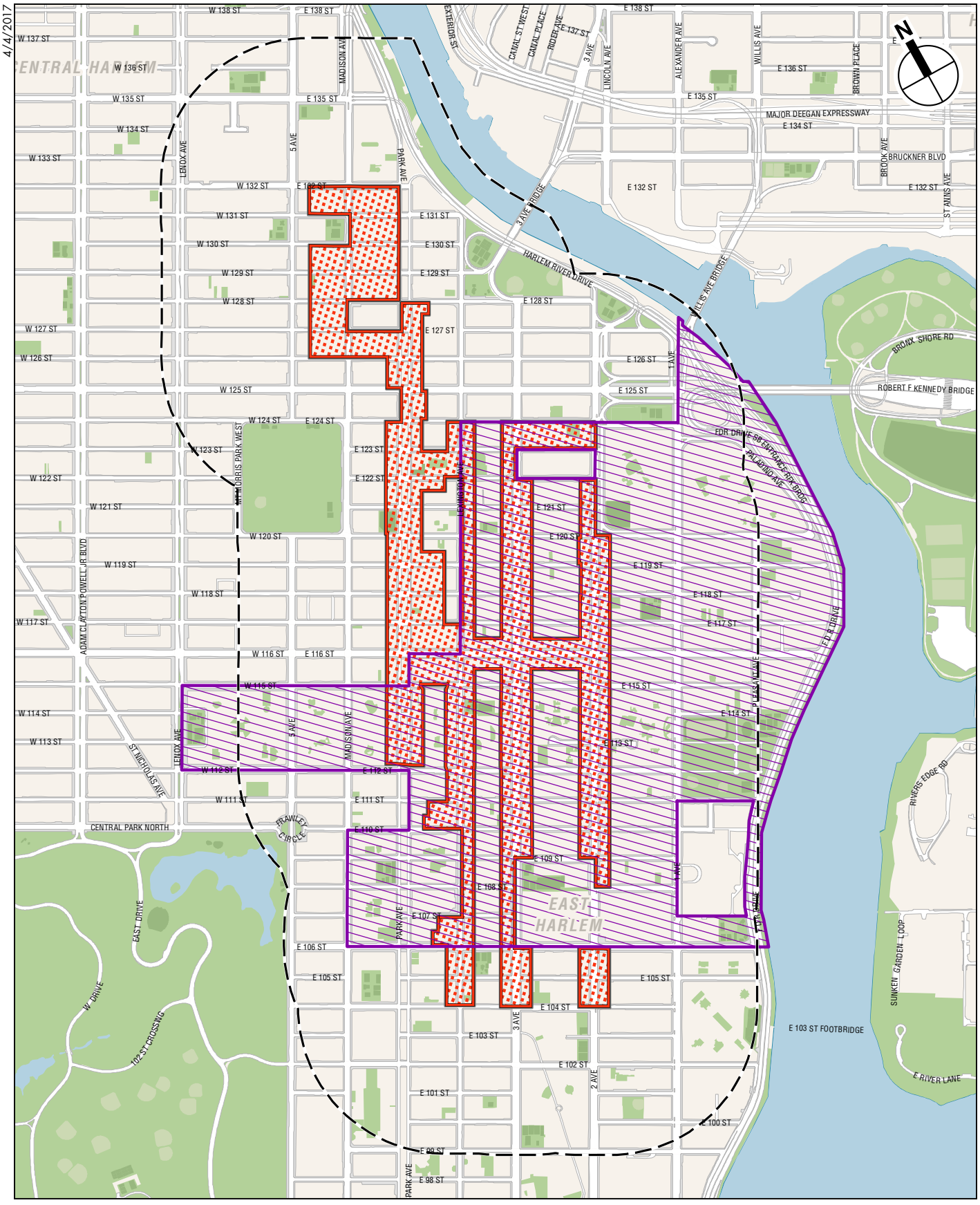
4/4/2017



Milbank Frawley Circle-East Urban Renewal Area

EAST HARLEM REZONING

Figure 2-6



Harlem-East Harlem Urban Renewal Area

Figure 2-7

objectives of the plan are to develop the area in a manner compatible with the surrounding community in terms of scale and materials, and to reinforce the existing urban pattern in areas with uniform street character. Acquisition parcels are designated according to five land use categories, and supplementary controls are recommended including site-specific controls such as screening and landscaping, open space requirements, recommended pedestrian facilities, and industrial performance standards, among others. Building bulk and parking requirements are also specified.

VISION ZERO

The City's Vision Zero imitative seeks to eliminate all death from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. DOT and the New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. The plans identify specific conditions and characteristics of pedestrian fatalities and severe injuries and identify priority corridors, intersections, and areas that disproportionately account for pedestrian fatalities and severe injuries, prioritizing them for safety interventions. The plans outline a series of recommended actions comprised of engineering, enforcement, and education measures that intend to alter the physical and behavioral conditions on city streets that lead to pedestrian fatality and injury.

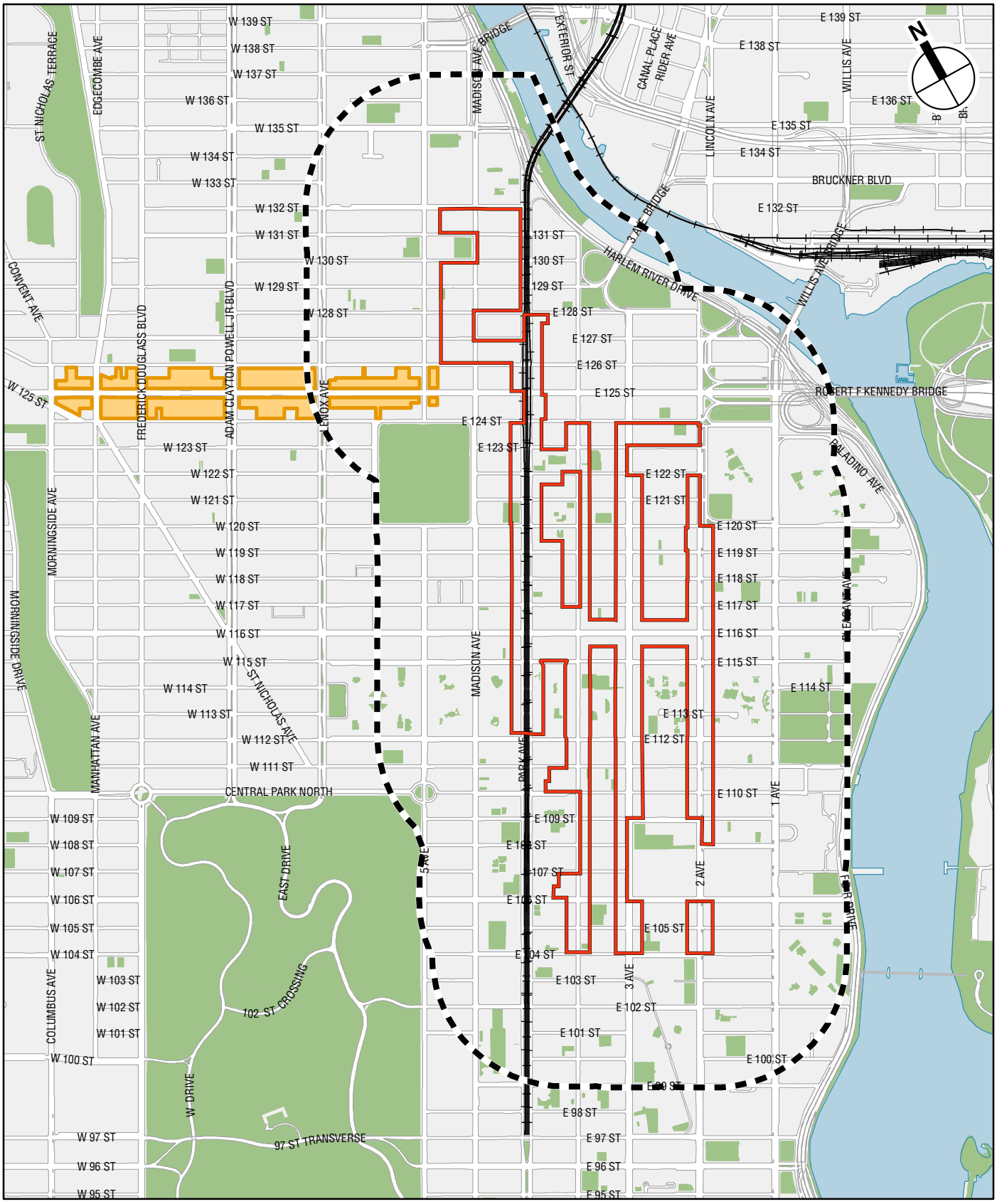
The *Vision Zero Manhattan Pedestrian Safety* Action Plan was published in January of 2015. The plan identified several "primary corridors" and three "priority intersections" within the primary and secondary study areas, along First, Second and Third Avenues, generally between East 131st Street and East 99th Street; and intersections at East 125th Street and Park Avenue, East 116th and Madison Avenue and East 116th Street and Fifth Avenue. *Vision Zero Manhattan Pedestrian Safety* identified a series of engineering/planning, enforcement, and education/awareness campaign strategies to enhance pedestrian safety along these priority corridors. These strategies included measures such as reducing the speed limit to 25 miles per hour, expanding exclusive pedestrian crossing time, installing additional lighting around key transit stops, expanding the bicycle network, prioritizing targeted enforcement and deploying speed cameras, and targeting intensive street-level outreach.

125TH STREET BUSINESS IMPROVEMENT DISTRICT

The secondary study areas overlap with the 125th Street Business Improvement District (BID) (see **Figure 2-8**). The BID seeks to develop a community-based vision to maintain the heritage of 125th Street, to help secure future cultural presentation and production in Harlem and to encourage the ongoing revitalization of 125th Street as a premier art, culture, and entertainment destination. Other goals include event promotion and nightlife, to facilitate active tourism, to celebrate and build upon existing cultural assets, to catalyze economic development, to increase pedestrian mobility, to give the streetscape a cohesive modern appearance and reduce clutter, to develop additional public space, to include public art throughout the project, and to create a high-quality urban environment that contributes to an identity for the Harlem community.

NEW YORK CITY FOOD RETAIL EXPANSION TO SUPPORT HEALTH (FRESH) PROGRAM

The study areas are located in an area of Manhattan that is eligible to participate in the New York City Food Retail Expansion to Support Health (FRESH) Program provides zoning and discretionary tax incentives to promote the establishment and retention of neighborhood grocery



Primary Study Area

Secondary Study Area

125th Street Business Improvement District

125th Street Business Improvement District

Figure 2-8

stores in communities that lack full-line grocery stores. Portions of the primary and secondary study areas are located within a FRESH-designated area. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by full-line grocery store operators, which meet the following criteria:

- Provide a minimum of 6,000 square feet of retail space for a general line of food and nonfood grocery products intended for home preparation, consumption and utilization;
- Provide at least 50 percent of a general line of food products intended for home preparation, consumption and utilization;
- Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen foods; and
- Provide at least 500 square feet of retail space for fresh produce.

Financial incentives are available to eligible grocery store operators and developers to facilitate and encourage FRESH Food Stores in the designated area. These incentives include real estate tax reductions, sales tax exemptions, floor area bonuses, and mortgage recording tax deferrals.

MILLIONTREESNYC

The primary study area is partially located within one of the six citywide Trees for Public Health (TPH) neighborhoods established by the New York City Department of Parks and Recreation (NYC Parks). These neighborhoods were identified as neighborhoods with the greatest need for trees because they have fewer than average street trees and higher than average rates of asthma among young people. It is believed that additional trees in the neighborhoods will reduce the pollutants that trigger respiratory disorders and contribute to healthier living standards. As part of the TPH designation, NYC Parks developed an urban forestry management plan for the neighborhood with aims to increase the urban tree canopy. The East Harlem target area is generally bounded by East 96th Street, Lenox Avenue and the Harlem River Drive/FDR Drive. During the spring and fall tree planting seasons, NYC Parks conducts block-by-block street tree planting, non-profit partners coordinate tree planting on other public, institutional, and private land, as well as engage in public education and community outreach activities. The goal is to completely green the TPH neighborhood with an abundance of newly planted trees on both public and private lands.

ONENYC

In April 2015, Mayor Bill de Blasio released OneNYC, a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. OneNYC is the update to the sustainability plan for the City started under the Bloomberg administration, previously known as PlaNYC 2030: A Greener, Greater New York. Growth, sustainability, and resiliency remain at the core of OneNYC, but with the poverty rate remaining high and income inequality continuing to grow, the de Blasio administration added equity as a guiding principle throughout the plan. In addition to the focuses of population growth; aging infrastructure; and global climate change, OneNYC brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. Since the 2011 and 2013 updates of PlanNYC, the City has made considerable progress towards reaching original goals and completing initiatives.

OneNYC includes updates on the progress towards the 2011 sustainability initiatives and 2013 resiliency initiatives and also sets additional goals and outlines new initiatives under the organization of four visions: growth, equity, resiliency, and sustainability.

Goals of the plan are to make New York City:

- A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- A Just and Equitable City by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.
- A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.
- A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

As the *CEQR Technical Manual* has yet to be updated to address the approach of OneNYC, the PlaNYC sustainability assessment, as described below, will continue to be utilized on large publicly sponsored projects.

