Chapter 1: Project Description

A. INTRODUCTION

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—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the "Proposed Actions")—as a component of the East Harlem Neighborhood Study (the "Neighborhood Study"), a comprehensive, community-focused effort aimed at identifying opportunities for the creation of new mixed-income housing and the preservation of existing affordable units consistent with Mayor de Blasio's housing plan, *Housing New York: A Five-Borough, Ten-Year Plan*. The Proposed Actions are intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes. Further, in conjunction with other City agencies, the Neighborhood Study will also identify complementary initiatives to address community needs related to key infrastructure, economic development, workforce, and community wellness issues. The Proposed Actions would affect an approximately 96-block area of the East Harlem neighborhood of Manhattan, Community District 11.

The area that is subject to the Proposed Actions 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 (the "Project Area") (see **Figures 1-1a and 1-1b**). The Proposed Actions are expected to result in a net increase of approximately 3,500 dwelling units, a substantial proportion of which are expected to be affordable; approximately 122,500 square feet (sf) of commercial retail space (which includes local retail, destination retail, grocery, and restaurant use); approximately 105,000 sf of community facility space; and approximately 132,400 sf of manufacturing space. The Proposed Actions are also expected to result in net decreases of approximately 10,600 sf of auto-related space, 33,000 sf of hotel use; and 57,600 sf of warehouse/storage space (see Section G, "Analysis Framework," for discussion of the Reasonable Worst Case Development Scenario [RWCDS]).

The Proposed Actions build upon and respond to the land use and zoning recommendations in the East Harlem Neighborhood Plan (EHNP), which was developed through a holistic, community-based planning process by a Steering Committee comprised of local stakeholders led by New York City Council Speaker Melissa Mark-Viverito, Manhattan Borough President Gale A. Brewer, Manhattan Community Board 11 and Community Voices Heard. Through a series of meetings on various neighborhood topics ranging from open space to zoning and land use, the Steering Committee produced the EHNP report, which includes 232 recommendations for addressing key neighborhood concerns raised during its engagement process. In February 2016, the EHNP Steering Committee submitted its report to the City for review and to help inform the City's planning efforts within East Harlem. DCP's Neighborhood Study, using the work already

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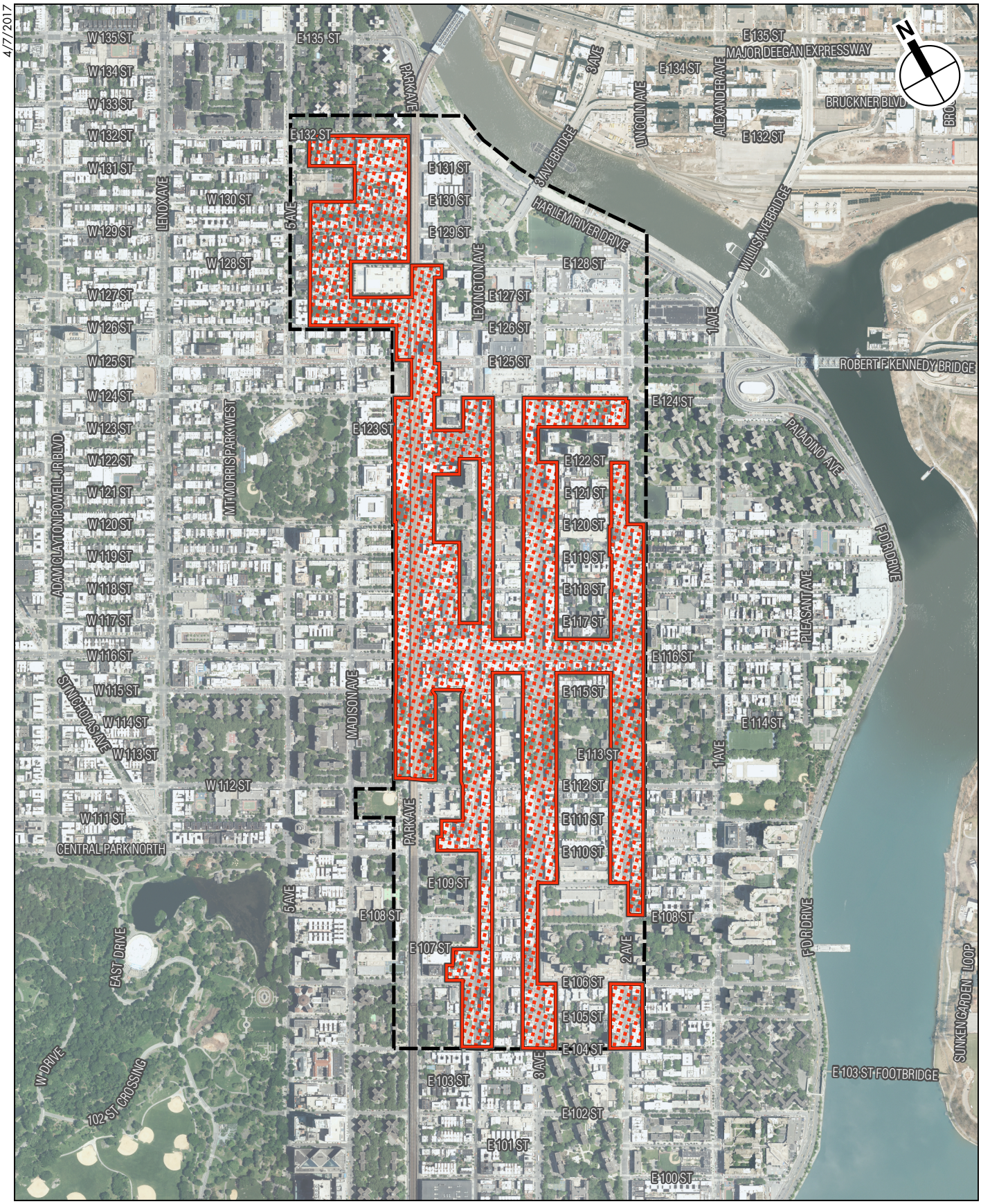