PLANYC 2030: A GREENER, GREATER NEW YORK

In 2011, the Mayor's Office of Long Term Planning and Sustainability release an update to PlaNYC: A Greener, Greater New York. PlaNYC represents a comprehensive and integrated approach to planning for New York City's future. It includes policies to address three key challenges that the City faces over the next twenty years: population growth; aging infrastructure; and global climate change. In the 2011 update, elements of the plan were organized into 10 categories—housing and neighborhoods, parks and public space, brownfields, waterways, water supply, transportation, energy, air quality, solid waste, and climate change—with corresponding goals and initiatives for each category. As stated in the *CEQR Technical Manual*, a project is generally considered consistent with PlaNYC's goals if it includes one or more of the following elements:

- Land Use: pursue transit-oriented development; preserve and upgrade current housing; promote walkable destinations for retail and other services; reclaim underutilized waterfronts; adapt outdated buildings to new uses; develop underused areas to knit neighborhoods together; deck over rail yards, rail lines, and highways; extend the Inclusionary Housing Program in a manner consistent with such policy; preserve existing affordable housing; and redevelop brownfields.
- Open Space: complete underdeveloped destination parks; provide more multi-purpose fields; install new lighting at fields; create or enhance public plazas; plant trees and other vegetation; upgrade flagship parks; convert landfills into parkland; increase opportunities for water-based recreation; and conserve natural areas.
- Water Quality: expand and improve wastewater treatment plants; protect and restore wetlands, aquatic systems, and ecological habitats; expand and optimize the sewer network; build high level storm sewers; expand the amount of green, permeable surfaces across the City; expand the Bluebelt system; use "green" infrastructure to manage stormwater; be

consistent with the Sustainable Stormwater Management Plan; build systems for on-site management of stormwater runoff; incorporate planting and stormwater management within parking lots; build green roofs; protect wetlands; use water-efficient fixtures; and adopt a water conservation program.

- Transportation: promote transit-oriented development; promote cycling and other sustainable modes of transportation; improve ferry services; make bicycling safer and more convenient; enhance pedestrian access and safety; facilitate and improve freight movement; maintain and improve roads and bridges; manage roads more efficiently; increase capacity of mass transit; provide new commuter rail access to Manhattan; improve and expand bus service; improve local commuter rail service; and improve access to existing transit.
- Air Quality: promote mass transit; use alternative fuel vehicles; install anti-idling technology; use retrofitted diesel trucks; use biodiesel in vehicles and in heating oil; use ultra-low sulfur diesel and retrofitted construction vehicles; use cleaner-burning heating fuels; and plant street trees and other vegetation.
- Energy: exceed the energy code; improve energy efficiency in historic buildings; use energy efficient appliances, fixtures, and building systems; participate in peak load management systems, including smart metering; repower or replace inefficient and costly in-City power plants; build distributed generation power units; expand the natural gas infrastructure; use renewable energy; use natural gas; install solar panels; use digester gas for sewage treatments plants; use energy from solid waste; and reinforce the electrical grid.
- Natural Resources: plant street trees and other vegetation; protect wetlands; create open space; minimize or capture stormwater runoff; and redevelop brownfields.
- Solid Waste: promote waste prevention opportunities; increase the reuse of materials; improve the convenience and ease of recycling; create opportunities to recover organic material; identify additional markets for recycled materials; reduce the impact of the waste systems on communities; and remove toxic materials from the general waste system.

EXCELSIOR JOBS PROGRAM

Businesses located within the Project Area are eligible to participate in New York State's Excelsior Program (which replaced the Empire Zones program in 2010). The Excelsior Program is administered by Empire State Development and is designed to encourage the expansion in and location to New York of businesses in growth industries such as clean technology, broadband, information systems, renewable energy, and biotechnology. Firms in these industries that create and maintain new jobs or make significant financial investment are eligible to apply for tax credits associated with job creation, investment, research and development and a real property tax credit. The Excelsior Real Property Tax Credit is only available to firms located in certain distressed areas, identified as Investment Zones. East Harlem has been identified as such a zone and businesses within East Harlem and firms in targeted industries that meet higher employment and investment thresholds can apply for the real property tax credit.

UPPER MANHATTAN EMPOWERMENT ZONE

Upper Manhattan was designated as an urban empowerment zone (Empowerment Zone) under federal legislation authored by Congressman Charles B. Rangel and signed into law by President Clinton in 1994. The Upper Manhattan Empowerment Zone Development Corporation is provided with funding from the federal government with matching amounts from the City of New York and the State of New York. The primary study area falls within the portion of East

Harlem dedicated to the UMEZ (see **Figure 2-9**). The goals of the UMEZ are to sustain the economic revitalization of all communities in Upper Manhattan through job creation, corporate alliances, strategic investments, and small business assistance. The UMEZ provides grants focused on arts and culture and workforce development and loans and bond financing to real estate development projects, commercial businesses, and small business enterprises. As shown in **Figure 2-9**, much of the primary and secondary study areas lie within the Upper Manhattan Empowerment Zone.

WATERFRONT REVITALIZATION PROGRAM (WRP)

The WRP is the City's principal coastal zone management tool. Originally adopted in 1982 and revised in 2016, it establishes the City's policies for development and use of the waterfront. Revisions to the WRP were adopted by the City Council in 2013, and were then approved by the New York State Secretary of State in February 2016. All Proposed Actions subject to CEQR, Uniform Land Use Review Procedure (ULURP), or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the WRP. The Project Area and corresponding primary and secondary study areas are within the coastal zone (see **Figure 2-10**). The WRP contains 10 major policies, each with several objectives focused on the following: improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats (such as wetlands), and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with appropriate land uses.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

LAND USE

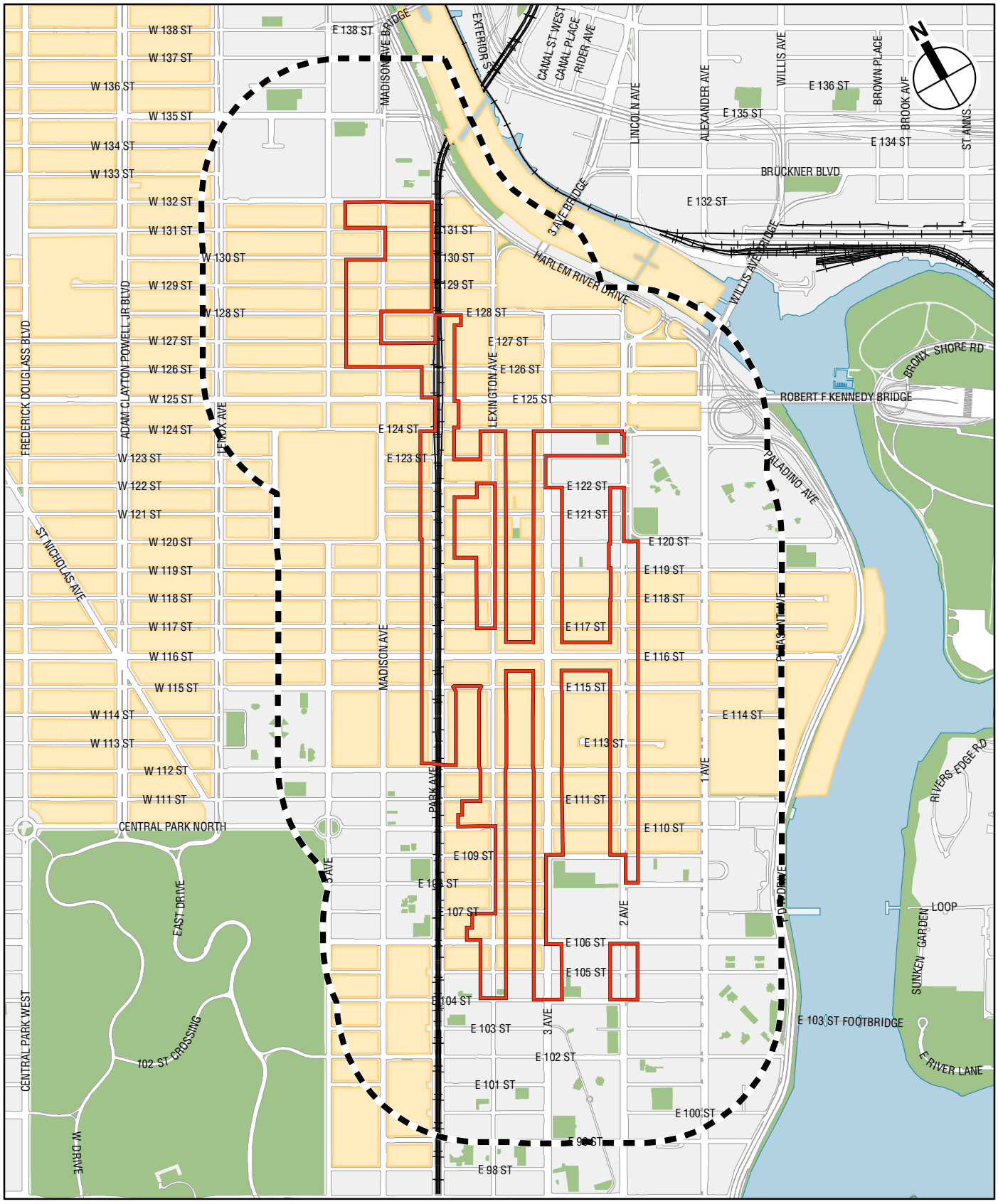
PRIMARY STUDY AREA

In the 2027 future without the Proposed Actions, it is expected that the current land use trends and general development patterns will continue. These trends and patterns are characterized by a mix of uses and primarily include residential, commercial and community facility development. **Table 2-7** lists the Projected Development Sites which would experience as-of-right redevelopment by 2027 (redevelopment between the Existing and No Action Conditions). See **Appendix B-1** for the No Build Projects List. As indicated in **Table 2-7**, 59 of the 68 Projected Development Sites are expected to be redeveloped, or undergo conversion containing 2,078 dwelling units (DUs), 280,471 square feet (sf) of local retail use, 7,395 sf of community facility use, 12,960 sf of manufacturing use, and 40,381 sf of parking area.

In addition to the as-of-right development anticipated on the 60 Projected Development Sites, 18 other sites in the primary study area are expected to be developed in the future without the Proposed Actions (see **Figure 2-11** and **Table 2-7**). In total, the primary study area No Action Condition developments will introduce an estimated 6,173 new residents and 6,411 new workers.

SECONDARY STUDY AREA

There are a total of 46 sites expected to be developed in the future without the Proposed Actions in the secondary study area (see **Figure 2-11** and **Table 2-7**). In total, No Action Condition



Primary Study Area

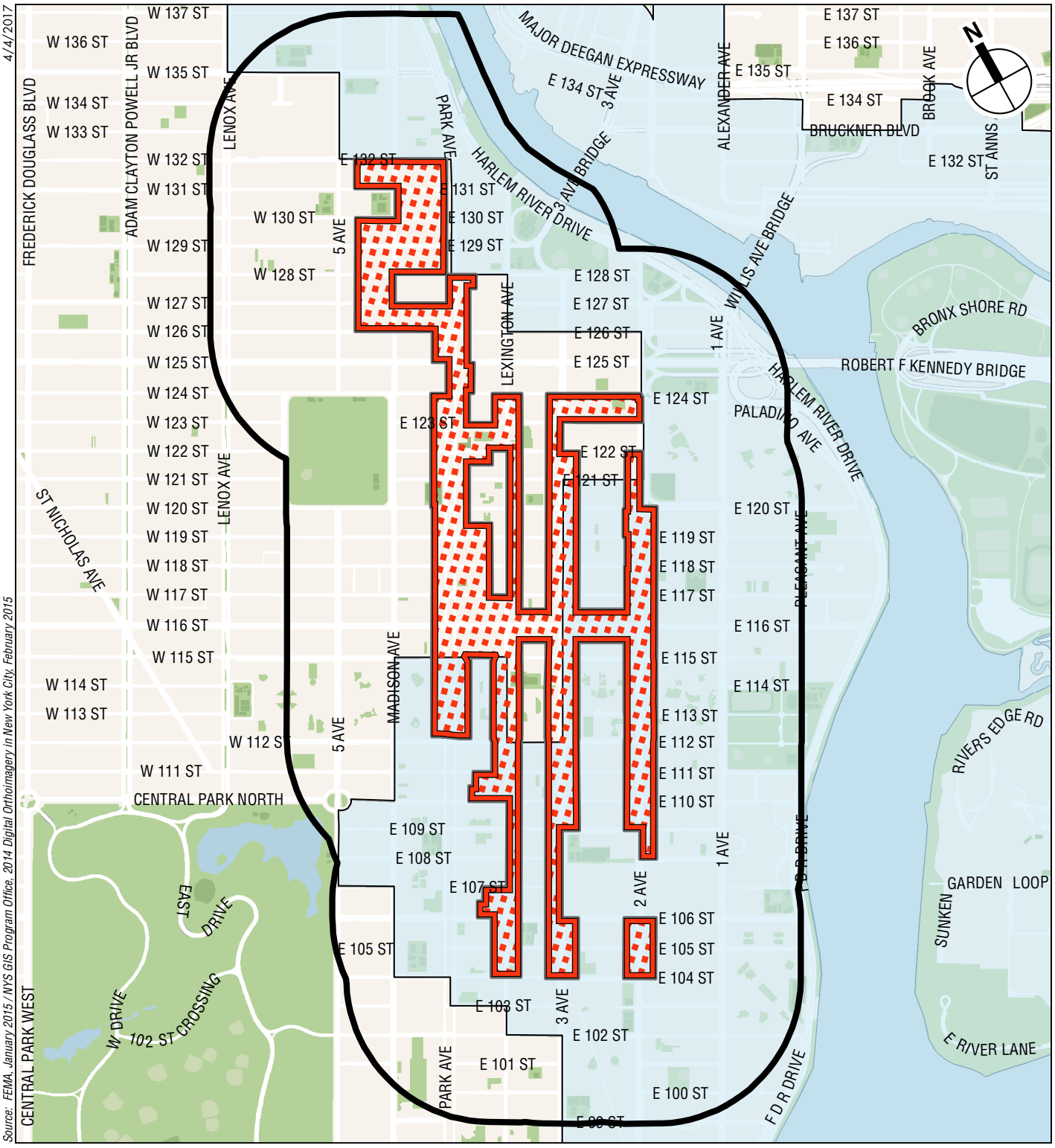
Secondary Study Area

Upper Manhattan Empowerment Zone

EAST HARLEM REZONING

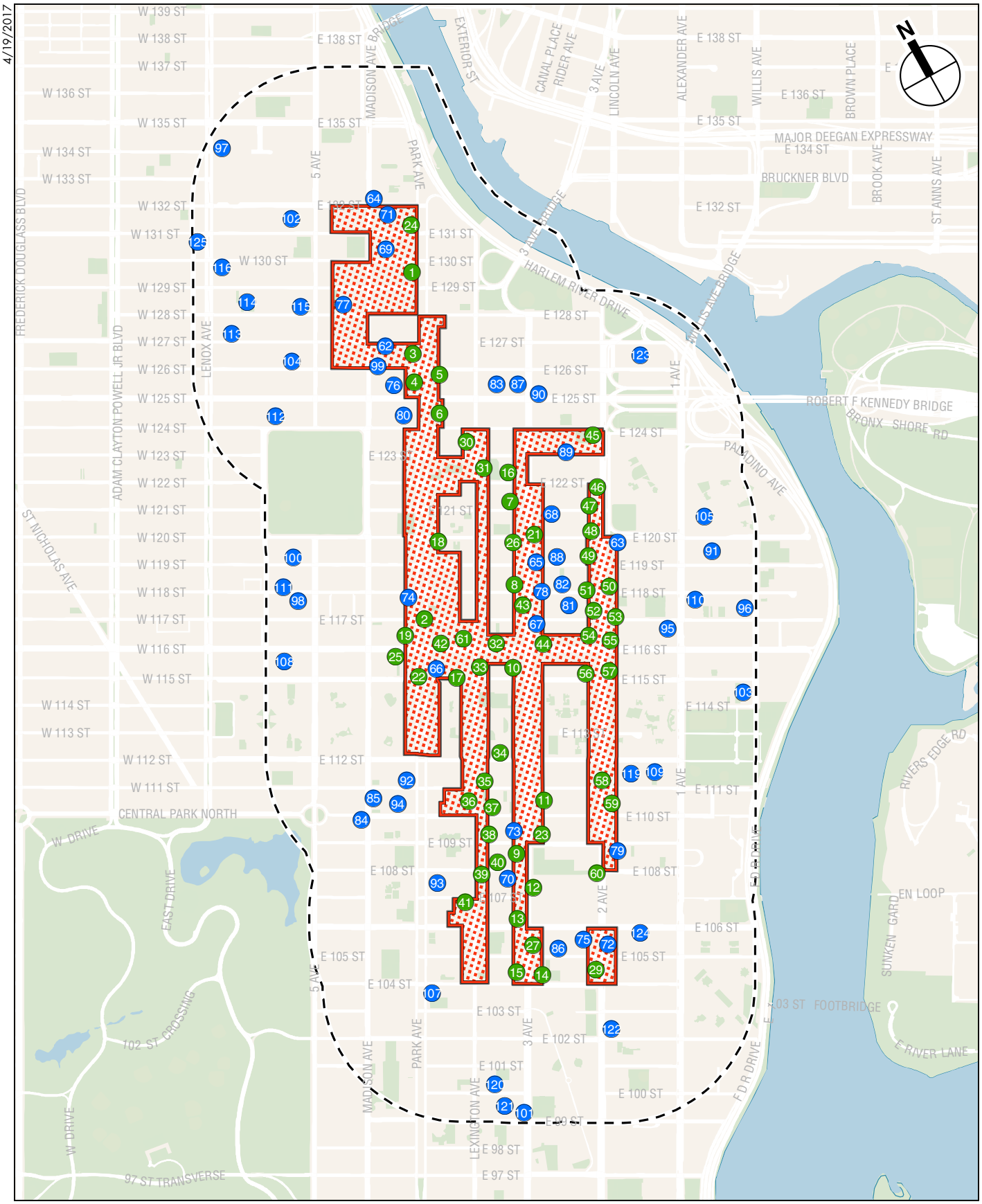
Upper Manhattan Empowerment Zone

Figure 2-9



EAST HARLEM REZONING

Coastal Zone
Figure 2-10



Primary Study Area

Secondary Study Area

4 No Build / Projected Development Site

89 Other No Build

0 2,000 FEET

EAST HARLEM REZONING

No Build Projects

Figure 2-11

developments will introduce an estimated 15,626 new residents and approximately 6,147 new workers to the primary and secondary study area.

ZONING

As stated in Chapter 1, "Project Description," in the future without the Proposed Actions zoning is expected to remain generally unchanged throughout much of the primary and secondary study areas.

PRIMARY STUDY AREA

Zoning in the primary study area is expected to be unchanged in the No Action Condition in 2027.

SECONDARY STUDY AREA

There is one anticipated zoning change in the secondary study area in the No Action Condition in 2027. It is anticipated that the proposed 126th Street Bus Depot project, a full block site bounded by East 126th and East 127th Streets, and First and Second Avenues (Block 1803, Lot 1), would be redeveloped with a mixed-use project. The project requires a zoning map amendment to change the zoning on the site from existing M1-2 light manufacturing district to a C6-3 general commercial district. The project would also require a zoning text amendment to map the project site as a MIHA in Appendix F of the Zoning Resolution.

Table 2-7
Development Projects in the Future without the Proposed Actions

Map ID No.	Project Name & Address	Development Proposal Program	Build Year
	Primary Study Area		
1	Projected Development Site 1—1900-1908 Park Ave	10,592 sf of commercial automotive and additional parking.	2020
2	Projected Development Site 3—1660-1662 Park Ave	31 dwelling units and 7,892 sf of local retail.	2025
3	Projected Development Site 5—1842-1856 Park Ave	32,974 sf of commercial hotel use.	2020
4	Projected Development Site 8—1824 Park Ave	76 dwelling units and 12,144 sf of destination retail use.	2027
5	Projected Development Site 9—102 East 126 Street	64 dwelling units and 10,342 sf of destination retail use.	2027
6	Projected Development Site 10—1801-1815 Park Ave & 110 East 125th Street	133 dwelling units and 13,110 sf of destination retail, and 23,287 sf of office use.	2027
7	Projected Development Site 12—2226 3rd Ave	82 dwelling units and 20,353 sf of local retail.	2022
8	Projected Development Site 14—2162 3rd Ave	55 dwelling units and 10,256 sf of local retail and 8,154 sf of office use.	2026
9	Projected Development Site 15—1974-1982 3rd Ave	33 dwelling units and 5,831 sf of local retail.	2025
10	Projected Development Site 16—2102-2108 3rd Ave	59 dwelling units and 10,915 sf of local retail and 8,230 sf of office use.	2023
11	Projected Development Site 17—2005-2011 3rd Ave	143 dwelling units and 4,485 sf of grocery store use and parking.	2027
12	Projected Development Site 18—1950-1964 3rd Ave	74 dwelling units and 16,555 sf of local retail and 18,210 sf of commercial storage areas.	2025
13	Projected Development Site 19—1924-1934 3rd Ave	64 dwelling units and 11,572 sf of local retail.	2027
14	Projected Development Site 20—1887-1891 3rd Ave	118 dwelling units and 3,709 sf of local retail.	2022
15	Projected Development Site 21—1888-1892 3rd Ave	98 dwelling units, 3,100 sf of local retail and parking.	2025
16	Projected Development Site 22—2246-2252 3rd Ave	53 dwelling units and 11,382 sf of local retail, 9,500 sf of commercial storage, and 1,882 sf of office use.	2019
17	Projected Development Site 23—126 East 116 Street	22 dwelling units and 8,074 sf of local retail.	2021
18	Projected Development Site 24—96-104 East 120th Street	12,960 sf of manufacturing use.	2018
19	Projected Development Site 25—1944-1946 Park Ave	15 dwelling units and 4,545 sf of local retail.	2020
20	Projected Development Site 26—242 East 106 Street	30 dwelling units and 4,723 sf of local retail.	2026
21	Projected Development Site 27—2203 3rd Ave & 205 East 120th Street	16 dwelling units and 2,534 sf of local retail.	2020
22	Projected Development Site 28—100 East 116 Street	4,800 sf of local retail and 2,400 sf of community facility use.	2019
23	Projected Development Site 29—1985 3rd Ave	52 dwelling units and 8,357 sf of local retail.	2018
24	Projected Development Site 30—1940 Park Ave	34 dwelling units and 8,993 sf of local retail.	2022
25	Projected Development Site 31—1640 Park Ave	8 dwelling units and 2,250 sf of local retail.	2021
26	Projected Development Site 32—2196-2198 3rd Ave	26 dwelling units and 8,797 sf of local retail.	2025
27	Projected Development Site 33—1905-1911 3rd Ave	56 dwelling units and 8,855 sf of local retail.	2022
29	Projected Development Site 35—2038 2nd Ave	11 dwelling units and 1,750 sf of local retail.	2025

Table 2-7 (cont'd)
Development Projects in the Future without the Proposed Actions

Map ID No.	Project Name & Address	Development Proposal Program	Build Year
	Primary Study Area (continued)		
30	Projected Development Site 36—2026 Lexington Ave	23 dwelling units and 4,320 sf of local retail.	2026
31	Projected Development Site 37—148 East 123 Street	7 dwelling units and 2,316 sf of local retail.	2024
32	Projected Development Site 38—154-158 East 116th Street	17 dwelling units and 4,541 sf of local retail.	2023
33	Projected Development Site 39—151 East 115th Street	9 dwelling units and 2,271 sf of local retail.	2022
34	Projected Development Site 40—154-156 East 112th Street	18 dwelling units and 4,723 sf of local retail.	2021
35	Projected Development Site 41—163 East 111th Street	23 dwelling units and 6,120 sf of local retail.	2026
36	Projected Development Site 42—144 East 111th Street	9 dwelling units and 2,271 sf of local retail.	2020
37	Projected Development Site 43—152-153 East 109th Street 1723-1759 Lexington Ave	34 dwelling units and 9,083 sf of local retail.	2023
38	Projected Development Site 44—157-159 East 109th Street	A residential property with 22 dwelling units.	2023
39	Projected Development Site 45—1731-1733 Lexington Ave	8 dwelling units and 2,003 sf local retail.	2022
40	Projected Development Site 46—152-156 East 108th Street	15 dwelling units and 4,609 sf of local retail.	2020
41	Projected Development Site 47—1710 Lexington Ave	9 dwelling units and 2,312 sf of local retail.	2019
42	Projected Development Site 48—116th East 116th Street	9 dwelling units and 2,271 sf of local retail.	2021
43	Projected Development Site 50—2147 3rd Ave	10 dwelling units and 1,566 sf of retail.	2022
44	Projected Development Site 51—205-207 East 116th Street	21 dwelling units and 5,438 sf of local retail.	2020
45	Projected Development Site 52—2431 2nd Ave	6 dwelling units and 2,039 sf of local retail.	2024
46	Projected Development Site 53—2375 2nd Ave	21 dwelling units and 3,375 sf of local retail.	2022
47	Projected Development Site 54—2365 2nd Ave & 249 East 121st Street	31 dwelling units and 5,035 sf of local retail.	2026
48	Projected Development Site 55—2341-2431 2nd Ave & 249 East 121st Street	30 dwelling units and 4,774 sf of local retail.	2027
49	Projected Development Site 56—246 East 120th Street & 2331-2337 2nd Ave	80 dwelling units and 9,993 sf of local retail.	2027
50	Projected Development Site 57—2302-2306 2nd Ave	35 dwelling units and 5,760 sf of local retail.	2019
51	Projected Development Site 58—2293 2nd Ave	15 dwelling units and 2,491 sf of local retail.	2022
52	Projected Development Site 59—2287 2nd Ave	37 dwelling units and 5,820 sf of local retail.	2027
53	Projected Development Site 60—2282 2nd Ave	11 dwelling units and 1,823 sf of local retail.	2023
54	Projected Development Site 61—2269 2nd Ave	10 dwelling units and 1,620 sf of local retail.	2025
55	Projected Development Site 62—2262-2264 2nd Ave	28 dwelling units and 4,403 sf of local retail.	2026
56	Projected Development Site 63—2243-2253 2nd Ave	74 dwelling units and 4,995 sf of community facility.	2027
57	Projected Development Site 64—2244-2246 2nd Ave	18 dwelling units and 2,880 sf of local retail.	2025
58	Projected Development Site 65—2160 2nd Ave	15 dwelling units and 2,325 sf of local retail.	2020