Project Area

Neighborhood Study Area

EAST HARLEM REZONING

Project Location - Aerial View

Figure 1-1a

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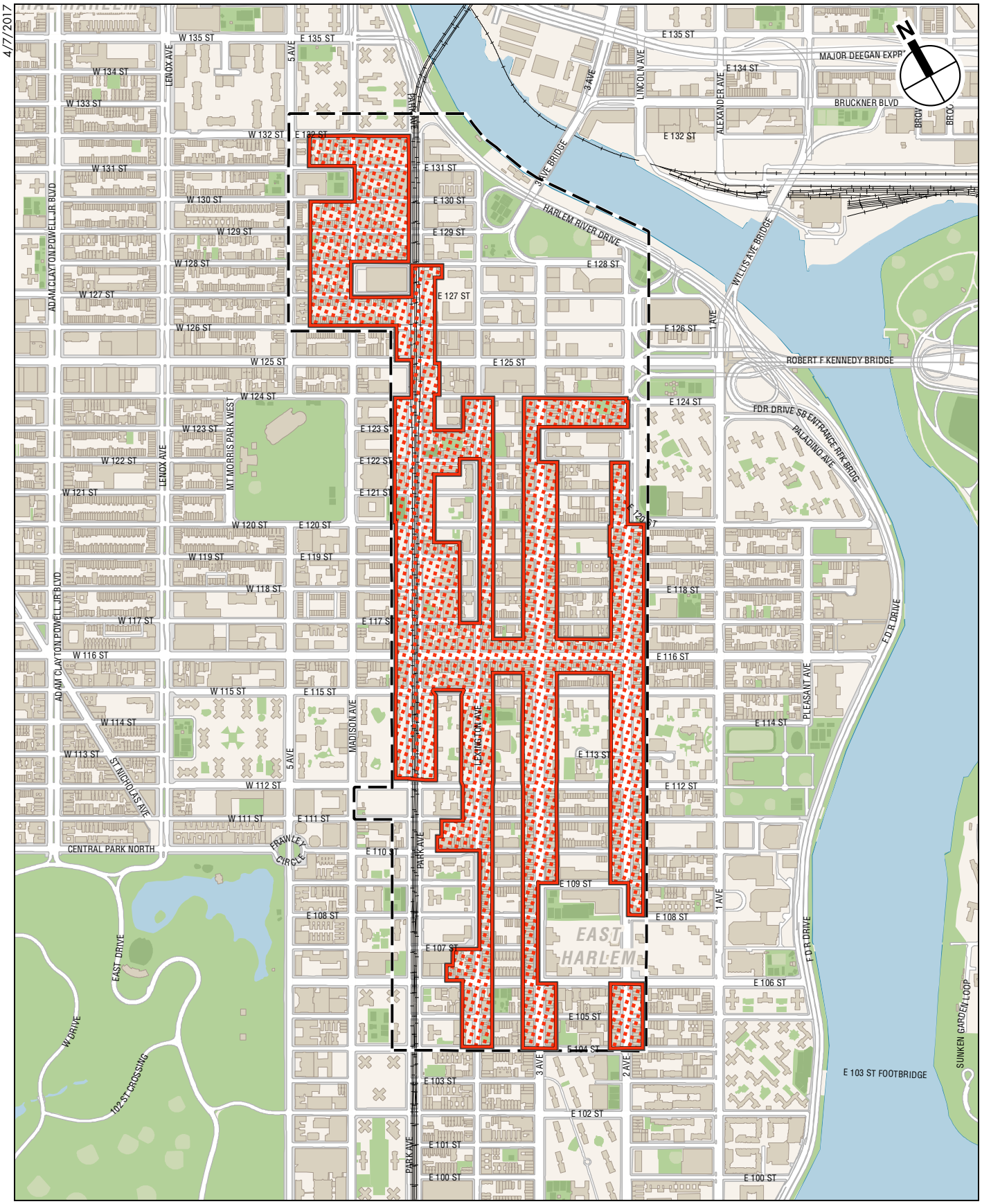