Table 2-7 (cont'd)
Development Projects in the Future without the Proposed Actions

Map ID No.	Project Name & Address	Development Proposal Program	Build Year
	Primary Study Area (continued)		
59	Projected Development Site 66—2150-2152 2nd Ave	28 dwelling units and 4,500 sf of local retail.	2023
60	Projected Development Site 67—2nd Ave	29 dwelling units and 4,545 sf of local retail.	2025
61	Projected Development Site 68—125 East 116th Street	27 dwelling units and 10,092 sf of grocery store use.	2019
62	60 East 127 Street	8 dwelling units and 1 parking space.	2018
63	2338 2nd Ave	30 dwelling units and 1,349 sf of retail.	2018
64	42 East 132 Street	12 dwelling units and 1,873 sf of community facility use.	2019
65	2183 3rd Ave	58 dwelling units and 20,144 sf of retail space with 705 sf of community facility.	2018
66	109 East 115 Street	32 dwelling units and 5,392 sf of community facility use.21 dwelling units and 1,797 sf of retail.	2019
67	2139 3rd Ave	21 dwelling units and 1,797 sf of retail.	2018
68	2211 3rd Ave	93 dwelling units, 11,534 sf or retail, and 62 parking spaces.	2018
69	57 East 130 Street	A residential property with 5 dwelling units.	2018
70	174-176 East 108 Street	A residential property with 21 dwelling units.	2018
71	44 East 132 Street	12 dwelling units and 2,280 sf of community facility use.	2019
72	2040 2nd Ave	51,286 sf of community facility use.	2019
73	1992 3rd Ave	19 dwelling units and 1,450 sf of retail.	2018
74	1674 Park Ave	A residential property with 10 dwelling units.	2018
75	238 East 106th Street	A residential property with 29 dwelling units.	2018
76	69 East 125 Street	75 dwelling units, 5,643 sf of retail and 511 sf of community facility space, with 15 parking spaces.	2019
77	13 East 128 Street	A residential property with 6 dwelling units.	2018
78	206 East 119 Street	A residential property with 25 dwelling units.	2018
79	308 East 109th Street	A residential property with 26 dwelling units.	2019
124	312 East 106th Street	22 dwelling units and 1,357 sf of community facility space.	2019
	Secondary Study Area		
80	1800 Park Ave	670 dwelling units, 73,460 sf of retail and 46,250 sf of community facility.	2023
81	228 East 118 Street	A residential property with 30 dwelling units.	2019
82	223 East 118 Street	A residential property with 2 dwelling units.	2018
83	149 East 125 Street	233 dwelling units, 38,868 sf or retail and 36 parking spaces.	2020
84	1655 Madison Ave	19 dwelling units, 1,479 sf of retail and 270 sf of community facility use.	2019
85	1661 Madison Ave	15 dwelling units and 1,733 sf of retail use.	2018

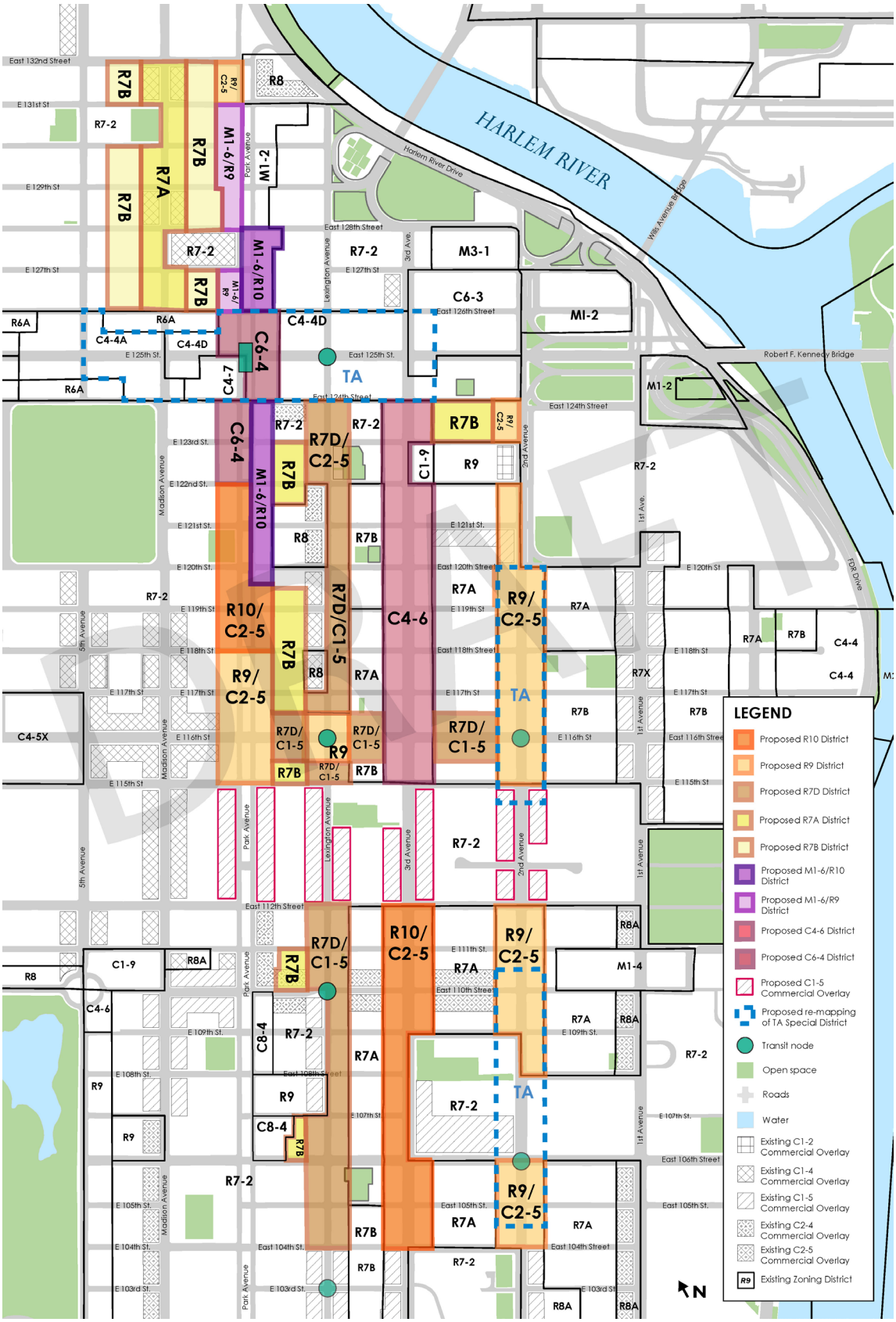
Table 2-7 (cont'd)
Development Projects in the Future without the Proposed Actions

Map ID No.	Project Name & Address	Development Proposal Program	Build Year
	Secondary Study Area (continued)		
86	221 East 105 Street	A residential property with 23 dwelling units.	2019
87	2306 3rd Ave	233 dwelling units and 154,312 sf of community facility use.	2020
88	217 East 119th Street	32 dwelling units and 3,738 sf of community facility use.	2019
89	231 East 123rd Street	A residential property with 11 dwelling units.	2019
90	MEC Site—The 125th Street Development	1,000 dwelling units, 470,000 sf of retail, 300,000 sf of office, 100,000 sf of hotel (130 hotel rooms), 30,000 sf of community facility and .28 acres of open space; with 600 parking spaces.	2020
91	420 East 120th Street	A residential property with 10 dwelling units.	2018
92	1516 Park Ave	44 dwelling units, 4,742 sf of retail, and 739 sf of community facility.	2019
93	127 East 107th Street	400 dwelling units, 4,009 sf of retail and 38,5776 sf of community facility and 57 parking spaces.	2020
94	71 East 110th Street	A residential property with 55 dwelling units.	2019
95	2269 1st Ave—PS 85	90 dwelling units and 3,995 sf of retail.	2019
96	327 Pleasant Ave	A residential property with 20 dwelling units and 700 sf of community facility.	2018
97	Lenox Terrace	1,696 dwelling units, 57,106 sf of retail, 27,267 sf of community facility and 39 parking spaces.	2019
98	11 West 118th Street	A residential property with 21 dwelling units.	2018
99	52-54 East 126th Street	A residential property with 21 dwelling units.	2019
100	15 West 119 Street	A residential property with 13 dwelling units.	2018
101	1790 3rd Ave	55 dwelling units, 3,575 sf of retail and 246 sf of community facility.	2019
102	10 West 132nd Street	A residential property with 10 dwelling units.	2018
103	275 Pleasant Ave	A residential property with 2 dwelling units.	2018
104	11 West 126th Street	A residential property with 6 dwelling units.	2018
105	409 East 120th Street	179 dwelling units, 5,370 sf of office, and 4,334 sf of community facility; with 29 parking spaces.	2019
106	116 West 127th Street	A residential property with 2 dwelling units.	2018
107	1399 Park Ave	72 dwelling units, 18,974 sf of community facility and 36 spaces.	2018
108	20 West 116th Street	28 dwelling units, 5,609 sf of community facility.	2018
109	336 East 112th Street	A residential property with 27 dwelling units.	2019
110	400 East 118th Street	A residential property with 35 dwelling units.	2019
111	13 West 118th Street	A community facility with 11,561 sf of space.	2018
112	27 West 124th Street	A community facility with 1,620 sf of space.	2018
113	75 West 127th Street	A community facility with 400 sf of space.	2018

Table 2-7 (cont'd)
Development Projects in the Future without the Proposed Actions

Map ID No.	Project Name & Address	Development Proposal Program	Build Year
	Secondary Study Area (continued)		
114	59 West 128th Street	A residential property with 8 dwelling units.	2019
115	3 West 128th Street	A residential property with 20 dwelling units.	2019
116	400 Lenox Ave	26 dwelling units, 1,939 sf of retail and 8,100 sf of community facility.	2020
117	114 West 125th Street	23,018 sf or retail.	2018
118	102 West 131st Street	A residential property with 2 dwelling units.	2018
119	318 East 112th Street	A residential property with 26dwelling units.	2019
120	168 East 100th Street	A residential property with 16 dwelling units.	2019
121	166 East 100th Street	12 dwelling units and 10,060 sf of community facility.	2019
122	1988-1996 2nd Ave	A residential property with 102 dwelling units.	2020
123	2460 2nd Ave—Bus Depot Project	730 dwelling units, 115,000 sf of retail, 200,000 sf of office, 0.41 acres of passive open space, and 30,000 sf of community facility; with 300 parking spaces.	2025

Note: Refer to **Figure 2-12** for the location of the No Build projects.
Source: New York City Department of City Planning



Proposed Zoning
Figure 2-12

PUBLIC POLICY

Public policies that affect the primary and secondary study areas in the Existing Condition would remain unchanged. There are no anticipated changes to public policies affecting either study area. For this reason, please refer to Section C, "Existing Conditions," for all relevant public policies.

E. THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

As described in Chapter 1, "Project Description," the City is proposing a series of land use actions—including zoning map amendments, zoning text amendments and amendments to the Milbank Frawley URP—to implement land use and zoning recommendations in the EHNP. The Proposed Actions are intended to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character (see **Table 2-8**). The land use conditions and zoning regulations that would result from the Proposed Actions by 2027 are evaluated for the potential to result in significant adverse impacts below. In addition, this section assesses the consistency of the Proposed Actions with applicable public policies described above under Section C, "Existing Conditions."

LAND USE

PRIMARY STUDY AREA

The Proposed Actions would allow new residential development, including a substantial amount of affordable housing throughout the Primary Study Area and potential commercial development on NYCHA property, which would be subject to future disposition approvals. In addition, the Proposed Actions would allow new mixed-use residential, commercial and light manufacturing buildings as-of-right. Overall, the land use actions included under the Proposed Actions would provide opportunities for new housing, including substantial amounts affordable housing, along key corridors, particularly Park, Third, and Second Avenues and protect the existing character and context of the residential core by mapping contextual districts and focusing new residential density along the major north–south corridors in the Project Area.

SECONDARY STUDY AREA

The Proposed Actions would not affect land use patterns in the secondary study area. The compatibility of Proposed Actions with land use in the secondary study area is discussed in Section F, "Assessment," below.

Table 2-8
2027 RWCDS No Action and With Action Condition Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Total Residential	2,472 DU	5,960 DU	+ 3,488DU
Commercial			
Commercial Retail	385,009 sf	507,551 sf	+ 122,542 sf
Hotel	32,974 sf	0 sf	- 32,974 sf
Office	76,559 sf	219,771 sf	+ 143,212 sf
Auto-related	10,592 sf	0 sf	- 10,592 sf
Storage	57,614 sf	0 sf	- 57,614 sf
Total Commercial	**562,749sf**	**727,322 sf**	**+ 164,575 sf**
Other Uses			
Total Community Facility	7,395 sf	112,437 sf	+ 105,042 sf
Total Industrial	22,777	155,171 sf	+ 132,394 sf
Parking			
Parking Floor Area	120,907 sf	102,504 sf	- 18,403
Population[1]			
Residents	5,959	14,364	+ 8,405
Workers	1,723	3,265	+ 1,543

Note:
1. Assumes 2.41 persons per dwelling unit (DU) for residential units in Manhattan Community District 11. Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 3 employees per 1,000 sf of retail, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial, 1 employee per 15,000 sf of warehouse uses, 1 employee per 11.4 students in Pre-K school uses, 3 employees per 1,000 sf of all other community facility uses, 1 employee per 50 parking spaces, 1 employee per 200 sf restaurant, 1 employee per 250 sf grocery store, and 1 employee per 25 dwelling units (residential).

ZONING

The primary study area is generally coterminous with the boundaries of the rezoning area. Zoning map changes are shown in **Figure 2-12**. The proposed zoning map and zoning text amendments are described in detail below.

ZONING MAP AMENDMENTS

The proposed rezoning would replace all or portions of existing R7-2, C8-3, M1-2, M1-4, C4-4, C4-4D, R8A, R7A, and C6-3 districts within the rezoning area with M1-6/R9, M1-6/R10, C4-6, C6-4, R10, R9, R7A, R7B, and R7D districts. The proposed rezoning would replace or eliminate portions of existing C1-4, C2-4, and C1-5 overlays with C1-5 or C2-5 overlays and establish new C1-5 overlays. The proposed rezoning would also amend the Zoning Map to include boundaries of the new EHC Special District as well as modified boundaries of the TA Special District. A portion of the C6-3 District at the intersection of East 125th Street and Park Avenue within the Special 125th Street District would be replaced with a C6-4 district. **Table 2-9** summarizes the proposed zoning changes, which are also discussed in greater detail below.

Table 2-9
Proposed Primary Study Area Zoning Districts

Name	Definition/General Use	Maximum FAR
	Residential Districts	
R7A	R7A are contextual districts that permit buildings of up to 85 feet in height, with a street minimum and maximum base height between 40 and 65 feet.	R: 4.6[1]; CF: 4.0
R7B	R7B are contextual districts that permit buildings of up to 75 feet in height, with a street minimum and maximum base height between 40 and 60 feet.	R: 3.0; C: 2.0,
R7D	R7D are mid-density contextual districts with a minimum base height of 60 feet, a maximum base height of 95 feet, and a maximum building height of 115 feet with a Mandatory Inclusionary Housing development with Qualifying ground Floor.	R: 5.6[1]; CF 4.2
R9	R9 districts are mapped along several major thoroughfares in Manhattan. Buildings can either be developed under *height factor* regulations or the optional *Quality Housing* regulations as in R6 and R8 districts.	R: 8.0[1]; CF: 10.0
R10	R10 districts are high density residential districts generally mapped along portions of Fifth and park Avenues in Manhattan.	R: 12.0[1]; CF: 10.0
	Commercial Districts	
C1-5 (Overlay)	C1-5 overlays permit neighborhood retail uses. Generally the lower the numerical suffix, the greater the off-street parking requirement.	C: 2.0
C2-4 (Overlay)	C2-4 overlays permit a slightly wider range of retail uses than C1 overlays. Generally the lower the numerical suffix, the greater the off-street parking requirement.	C: 2.0
C2-5 (Overlay)	C2-4 overlays permit a slightly wider range of retail uses than C1 overlays. Generally the lower the numerical suffix, the greater the off-street parking requirement.	C: 2.0
C4-6	C4 districts with an A suffix are contextual districts in which the commercial and residential bulk and density regulations can differ from corresponding non-contextual districts. Use Groups 5, 6, 8, 9, 10, and 12, which allows most retail establishments, are permitted in C4 districts.	R: 12.0[1, 2]; C: 3.4; CF: 10.0[2]
C6-4	C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted.	R: 10.0[2]; C: 10.0[2]; CF: 10.0
	Mixed-Use Districts	
M1-6/R9	M1-6/R9 districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5 to 15 and 17.	See below for details.
M1-6/R10	M1-6/R10 districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5 to 15 and 17.	See below for details.
	Special Districts	
Special East Harlem Corridors (EHC) District	Within proposed M1-6/R9 and M1-6/R10 Districts, the Special EHC District would apply special use regulations similar to that of the Special Mixed Use District (Article XII, Chapter 3).	See below for details.
Special 125th Street District	The Proposed Actions would modify the Special 125th Street District at three of the corners at 125th Street and Park Avenue. See below for details.	See below for details

Notes:
[1] Increase in FAR with ***Inclusionary Housing- and Mandatory Inclusionary Housing-designated area*** bonus
[2] Up to 20 percent increase for a public plaza bonus; however would not apply with proposed zoning changes.
Source: NYC Department of City Planning

Proposed Special East Harlem Corridors (EHC) District

The proposed EHC Special District would be mapped along major corridors within the rezoning area, including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue, and East 116th Street, to establish special use, bulk, ground-floor design, and parking regulations.

Use Regulations

Within proposed M1-6/R9 and M1-6/R10 Districts, the EHC would apply use regulations of the Special Mixed Use District (Article XII, Chapter 3). The EHC would allow public parking garages to be as-of-right, up to 100 spaces within proposed C1-5 District, and up to 150 spaces

within proposed C2-5, C4-6, C6-4, M1-6/R9, and M1-6/R10 Districts, just as they are currently permitted in the existing districts including C2-4, C4-4, C4-4D, C8-2, and M1-2 districts. Within C2-5, C4-6, C6-4, M1-6/R9, and M1-6/R10 Districts, the proposed special district would require a CPC special permit for hotels until a residential development goal has been reached, in alignment with the objective of the rezoning to create opportunities to require permanently affordable housing through MIH. Finally, within all proposed Commercial or Mixed-use Districts, where commercial uses are permitted above the ground floor of a mixed-use building, the special district would allow commercial uses to be located on the same floor level with residential units, provided there is no cross access between these uses.

Floor Area Regulations

Within C6-4, M1-6/R9, and M1-6/R10 Districts mapped along Park Avenue, the EHC would apply special FAR regulations, as described in detail below, to ensure a desirable mix of residential and non-residential uses. The underlying public plaza and arcade floor area bonus provisions of C4-6, C6-4, M1-6/R9, and M1-6/R10 Districts would be eliminated.

Street wall Location

The EHC would modify the underlying street wall location regulations to facilitate the creation of a desirable pedestrian environment. Within R9/C2-5, R10/C2-5, C6-4, M1-6/R9, and M1-6/R10 Districts along Park Avenue, the EHC would modify the varying street wall location regulations of these districts to apply one consistent street wall location rule to require at least 70 percent of a street wall to be located within eight feet of a street line. Along East 116th Street, Second, Third and Lexington Avenues, the underlying street wall location regulation would require a consistent street wall at the street line except for permitted recesses and courts.

The special district would also require additional street wall design mitigation measures if a building was raised above a certain height to meet flood resistant construction requirements. All developments complying with the flood-proof construction provision of Article 6, Chapter 4 of the Zoning Resolution and resulting in walls taller than 4 feet, measured from the adjacent sidewalk level, would be required to setback at the ground level at least 3 feet, but not more than 5 feet, from the street line and provide a range of visual relief features along such walls.

Contextual Quality Housing Option

The EHC would modify the underlying minimum base height requirements of optional contextual Quality Housing bulk regulations of R9, R10, and their equivalent commercial districts. Along Park Avenue, the minimum base height would be lowered to 40 feet to allow the residential portion of a mixed-use building to setback from the Metro-North viaduct. Along other corridors, the minimum base height would be lowered to 60 feet to avoid requiring overly high street walls.

Quality Housing Tower Option

In non-contextual R9 and R10 Districts, and their equivalent commercial districts including C4-6 and C6-4 Districts, where a tower development option is available, the EHC would modify the underlying tower regulations to require a contextual base before a tower can be developed to create consistent street walls that are closer to pedestrian activities. The minimum base height would be 40 feet along Park Avenue and 60 feet along all other Avenues. The maximum base height would be 85 feet in all areas. This special EHC tower provision would also require the residential portion of such tower to comply with the Quality Housing provisions of Article II, Chapter 8 of the Zoning Resolution to require a building to provide certain amenities to its residents.

Ground-Floor Design Requirements

The EHC would require a set of ground-floor design requirements including mandatory active, non-residential uses on the ground floor, minimum levels of transparency limiting curb cuts, where appropriate. The controls would foster a safe and walkable pedestrian experience along these corridors.

Parking Regulations

The EHC would eliminate the underlying accessory residential parking requirements. In addition, the EHC would allow limited public parking garages to be as-of-right within proposed commercial and manufacturing districts, just as they are currently permitted in the existing districts including C2-4, C4-4D, M1-2, and C8-3 districts.

Proposed M1-6/R10 within the EHC (Existing M1-2 and M1-4 District)

An M1-6/R10 mixed use district is proposed in two sections of the East Harlem Special District Corridor, including the northern section of the Project Area along the east side of Park Avenue between East 126th and East 128th Streets and in the mid-section roughly along the east side of Park Avenue between East 119th and East 124th Streets. M1-6/R10 districts permit residential and community facility uses within Use Groups 1 through 4, and commercial and manufacturing uses within Use Groups 5 through 15 and 17 at a maximum FAR of 12.0 in a mixed-use building. R10 districts have a maximum FAR of 12 with MIH. The EHC would modify the underlying FAR provision to require a non-residential FAR of 2.0 before any residential floor area would be permitted. The special street wall and minimum base height provisions of Park Avenue within the EHC, as described above, would apply. The maximum base height would be 125 feet and the maximum overall building height would be 350 feet with a penthouse allowance of up to 40 feet. The special ground-floor design and parking provisions of the EHC would apply.

Proposed M1-6/R9 within the EHC (Existing C8-3 District)

An M1-6/R9 mixed use district is proposed northern section of the Project Area along the west side of Park Avenue between East 126th and East 128th Streets and between East 128th and East 131st Streets. M1-6/R9 districts permit residential and community facility uses within Use Groups 1 through 4, and commercial and manufacturing uses within Use Groups 5 through 15 and 17 at a maximum FAR of 8.5 in a mixed-use or purely non-residential building. The EHC would modify the underlying FAR provision to require a non-residential FAR of 1.5 before any residential floor area would be permitted. The special street wall and minimum base height provisions of Park Avenue within the EHC, as described above, would apply. The maximum base height would be 105 feet and the maximum overall building height would be 285 feet with a penthouse allowance of up to 40 feet. The special ground-floor design and parking provisions of the EHC would apply.

Proposed C6-4 within the EHC (Existing R7-2)

A C6-4 district is proposed on the east side of Park Avenue between East 122nd and East 124th Streets within the EHC Special District.

The C6-4 district would allow a maximum FAR of 10.0 (with MIH requirements) for residential, 12.0 for community facility and commercial uses. The EHC would modify the underlying FAR provision to require a non-residential FAR of 2.0 before any residential floor area would be permitted, and the overall maximum floor area for a mixed-use or purely non-residential development would be 12.0 FAR. Pursuant to the special bulk provisions of the EHC as

described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the street wall location and minimum base height provisions along Park Avenue of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of the zoning lot. The maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R9 within the EHC (Existing R7-2 and R8A)

The proposed R9 district would be mapped within the EHC in the following areas:

- The west side of Park Avenue between East 131st and East 132nd Streets;
- Both sides of Park Avenue between East 115th and East 118th Streets;
- The intersection of East 116th Street and Lexington Avenue;
- The west side of Second Avenue between East 123rd and East 124th Streets;
- The west side of Second Avenue between East 120th and 122nd Streets;
- Both sides of Second Avenue between East 115th and East 120th Streets;
- Both sides of Second Avenue between East 112th and East 109th Streets;
- The east side of Second Avenue between East 108th and East 109th Streets; and
- Both sides of Second Avenue between East 104th and East 106th Streets.

R9 districts, within the EHC, would have a maximum FAR of 8.5 for community facility uses and residential uses with MIH. Commercial overlays mapped in this district would allow a maximum FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the street wall location and minimum base height provisions of the EHC would apply along Park Avenue or other avenues, as applicable. For the contextual Quality Housing option, the maximum base height would be 125 feet and the maximum building height would be 175 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of a zoning lot and the maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R10 within the EHC (Existing R8A and R7-2)

The proposed R10 would be mapped within the EHC in the following areas:

- The west side of Park Avenue between East 122nd and East 118th Streets;
- The east side of Park Avenue on the southern portion of the block between East 120th and East 119th Streets;
- Both sides of Third Avenue between East 109th and East 112th Streets;
- The west side of Third Avenue between East 106th and East 109th Streets; and
- Both sides of Third Avenue between East 104th and East 106th Streets.

R10 districts permit residential uses at a maximum FAR of 12.0 with MIH, and a maximum FAR of 10 for community facility uses. Commercial overlays mapped in this district allow a maximum commercial FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the street wall location and minimum base height provisions of the EHC would apply along Park Avenue or other Avenues, as applicable. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of the zoning lot, and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed C4-6 within the EHC (Existing C4-4D district)

A C4-6 district is proposed along Third Avenue in the mid-section of the Project Area between East 115th and East 124th Streets, with the exception of the east side of Third Avenue between East 122nd and East 123rd Streets.