0 1,000 FEET

Project Area

Neighborhood Study Area

EAST HARLEM REZONING

Project Location
Figure 1-1b

completed by the Steering Committee and the Community Board as a baseline, has engaged in extensive coordination with interagency partners to identify actionable priorities in the Plan.

The Proposed Actions reflect DCP's on-going engagement with Community Board 11, the Steering Committee, DCP's interagency partners, and local 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 appropriate, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of existing commercial and manufacturing uses;
- Establish a Special District that establishes urban design controls that balance new development in response to existing neighborhood context and scale and improves the pedestrian experience; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demand and future growth.

An overview of the Project Area, the purpose and need for the Proposed Actions, and the specific components of the Proposed Actions are discussed below in Sections C through F. The New York City Planning Commission (CPC) has determined that an EIS for the Proposed Actions will be prepared in conformance with City Environmental Quality Review (CEQR) guidelines, with DCP acting on behalf of the CPC as the lead agency. The environmental analyses in the EIS assume a development period of 10 years for the RWCDS for the Proposed Actions (i.e., an analysis year of 2027). DCP has conducted a coordinated review of the Proposed Actions with involved and interested agencies.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Actions encompass discretionary actions that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. The discretionary actions include the following (see **Appendix A-1**):

- ***Zoning map amendment.*** 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 C1-4, 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 special permit related to 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, accommodate ancillary support facilities for the future phase of the Second Avenue Subway, and introduce bulk modifications to facilitate the inclusion of necessary transportation-related facilities in new developments within Special District boundaries; 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 make the URP compatible as warranted with the above zoning actions (see **Appendix A-2**).
  - 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 and 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.

HPD may provide construction funding in the future through any of its several financing programs intended to facilitate the development of new affordable housing and the preservation of existing affordable units. In addition, the New York City Housing Development Corporation (HDC) may decide to fund construction of new affordable multi-family apartment buildings and the rehabilitation of existing multi-family apartment buildings.

As part of a separate action, the City is proposing a series of land use actions to facilitate the creation of a substantial amount affordable housing related to an HPD project adjacent to the Project Area that involves the development of an entire city block bounded by East 111th Street, East 112th Street, Park, and Madison Avenues ("the Sendero Verde Site"). The land use actions necessary to facilitate the development of the Sendero Verde Site, are described under "Actions to Support the Sendero Verde Development Alternative" in Section F, "Description of the Proposed Actions," and are expected to be under public review concurrent with the Proposed Actions.

C. BACKGROUND TO THE PROPOSED ACTIONS

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

EAST HARLEM NEIGHBORHOOD PLAN

In May 2014, Mayor de Blasio released *Housing New York*, the Administration's plan to build and preserve affordable housing throughout New York City in coordination with strategic infrastructure investments that together would foster a more equitable and livable New York City through an extensive community engagement process. *Housing New York* calls for 15 neighborhood studies to be undertaken in communities across the five boroughs that are aimed at offering opportunities for new affordable housing. In 2015, after recognizing East Harlem's neighborhood assets and its position as an area of opportunity, the Mayor announced East Harlem as one of the neighborhoods included in an effort to increase affordable housing opportunities as well as to address other neighborhood-wide needs. In response, City Council Speaker Melissa Mark-Viverito announced the creation of the EHNP Steering Committee, which is comprised of local community stakeholders charged with engaging the community in identifying community needs.

Structured around 12 subgroups focused on neighborhood themes ranging from open space to zoning and land use, the main objective of the Steering Committee process was to create a neighborhood plan that could inform the City's efforts. As a result, the Committee produced a plan that provided 232 recommendations for addressing key neighborhood concerns raised during the community engagement process. In February 2016, the EHNP Steering Committee submitted their East Harlem Neighborhood Plan to the City for review and to help inform planning efforts in East Harlem.