The C4-6 district would allow a maximum FAR of 12.0 (with MIH requirements) for residential, 10.0 for community facility and 3.4 for commercial uses. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the street wall location and minimum base height provisions of the EHC along Avenues, other than Park Avenue, would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of the zoning lot, and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R7D within the EHC (Existing R7-2 and R7A)

The proposed R7D would be mapped in the following sections within the study area:

- Both sides of Lexington Avenue from East 104th Street to East 107th Street;
- The west side of Lexington Avenue from East 107th Street to East 110th Street;
- Both sides of Lexington Avenue from East 110th Street to East 112th Street;
- Both sides of the mid-blocks on East 116th Street between Park Avenue and Second Avenue;
- Both sides of Lexington Avenue from East 115th Street to midway between East 115th and East 116th Streets;
- Both sides of Lexington Avenue from midway between East 116th and East 117th Streets to East 117th Street;
- The east side of Lexington Avenue from East 117th Street to East 122nd Street; and
- Both sides of Lexington Avenue from East 122nd Street to East 124th Street.

R7D is a medium-density contextual district that has a minimum base height of 60 feet, a maximum base height of 95 feet and a maximum building height of 115 feet with a Mandatory

Inclusionary Housing development with Qualifying Ground Floor. The maximum residential FAR in an MIHA is 5.6. The maximum allowable community facility FAR is 4.2 and commercial overlays mapped in these districts permit a maximum commercial FAR of 2.0. The special ground-floor design and parking provisions of the EHC would apply.

Proposed Amendment to the Special 125th Street District (Proposed C6-4/Existing C6-3)

The Proposed Actions would modify the Special 125th Street District at three of the corners at 125th Street and Park Avenue. The existing C6-3 currently mapped on both sides of Park Avenue between East 125th and East 126th Streets and on the east side of Park Avenue between East 124th and 125th Streets would be rezoned to a C6-4 and incorporated into a new Park Avenue Hub Subdistrict that would be consistent with the proposed use, bulk, ground-floor design, and parking regulations included in the proposed EHC.

A C6-4 District is proposed along Park Avenue near the East 125th Street node, within the 125 Special District, at:

- The southeast corner Park Avenue between East 125th and East 124th Streets;
- The northeast corner of Park Avenue between East 125th and East 126th Streets; and
- The northwest corner of Park Avenue between East 125th and East 126th Streets.

The proposed text modifications would allow a maximum FAR of 12.0 (with Mandatory Inclusionary Housing requirements). In addition, for buildings with residential uses, the modifications would require either a minimum of 2.0 FAR of nonresidential uses or 0.5 FAR of visual or performing arts space provided. A development would have contextual Quality Housing and Quality Housing tower bulk options, similar to the EHC provisions described above. For both options, the street wall location and minimum base height provisions of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. However, the maximum base would be lowered to 85 feet along 125th Street to maintain the existing maximum base height regulation of the Special District. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of the zoning lot, and maximum commercial or community facility tower lot coverage would be 50 percent. The existing special ground-floor design provisions of the 125th Special District would apply. The underlying parking provisions of the 125th Street Special District would be modified to be consistent with that of the EHC.

Proposed R7A and R7B (Existing R7-2)

The proposed R7A and R7B would be mapped in the northern section of the Project Area outside of the proposed special district and on a number of the mid-blocks between Lexington and Park Avenues between East 104th and East 124th Streets.

The R7A would be mapped along Madison Avenue between East 126th to East 132nd Streets with the exceptions of the east side of Madison Avenue between East 127th and East 128th Streets and the west side of Madison Avenue between East 130th and East 131st Streets. The R7B would be mapped on the mid-blocks between Fifth and Madison Avenues and Park and Madison Avenues from East 126th to East 132nd Streets. The R7B would not be mapped on the mid-blocks bounded by East 128th Street, East 127th Street, Madison, and Park Avenues and East 130th and East 131st Streets and Madison and Fifth Avenues.

The R7B district would also be mapped along the midblock between East 123rd and East 124th Streets between Third and Second Avenues, and on the following midblocks between Lexington and Park Avenues:

- Roughly between East 121st and East 123rd Streets;
- Roughly between East 116th and East 120th Streets;
- Roughly between East 115th and East 116th Streets;
- Roughly between East 110th and East 111th Streets;
- Roughly between East 106th and East 107th Streets;
- A portion of the mid-block between East 123rd and East 124th Streets; and
- A portion of the mid-block between East 121st and East 122nd Streets.

The R7A and the R7B are contextual districts that have maximum base heights and maximum building heights. The R7B permits buildings of up to 85 feet in height, with a street minimum and maximum base height between 40 and 65 feet. The maximum residential and community facility FAR is 4.0. The R7B permits buildings of up to 75 feet in height, with a street minimum and maximum base height between 40 and 60 feet. The maximum residential and community facility FAR is 3.0. Commercial overlays mapped in these districts have a maximum FAR of 2.0.

Proposed Commercial Overlays

Existing C1 and C2 commercial overlays are mapped intermittently throughout the Project Area. C1 districts permit commercial Use Groups 5 and 6 while C2 districts permit Use Groups 5 through 9 and 14.

There are C1-5 overlays mapped throughout the Project Area and along the corridors within the Special District. DCP is proactively working with NYCHA to expand commercial overlays to areas where they do not currently exist, in order to increase the potential supply of retail and commercial services available to NYCHA residents on their campuses. Mapping these commercial overlays on NYCHA campuses is only one step in allowing commercial development in these areas, and this action would establish a zoning district that would allow NYCHA to pursue numerous additional approvals to advance commercial development on these campuses. This proposal would map commercial overlays to a depth of 100 feet to reflect the typical depth of existing lots along these corridors, and to prevent commercial uses from encroaching too far into NYCHA campuses.

C1-5 commercial overlays are proposed to be mapped over portions of the proposed R7D districts, and in existing R7-2 districts. The proposed rezoning would replace or eliminate portions of existing C1-4 and C2-4 overlays and establish new C1-5 overlays. The affected area is as follows:

- Proposed R7D: five full or partial block frontages on Lexington Avenue between East 116th and East 120th Streets;
- Proposed R7D: two partial block frontages on Lexington Avenue between East 115th and East 116th Streets;
- Proposed R7D: four full or partial block frontages along Lexington Avenue between East 110th and East 112th Streets; and
- Existing R7-2: on Park, Lexington, Third, and Second Avenues, roughly between East 112th and East 115th Streets.

C1-5 overlays permit residential, community facility, and specific commercial uses. C1 districts facilitate local shopping that serves immediate surrounding residences (Use Group 6). Commercial buildings in C1 overlays have a maximum permitted FAR of 2.0 Otherwise, residential, mixed residential/commercial, and community facility uses are regulated by the bulk regulations of the underlying residential districts in C1 commercial overlays. Commercial uses in mixed commercial and residential buildings in these districts cannot be located above the first floor. The C1-5 district does not require parking accessory to the commercial use.

C2-5 commercial overlays are proposed to be mapped over portions of the proposed R7D, R9, and R10 districts as follows. The proposed rezoning would also replace or eliminate portions of existing C1-2, C1-4, C1-5, and C2-4 overlays and establish new C2-5 overlays. The affected area is as follows:

- Proposed R7D: six full block frontages along Lexington Avenue between East 120th and East 124th Streets;
- Proposed R9: one full block frontage along Park Avenue between East 131st and East 132nd Streets;
- Proposed R9: six full block frontages along Park Avenue between East 118th and East 115th Streets;
- Proposed R9: one full block frontage on the east side of Madison Avenue between East 111th and East 112th Streets and one full block frontage on the west side of Park Avenue between East 111th and East 112th Streets;
- Proposed R9: four half block frontages at the intersection of Lexington Avenue and East 116th Street;
- Proposed R9: one block frontage on the east side of Second Avenue between East 123rd and East 124th Streets;
- Proposed R9: 12 full block frontages along Second Avenue between East 115th and East 122nd Streets;
- Proposed R9: seven full block frontages along Second Avenue between East 108th and East 112th Streets;
- Proposed R9: four block frontages along Second Avenue between East 104th and East 106th Streets;
- Proposed R10: six full or partial blocks along Park Avenue between East 118th and East 122nd Streets;
- Proposed R10: 13 full/partial blocks on Third Avenue between East 112th and East 104th Streets; and
- Eight full/partial blocks on the New York Housing Authority superblocks along Park, Third and Second avenues between East 112th and East 115th Streets.

C2-5 commercial overlays allow for local retail uses and commercial development up to 2.0 FAR. In these areas, the C2-5 commercial overlays would support the development of mixed residential/commercial uses. This proposal would map commercial overlays to a depth of 100 feet to reflect the typical depth of existing lots along these corridors and to prevent commercial uses from encroaching on residential side streets.

ZONING TEXT AMENDMENTS

The Proposed Actions include amendments to the text of the New York City Zoning Resolution. A new special district known as the EHC Special District would be established. It would cover the key corridors in the study area. The new MIH program would also be mapped along the corridors within the special district, setting mandatory affordable housing requirements pursuant to the MIH program.

EHC Special District

Once established, the EHC would modify the underlying zoning regulations, establish additional requirements, and allow for greater flexibility in the type and shape of future development, as described in the Zoning Map Amendments section above.

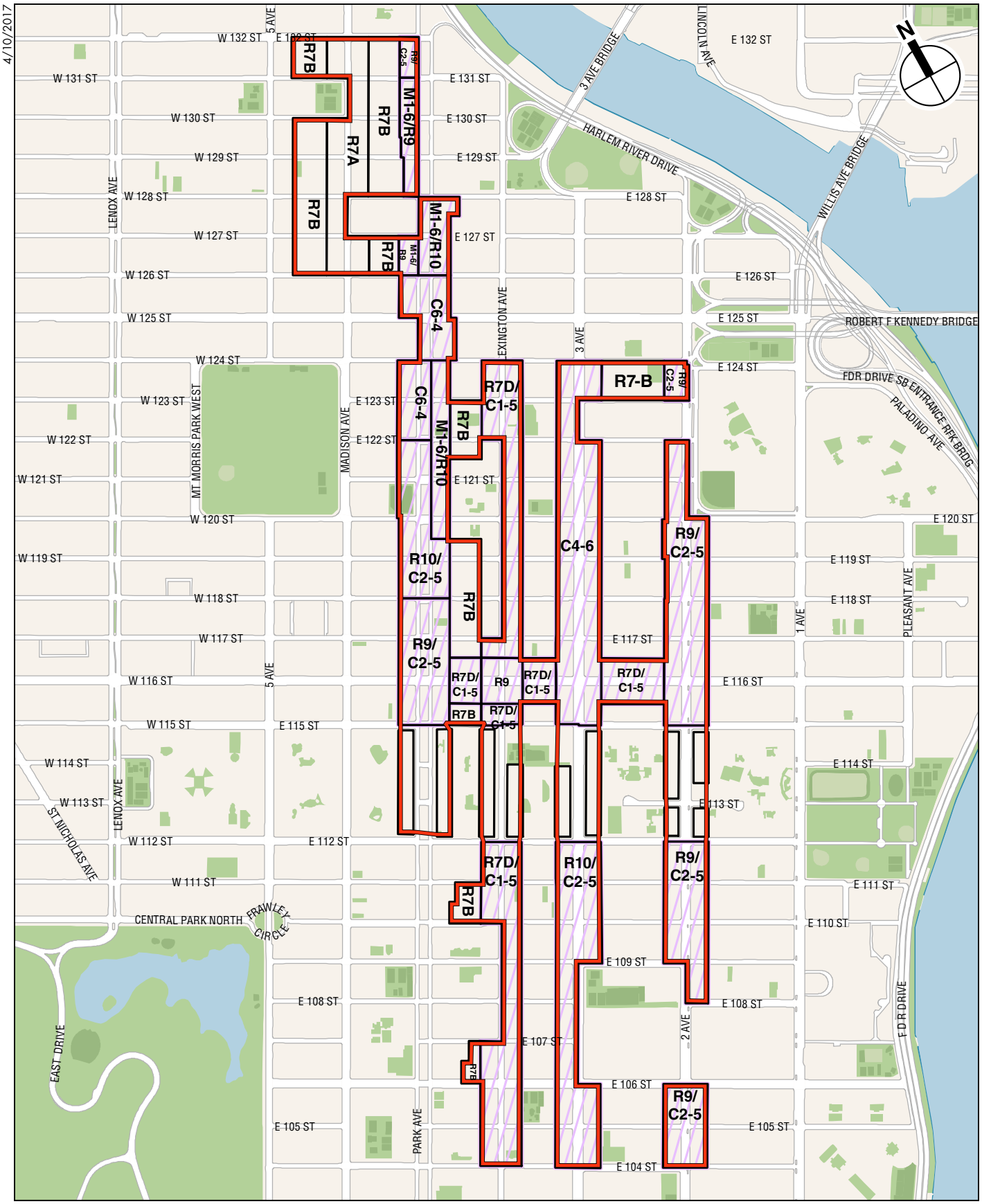
MIH Program

DCP proposes a Zoning Text amendment to apply the MIH program to portions of the proposed rezoning area, including where zoning changes are promoting new housing. The MIH program would apply within the following districts: M1-6/R9, M1-6/R10, R9, R10, C4-6, C6-4, and R7-D districts within the rezoning area. The proposed MIHA are shown in **Figure 2-13**. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIHAs. The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet within the MIH designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 square feet, a payment into an Affordable Housing Fund. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to the Board of Standards and Appeals for a special permit to reduce or modify the requirements. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 square feet of residential floor area will be exempt from the requirements of the program.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 would require 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. The City Council and CPC could decide to apply an additional, limited workforce option for markets where moderate- or middle-income development is marginally financially feasible without subsidy. For all options, no units could be targeted to residents with incomes above 130 percent AMI. Additionally a Deep Affordability Option could also be applied in conjunction with Options 1 and 2. The Deep Affordability Option would require that 20 percent of the residential floor area be affordable to residents at 40 percent AMI.