PROJECT AREA HISTORY

The Lenni Lenape and Munsee Delaware groups were the first to inhabit the area now known as Harlem, which was part of a fertile farming plain stretching from the Hudson to the East Rivers with several hundred inhabitants. The area that is today known as East Harlem contained farming plots where corn, beans, squash, and other crops were grown, as well as a seasonally occupied village near where 125th Street today meets the Harlem River.

Beginning in the 17th century, Dutch settlers drawn by the grandiose advertising of the Dutch West India Company began to settle in Lower Manhattan, with some intrepid attempts to range farther north into the Harlem area, then known as Muscoota. Eventually, several large plantations owned by Dutch settlers occupied much of the former Lenape and Delaware lands in Harlem, although these were abandoned and rebuilt at various points as conflicts with the native peoples flared and cooled. The administration of Peter Stuyvesant established the farming community of Nieuw Haarlem in 1658, with a town center near what is now 121st Street, east of Lexington Avenue, and 25-acre plots of farmland granted to settlers willing to move uptown.

Dutch rule was short-lived and the British seized New Amsterdam in 1664, renaming Nieuw Haarlem as Lancaster. The new name never stuck, however, and the area continued to be known as simply Harlem from that point forward. A small but thriving village grew in the area of East Harlem, which contained several inns and a ferry terminal at East 126th Street that connected Harlem with lower Manhattan and Spuyten Duyvil. The area included several small settlements of free and enslaved Africans who provided much of the labor force for the village and were

interred in a burial ground located at East 126th Street. During the Revolutionary War, portions of Harlem served as an important American military encampment before the village was burned to the ground by the British.

Growth in the area was limited in the post-Revolutionary period until the watershed development in the 1830s of the New York and Harlem Railroad along what would become Park Avenue. The completion of the railroad brought Harlem within commuting distance of Lower Manhattan and enabled residents from the crowded tenements in Lower Manhattan to relocate uptown. Distinct from the wealthier rowhouse precincts of West Harlem and the industrial area of Manhattanville, East Harlem was primarily occupied by poorer residents who resided in a shantytown of small shacks. Among the first residents to settle in East Harlem were German Jewish and Irish immigrants with a significant African-American community growing over time. By the late 1800s, however, Italian immigrant families became the dominant ethnic community in East Harlem, which eclipsed the Lower East Side in population and eventually formed the largest Italian community in the nation.

In the 40 years between 1870 and 1910, approximately 65,000 tenement apartments were built in East Harlem, and the neighborhood became segregated into distinct areas divided by ethnicity that found themselves not infrequently in conflict. As East Harlem became more accessible with the completion of the subway and more housing was constructed, more ethnic groups from the Lower East Side began to populate the area.

During the same period, African-Americans—including migrants from the American South as well as West Indian transplants—began to displace the European immigrants and their descendants, eventually leading to East Harlem becoming the City's second-largest black community by the late 1800s. Puerto Ricans also began to arrive in large numbers during the early decades of the 20th century, joined by immigrants from the Dominican Republic and Cuba, eventually leading to a portion of the neighborhood populated by these newcomers to be called "Spanish Harlem." Given the opportunities in the dress and textile industries, as well as institutionalized racism that prevented their settling in other areas of the City, East Harlem became the natural destination for these newly arriving immigrants looking for employment opportunities. By the 1950s, East Harlem was predominantly African-American and Latino.

The arrival of the black and Latino communities changed the dynamics of the community as stores and markets changed to meet the needs of these newcomers, and both groups ignited wide-reaching cultural and political movements that are still felt to this day. As early as the 1930s, East 116th Street was crowded with stores, restaurants, and music shops reflecting the thriving Puerto Rican culture. A pushcart market under the Park Avenue viaduct between East 111th and East 116th Streets dates back to the 1920s; in the 1930s, Mayor Fiorello LaGuardia enclosed and equipped it with sheds where it has since evolved into the La Marqueta marketplace.

However, as the population increased and the Great Depression and subsequent economic shifts away from manufacturing took their toll on East Harlem's residents, the area began to experience economic decline, which had a devastating effect on housing stock and social stability. Even as the old tenement buildings deteriorated, more and more newcomers crammed into them.

In response to East Harlem's growing population and the deteriorating conditions of its tenements, the City, with the assistance of the federal government, used urban renewal programs and funds to create new housing. The federal slum clearance program, as outlined in the Federal

Housing Act of 1937, was used to raze dilapidated buildings in East Harlem. Starting in 1938, the New York City Housing Authority (NYCHA) began razing existing tenement buildings and replaced approximately 171 acres with modern high-rise housing projects over the ensuing 20 years.