Proposed Amendment to the Special 125th Street District

The Proposed Actions would modify the existing 125th Street Special District at three of the corners at 125th Street and Park Avenue to be consistent with the proposed use, bulk, ground-floor design, and parking regulations included in the proposed Special East Harlem Corridors District, as described in the Zoning Map Amendments section above.



Project Area

Mandatory Inclusionary Housing Area

0 1,000 FEET

EAST HARLEM REZONING

Mandatory Inclusionary Housing Area
Figure 2-13

Proposed Amendment to the TA Special District

The Proposed Actions include modifications to the TA Special District to facilitate the inclusion of necessary transportation-related facilities in new developments. The proposed map modifications to the TA Special District are shown in **Figure 2-12**. The proposed modifications include:

Proposed Map Modifications

- Introduce a new TA Special District location along Second Avenue, roughly between East 115th and East 120th Streets.
- Modify existing TA Special District locations as follows:
  - Expand the TA Special District on Second Avenue at 106th Street by 100 feet to the north and south, with a slight extension to the west between East 119th and East 120th Street..
  - Relocate the TA Special District on Second Avenue near East 125th Street, to be located roughly between East 126th Street to the north, Third Avenue to the east, East 124th Street to the south, and Fifth Avenue to the west. .

Proposed Text Modifications

- Modify the existing text and add new text to exclude floor area for any subway transit-related uses such as subway elevators and ancillary facilities (e.g., vent facilities, emergency egress) from the definition of zoning floor area.
- Modify text to allow for greater flexibility in transit easement volumes to accommodate entrances and/or ancillary facilities that meet ADA requirements, ventilation requirements, and other technical requirements in Community Board 11.
- Modify the text to specifically include ADA-compliant amenities and non-pedestrian transit functions such as ancillary (ventilation) facilities in Community Board 11.

SECONDARY STUDY AREA

The Proposed Actions would not affect zoning in the secondary study area. The compatibility of the Proposed Actions with zoning in the secondary study area is discussed in Section F, "Assessment" below.

PUBLIC POLICY

URBAN RENEWAL PLAN AMENDMENTS

In 2003, the City designated the Milbank Frawley URA as an Urban Renewal Area pursuant to Section 504 of Article 15 (Urban Renewal Law) of the General Municipal Law. The URA is generally bounded by East 125th Street to the north, Park Avenue to the east, East 107th Street to the south, and Fifth Avenue to the west (see **Figure 2-6**). The Proposed Actions include amendments to the Milbank Frawley URP to conform land use restrictions to zoning and would refresh the general provisions of the URPs. In addition, the Milbank Frawley URP would be amended to modify the supplementary controls which require residential buildings to setback 100 feet from the right-of-way line of Park Avenue. The amendment would eliminate the setback requirement and allow new buildings on certain current or former Urban Renewal Sites along Park Avenue to be constructed at the front lot line. The amendment would also modify the

supplementary use controls of the URP to clarify that residential, commercial, and community facility uses are permitted.

F. ASSESSMENT

LAND USE AND ZONING

PRIMARY STUDY AREA

The Proposed Actions were reviewed in accordance with the *CEQR Technical Manual*. As discussed below, no significant adverse impacts to land use and zoning would result. The Proposed Actions were informed by recommendations identified in the EHNP and Community Board's 11 East Harlem Land Use and Rezoning Initiative. DCP, in conjunction with other City agencies, developed an approach that achieves a number of objectives through zoning changes and other land use actions. The Proposed Actions would introduce zoning changes to allow greater densities and new uses in order facilitate the creation of affordable housing and spur economic development and job creation in the Project Area.

East Harlem is a transit-rich community with vibrant commercial corridors and an existing housing stock that is largely affordable. However, new market-rate development under existing zoning has the potential to threaten East Harlem's affordability and neighborhood character. New residential developments in key areas and along major corridors are not permitted. In areas where residential use is permitted, the existing zoning restricts new development to densities that limit the production of affordable housing.

The Proposed Actions seek to facilitate an inclusive residential neighborhood with a wide variety of local and regional commercial activities, job opportunities, and attractive streets that are safe and inviting for residents, workers, and visitors. Opportunities for new housing, including affordable housing, along key corridors, particularly Park, Third, and Second Avenues, would provide more housing choices for current and future residents. The Proposed Actions would unlock development opportunities and accommodate a growing residential population. These actions would also facilitate the expansion of customer bases for existing and new businesses, such as grocery stores, pharmacies, and other services, which would help these businesses continue to flourish. The Proposed Actions also seek to reinforce and protect the existing character and context of the residential mid-blocks by focusing new residential density along the major north–south corridors in the primary study area, and by introducing contextual residential districts on select mid-blocks.

The Proposed Actions reflect the City's on-going engagement with the community and elected officials to achieve the following land use objectives:

- Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs;
- Modify the existing zoning, where needed, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of the existing commercial and manufacturing uses; and
- Establish a Special District that improves the pedestrian experience and establishes urban design controls that balance new development in response to existing neighborhood context and scale.

Focused Density Increases along Primary Corridors to Facilitate Affordable Housing

The Proposed Actions would promote the development of permanently affordable housing and facilitate mixed-income communities by requiring affordable housing units to be included in any new residential development, which is not required by the current zoning. Zoning changes included under the Proposed Actions would make much of the Project Area an MIHA, requiring new residential development to include an affordable component. This would ensure that new market-rate development would facilitate mixed-income communities. The RWCDS associated with the Proposed Actions projects the creation of a total of 5,960 units of housing, 3,488 of which would be developed as a result of the proposed zoning changes. Between 20 and 30 percent of these units will be required to remain permanently affordable through the MIH program. Most of the new development would occur along Park, Third, and Second Avenues, which present the greatest opportunity for the development of affordable housing. The width of the streets, access to transit, and the presence of a number of significant sites with potential for redevelopment provide these corridors with the capacity to support significant residential growth. Zoning changes to allow residential development at higher densities would enable the construction of affordable apartment buildings along these corridors and would expand the neighborhood's supply of affordable housing.

Contextual Zoning Districts in Residential Core to Preserve Existing Built Form

The neighborhood's historic built character is reflected with well-maintained mid-rise houses and brownstones in selected midblock areas. These are also included in the northern portion of primary study area, bounded by East 126th and East 132nd Streets and Park and Madison Avenues, the midblock areas between East 121st and East 123rd Streets; East 116th and East 120th Streets; the north side of East 115th Street; and East 106th and East 107th Streets (between Park and Lexington Avenues); and East 123rd and East 124th Streets (between Second and Third Avenues).The existing R7-2 zoning in this area of East Harlem may encourage development that is out of scale with the existing built context. Changing the existing R7-2 medium-density height factor district currently mapped in this area to contextual R7A and R7B districts would provide a greater level of protection for the existing built context, and would discourage teardowns and the construction of out-of-scale buildings. The proposed contextual zoning districts typically produce buildings that are six to eight stories in height, consistent with the prevailing built form in this portion of the primary study area. Furthermore, the provisions of the City's MIH Program would not apply in areas proposed to be mapped with contextual R7A and R7B districts.

Create Opportunities for Economic Development While Preserving the Vitality of the Existing Commercial and Manufacturing Uses

The Proposed Actions seek to create new commercial opportunities in East Harlem, particularly in the vicinity of Park Avenue and East 125th Street and along major corridors such as East 125th Street, East 116th Street, and Third Avenue, which are currently fragmented and disconnected. The land use changes expected under the Proposed Actions would generate a net increase of approximately 110,100 square feet of retail space and 138,320 square feet of new office space. Although the 2003 East Harlem Rezoning and the 125th Street Rezoning in 2008 were both aimed at increasing the commercial capacity of these key corridors, the amount of commercial development envisioned for these areas was never realized. Given the potential Second Avenue Subway terminus and the existing Metro-North Railroad Station at East 125th Street and Park Avenue, these key corridors have the potential for becoming a center for local and regional commercial and economic development activity.

Although Third Avenue and East 116th Street each have a strong local retail corridor, the Proposed Actions would strengthen the opportunities along these corridors and better situate them economically. The C1-5 commercial overlay would be expanded along East 116th Street. The proposed C4-6 district along Third Avenue would allow department stores, theaters and other commercial and office uses that serve a larger region. The proposed C6-4 district along Park Avenue between East 122nd and East 126th Streets would allow greater commercial and residential densities. Park Avenue in the area north of East 116th Street has significant growth potential, meaning it could accommodate new economic development opportunities like life sciences, office space, and commercial uses without precluding residential development. Growth in this area could activate the Park Avenue corridor and facilitate the transformation of this underutilized corridor to accommodate expected residential growth.

Special East Harlem Corridors District (EHC)

The Proposed Actions include the establishment of the EHC. The special district would cover the key corridors within the Project Area: East 116th Street and Park, Third, and Second Avenues. The proposed zoning changes would require active non-residential ground-floor uses along the key corridors to facilitate a better pedestrian experience by activing the streetscape. This would also create a more active and safe environment along Park Avenue, which is currently underutilized and has very limited pedestrian activity.

The urban design controls that would be included in the EHC would regulate streetwall conditions, minimum and maximum base heights, parking requirements, and eliminate the plaza bonus. The provisions within the special district would allow for the introduction of flexible streetwalls along the key corridors and ensure a balance between existing and new development. These provisions would also strengthen the commercial corridors by requiring base heights that are harmonious with the existing built context and allowing for streetwall continuity. Further, the reduction in the amount of required parking would allow for more active ground-floor uses.

Special Transit Land Use District

The proposed modifications to the TA Special District would support the planned expansion of the Second Avenue Subway from East 96th Street to East 125th Street by relating development along Second Avenue to the future subway line. The Proposed Actions include modifications to the TA Special District to facilitate the inclusion of necessary transportation-related facilities in new developments. A new TA Special District location would be mapped along Second Avenue between East 115th and East 120th Streets. The existing TA Special District would be expanded by 100 feet on Second Avenue at East 106th Street and would be relocated to East 125th Street between Park and Third Avenues from its currently mapped location on Second Avenue near East 125th Street.

Conclusion

The Proposed Actions would facilitate changes in land use that would support the revitalization of East Harlem with substantial amounts of affordable housing and new commercial space. Residential density increases along Park, Third, and Second Avenues would provide more housing choices for current and future residents, including a substantial number of permanently affordable units developed through MIH. The number of affordable units could increase in the event that construction activities are funded with affordable housing subsidies from City, State, and/or federal sources. Commercial density increases along Third and Park Avenues would encourage the development of commercial space on sites that are currently underutilized and

occupied by parking lots and vacant, boarded-up buildings. The urban design requirements included under the EHC would facilitate retail development along East 116th Street and north-south corridors. The existing scale of the residential mid-blocks would be preserved with the mapping of contextual zoning districts to ensure that new developments are compatible with the existing built form. New mixed-use zoning would introduce residential, commercial and light manufacturing space to the Park Avenue corridor enlivening the streetscape and adding pedestrian activity to an otherwise uninviting corridor. For these reasons, the Proposed Actions would be compatible with land use and zoning and no significant adverse impacts would occur.

SECONDARY STUDY AREA

The Proposed Actions would not adversely affect land use in the secondary study area. The increase in residential and commercial development in the primary study area would be compatible with existing and planned residential, commercial and community facility developments in the secondary study area. The new commercial development anticipated under the RWCDS associated with the Proposed Actions would provide employment opportunities for residents in the secondary study area, which includes a substantial number of New Yorkers living in NYCHA developments. The increased supply of new housing, including affordable housing, in the primary study area could decrease the demand for housing in the secondary study area, potentially resulting in lower rents. Therefore, the Proposed Actions would not result in significant adverse impacts.

PUBLIC POLICY

The public policies that affect the primary study area also affect the secondary study area. There are no additional public policies affecting the secondary study area. For this reason, the relevant public policies are only discussed once. Public policies applicable to the primary and secondary study areas are discussed below.

HOUSING NEW YORK

The Proposed Actions directly support the goals and principles outlined in *Housing New York*. As noted above, *Housing New York's* five guiding policies and principles are fostering diverse, livable neighborhoods; preserving the affordability and quality of the existing housing stock; building new affordable housing for all New Yorkers; promoting homeless, senior, supportive, and accessible housing; and refining City financing tools and expanding funding source for affordable housing. The Proposed Actions build off of extensive community outreach that identified areas for new development and opportunities for preservation. Residential development within the Project Area would be subject to MIH, a key policy to meet the Housing New York goal of fostering diverse, livable neighborhoods. *Housing New York* calls for 15 neighborhood studies to be undertaken in communities across the five boroughs with the goal of offering new opportunities for affordable housing. The Proposed Actions have been informed by community planning initiatives and would introduce approximately 5,960 DUs, 3,488 of which would be developed as a result of the proposed zoning changes. Between 20 and 30 percent of these units will be required to remain permanently affordable to a range of household incomes through the MIH program. Moreover, the Proposed Actions would promote the development of permanently affordable housing and facilitate mixed-income communities by requiring these affordable units to be included in any new residential development, which is not required by zoning today. Therefore, the Proposed Actions would be compatible with the Housing New York policy.

MILBANK FRAWLEY URBAN RENEWAL PLAN

As discussed in Chapter 1, "Project Description," the Proposed Actions would include an amendment to the Milbank Frawley URP, which would refresh the general provisions of the URP to make them compatible with the proposed zoning, as warranted, and would modify the URP to allow development within 100 feet of the Park Avenue viaduct. The URP seeks to redevelop the area in a comprehensive manner, by removing blight and maximizing appropriate land uses; remove or rehabilitate substandard and insanitary structures; remove impediments to land assemblage and orderly development; strengthen the tax base of the City by encouraging development and employment opportunities in the area; provide new housing of high quality; provide appropriate community facilities, parks and recreational uses, retail shopping; and provide a stable environment within the area which will not be a blighting influence on surrounding neighborhoods. The Proposed Actions would support the objectives of the URP by amending the URP to facilitate affordable housing, commercial and community facility development, replacing underutilized properties along Park Avenue and potentially providing jobs for residents of East Harlem.

HARLEM-EAST HARLEM URBAN RENEWAL PLAN

The Harlem-East Harlem URP seeks to redevelop the area in a comprehensive manner, by removing blight and maximizing appropriate land uses; removing or rehabilitating substandard and insanitary structures; removing impediments to land assemblage and orderly development; strengthening the tax base of the City by encouraging development and employment opportunities in the area; providing new housing of high quality; providing appropriate community facilities, parks and recreational uses and retail shopping; and by providing a stable environment within the area which will not be a blighting influence on surrounding neighborhoods. The Proposed Actions would support the objectives of the URP by facilitating affordable housing, commercial and community facility development, replacing underutilized properties and potentially providing jobs for residents of East Harlem.

VISION ZERO

The Proposed Actions would be compatible with planned pedestrian improvements for East Harlem that are anticipated under Vision Zero. The Proposed Actions would improve the pedestrian experience by promoting non-residential ground-floor uses along corridors such East 116th Street, Park Avenue, Third Avenue and Second Avenue. The proposed zoning changes would promote active non-residential ground-floor uses along the key corridors to facilitate a better pedestrian experience by activating the streetscape. The Proposed Actions would create a more active and safe environment along Park Avenue, which is currently underutilized and has very limited pedestrian activity.

The Proposed Actions would improve the pedestrian experience by establishing urban design controls that balance new development in response to existing neighborhood context and scale. These improvements would be consistent with Vision Zero, and would seek to improve the identified "primary corridors" and "priority intersections" as identified in the *Vision Zero Manhattan*.

The City-wide efforts to implement Vision Zero initiatives will improve vehicular and pedestrian safety within the primary and secondary study areas. Improvements may include, measures to increase pedestrian/bicyclist safety at high accident locations, such as the installation of pedestrian countdown signals, advance stop bars, "LOOK!" pavement markings on crosswalks,

and supplemental advance-warning signage (i.e., "Turning Vehicles Yield to Pedestrians"). The Proposed Actions are not expected to significantly worsen pedestrian and vehicular safety conditions, and the Proposed Actions would advance the goals of Vision Zero with comprehensive urban design controls to improve pedestrian safety in the primary study area. Therefore, the Proposed Actions are compatible with this public policy.

125TH STREET BUSINESS IMPROVEMENT DISTRICT

The Proposed Actions are compatible with the objectives of the 125th Street BID. The BID seeks to encourage the ongoing revitalization of 125th Street as a premier art, culture, and entertainment destination and to catalyze economic development along 125th Street. The Proposed Actions are intended to create opportunities for economic development throughout East Harlem and would increase commercial capacity along corridors such as East 125th Street. The BID is also seeking to expand its current boundaries east of Fifth Avenue to Second Avenue. Given the potential Second Avenue Subway terminus and the existing Metro-North Railroad Station at East 125th Street and Park Avenue, the zoning changes anticipated under the Proposed Actions would support the goals and objectives of the BID.

NEW YORK CITY FOOD RETAIL EXPANSION TO SUPPORT HEALTH (FRESH) PROGRAM

The Proposed Actions would facilitate the creation of new ground-floor commercial spaces along key corridors such as Park Avenue, and therefore would enable an opportunity for new neighborhood grocery stores to be located within the Project Area. While only portions of the primary study area and secondary study area are located within a FRESH-designated area, the Proposed Actions would create the spatial opportunities to promote the establishment and retention of neighborhood grocery stores in communities such as East Harlem that lack full-line grocery stores. Therefore, the Proposed Actions would be compatible with and support this public policy.

MILLIONTREESNYC

NYC Parks has developed an urban forestry management plan that envisions an increase to the urban tree canopy by coordinating tree planting on public, institutional, and private land. The Proposed Actions would facilitate both residential and commercial development throughout the primary study area and would facilitate pedestrian-friendly corridors and neighborhoods. It is widely recognized that street-trees and plantings significantly contribute to pedestrian way-finding, place-making, and general public realm improvements. The pedestrian-friendly commercial corridors and residential communities throughout the primary study area that would be facilitated by the Proposed Actions would be greatly enhanced by street trees and an increase in urban tree canopies. Therefore, not only are the Proposed Actions compatible with this public policy, but the conditions facilitated by the Proposed Actions would be enhanced by this policy.

ONENYC

The Proposed Actions are consistent with the goals of OneNYC as they will help create and preserve affordable housing and support the development of a vibrant neighborhood, make streets safer, improve commercial services and provide access to jobs, all of which are key goals of OneNYC. In particular, the Proposed Actions would support OneNYC's land use goals of creating substantial new housing opportunities at a range of incomes; focusing development in areas that are served by mass transit; and fostering walkable commercial corridors. The Proposed

Actions would support "A Growing, Thriving City" by promoting job growth, expanding economic activity and providing quality affordable housing for New Yorkers with a range of incomes. Furthermore, the disparity in rental costs would be reduced through the introduction of a substantial amount of new affordable housing, which would be made available to current residents of East Harlem and New York City. Absent the Proposed Actions, the trend of increasing rents would continue, potentially forcing long-time residents and others who cannot afford higher market rents to leave the neighborhood. By increasing the supply of permanently affordable housing, the Proposed Actions would support OneNYC's goal of creating a more equitable City for all New Yorkers. Lastly, the urban design controls proposed under the zoning changes would enliven the streetscape and enhance pedestrian conditions. This would encourage residents to walk more and be more active.

PLANYC 2030: A GREENER, GREATER NEW YORK

Overall, by facilitating new development in the Project Area, the Proposed Actions would address many of the components and categories of PLANYC 2030 and therefore would be compatible with this public policy.

Land Use

The Proposed Actions would be consistent with PlaNYC's land use goals. The Proposed Actions would encourage increased development in an area of Manhattan served by existing subway lines, the Metro North Rail Road, and multiple bus routes. The proposed rezoning would encourage mixed-use development, including residential, commercial, community facility, and manufacturing uses, thereby promoting walkable destinations for retail and other services. The proposed rezoning would result in the incremental development of 151,100 sf of commercial space (retail, supermarket, restaurant, and office uses); 98,900 sf of community facility space; and 132,400 sf of manufacturing space within the primary study area, which would enhance the existing commercial corridors within East Harlem. In addition, the proposed zoning text amendment would make MIH applicable to much of the primary study area, requiring new development to include an affordable housing component.

Open Space

As required by zoning, and in the interest of creating an attractive and active streetscape, one street tree would be provided for every 25 feet of newly developed street frontage with the primary study area, as per ZR Section 33-03 and 26-41. Therefore, the Proposed Actions would be consistent with PlaNYC's open space goals.

Water Quality

Developments facilitated by the Proposed Actions would have to comply with all applicable regulations regarding the implementation of low-flow, water efficient fixtures, as per the New York City Plumbing Code, Local Law 33 of 2007, and the United States Environmental Protection Agency's (EPA's) Water Sense Program. All developments facilitated by the Proposed Actions would comply with the city's laws and regulations. Therefore, the Proposed Actions are consistent with PlaNYC's water quality goals.

Transportation

The Proposed Actions would support PlaNYC's transportation goals by facilitating transit-oriented development in an area served by two subway lines, the Metro-North Rail Road, and

multiple bus routes. Varied retail offerings ad a mix of uses are a key part of livable communities, providing destinations within walking distance and reducing the need for vehicle trips outsider of the neighborhood. Therefore, the Proposed Actions would be consistent with PlaNYC's transportation goals.

Air Quality

The Proposed Actions would meet PlaNYC's air quality goals by promoting the use of mass transit through encouraging development in close proximity to existing and planned commuter rail, subway, and bus stops. In addition, as discussed above, one street tree would be provided for every 25 feet of newly developed street frontage within the primary study area, in conformance with zoning.

Energy

Development facilitated by the Proposed Actions would be required to meet the more stringent green building practices established in the 2010 update to the New York City Building Code as part of the Greener, Greater Buildings Law. The updated Building Code requires energy audits and benchmarking for larger buildings, among other requirements.

In addition, new construction and substantial rehabilitation projects receiving funding from HPD are required to comply with its uniform green building policy to ensure that the City's investment in affordable housing goes towards buildings that achieve deeper affordability through lowered utility bills and healthier living environments.

The 2015 Enterprise Green Communities Criteria constitute the only comprehensive green building framework designed for affordable housing and provide proven, cost-effective standards for creating healthy and energy-efficient homes.

Natural Resources

All new development would be required to ensure a maximum storm water release rate of 0.25 cubic feet per second (cfs) or 10 percent of the allowable flow from their respective sites pursuant to the 2012 amendment to Title 15, Chapter 31 of the Rules of the City of New York (RCNY), the existing rules governing house and site connections to the City's sewer system. In addition, the introduction of street trees would help to control storm water runoff. As such, the Proposed Actions are consistent with PlaNYC's natural resource goals.

Solid Waste

As described in further detail in Chapter 12, "Solid Waste and Sanitation Services," the Proposed Actions would not result in any significant adverse impacts to the City's solid waste system. Developments within the Primary Study Area would be subject to mandatory recycling requirements. As such, the Proposed Actions would be consistent with PlaNYC's solid waste management goals.

EXCELSIOR JOBS PROGRAM

The Proposed Actions would facilitate the creation of new ground-floor commercial spaces and therefore would enable an opportunity for new businesses to locate in East Harlem and for existing ones to expand. Existing and new business located within the Project Area would continue to be eligible for the Excelsior Jobs Program. Not only has East Harlem already been identified as a distressed area which would make use of the Excelsior Real Property Tax Credit,

but the mission of the program mirrors the purpose of the Proposed Actions. The program is intended to facilitate a wide variety of local and regional commercial activities, including job creation. The continued administration of the Excelsior Jobs Program would encourage the creation, relocation, and expansion of businesses in growth industries in East Harlem. These firms would create and maintain employment opportunities within the primary and secondary study areas.

UPPER MANHATTAN EMPOWERMENT ZONE

By expanding economic development activities, the Proposed Actions would support the goals of the Upper Manhattan Empowerment Zone (UMEZ). The UMEZ seeks to sustain the economic revitalization of communities in Upper Manhattan through job creation, corporate alliances, strategic investments, and small business assistance. The Proposed Actions seek to create new commercial opportunities along key corridors, especially the areas surrounding Park Avenue and East 125th Street. Key corridors in East Harlem, such as East 125th Street, East 116th Street, and Third Avenue, are currently fragmented, disconnected, and do not operate at their full potential. Given the potential Second Avenue Subway terminus and the existing Metro-North Railroad Station at East 125th Street and Park Avenue, these key corridors have the potential for becoming a center for local and regional commercial and economic development activity. Park Avenue has growth potential that can accommodate new economic development opportunities like life sciences, office space, and commercial uses. The Proposed Project would introduce new residential and worker populations and provide opportunities for new businesses to locate in East Harlem. These businesses would have the opportunity to take advantage of UMEZ, which provides grants focused workforce development and loans and bond financing to real estate development projects, commercial businesses, and small business enterprises. Therefore, the Proposed Actions would be compatible with and support this public policy.

WATERFRONT REVITALIZATION PROGRAM (WRP)

The Project Area, primary study area, and secondary study area are located within the City's Coastal Zone. Therefore, the Proposed Actions are subject to review for consistency with the policies of the WRP. The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form (see **Appendix B-2** and **Figure 2-10**) lists the WRP policies and indicates whether the proposed project would promote or hinder that policy, or if that policy would not be applicable. The WRP policy assessment provides additional information for the policies that have been checked "promote" or "hinder" in the WRP Consistency Assessment Form.

Per the WRP Consistency Assessment (WRP #16-172), which was reviewed by the DCP's Waterfront and Open Space Division, the Proposed Actions would support the applicable policies of the City's WRP. ✷