The population grew after World War II to a peak of 210,000 in the 1950s, a density of 142,000 people per square mile. The push for slum clearance accelerated and public housing projects began replacing many of the old tenement buildings. However, the need for the large tracts of vacant land to construct such housing resulted in the demolition of rowhouses, brownstones, clubs and meeting places, small businesses, and neighborhood centers. Low-rise buildings were also replaced by massive high-rise developments, and by 1967, 15,657 units were built, primarily in high-rise buildings. Despite the "greenbelt" of open space created by this new housing typology, these housing projects cut across old neighborhoods and communities and created physical barriers in the street grid.

In 1967, Mayor John Lindsay formalized the need for community input to the planning process by creating community planning boards, building upon a process that had started earlier under then Manhattan Borough President Robert F. Wagner, Jr. Through this geographic subdivision of the City, the southern portion of the neighborhood, by then known as El Barrio (Spanish Harlem), was merged with the predominantly African-American northern section to form Manhattan Community Board 11, or "East Harlem."

Also included in East Harlem were Randall's and Wards Islands in the East River, which are located opposite the stretch from East 103rd to East 125th Streets. During the 19th century, these islands were used mainly for garbage disposal, cemeteries, and poorhouses. Wards Island was also used to process immigrants until the operation was transferred to Ellis Island at the end of the 19th century. The islands also became known for their hospitals. The earliest was built in 1843, followed by the Manhattan State Hospital in 1890 and by two 10-story buildings in 1918, which served as a military hospital.

During the 1930s, the islands became accessible with the completion of the Triborough Bridge and shortly after, then Parks Commissioner, Robert Moses set about developing them into recreational parkland. Commissioner Moses connected the islands by landfilling, thereby adding 46 acres. Facilities that were also created included the 22,000-seat Downing Stadium, athletic fields, and a parking lot for 4,000 vehicles. In 1951, the area became further accessible from East Harlem via a footbridge at East 103rd Street to Wards Island, where a park and ballfields were developed.

PROJECT 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 **Figures 1-1a and 1-1b**). The area is defined by a series of north–south corridors, with 125th Street dividing the north and central sections and East 116th Street dividing the central and southern sections. Major corridors and areas of the neighborhood are described below.

NORTH OF 125TH STREET

The project area north of East 125th Street extends along portions of both sides of Park Avenue extending west to the midblock between Madison and Fifth Avenues and is comprised of a mix

of land uses, ranging from residential, commercial, automotive-oriented uses, manufacturing uses, and parking. 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 MTA Metro-North Railroad viaduct is a dominant structure along Park Avenue and the area beneath the structure provides both space for public parking as well as parking for vehicles owned by the Department of Sanitation (DSNY). The predominant uses in this area are automotive-oriented uses and manufacturing. Along the west side of Park Avenue there 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.

EAST 125TH STREET AND PARK AVENUE

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 is occupied by with the prominent and historic 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 residential use above.

In additional to the retail and office uses located at this commercial node, the elevated Harlem-125th Street Metro-North Railroad station is located on the northern portion of the intersection of East 125th Street and Park Avenue and is a major regional transit node. 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, which has not been used in a number of years. 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.

BETWEEN EAST 125TH AND EAST 116TH STREETS

The project area between East 125th and East 116th streets includes portions of Park, Lexington, Third, and Second Avenues. This segment of Park Avenue is characterized by the elevated Metro-North Railroad viaduct structure, flanked by residential, institutional, and manufacturing

uses with surface parking, including public and institutional parking, some of which are located 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. The Milbank Frawley Circle-East URP prohibits residential development within 100 feet of the western side of the Metro-North viaduct. The east side of Park Avenue, roughly from East 123rd Street to 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. Because of the number of parking lots fronting onto Park Avenue and the disconnected and limited amount of commercial space, Park Avenue has very limited pedestrian activity and is mainly crossed by those moving in easterly or westerly directions on the numbered streets and beneath the Metro-North viaduct structure.

Lexington Avenue, while being narrower in width than other East Harlem avenues, 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 East 125th Street station. Lexington Avenue is characterized by mixed-use buildings with residential and ground-floor retail space. South of East 115th Street, 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 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 is an extraordinarily wide street at 100 feet in width and, unlike Park Avenue, has greater pedestrian activity with active local retail uses. Although a 2003 East Harlem Rezoning did not result in many new residential developments utilizing 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. Several buildings along Third Avenue have upper stories that 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 portion of the Project Area along Second Avenue extends from East 108th to East 122nd Street, which is primarily characterized by tenement-type buildings with ground-floor retail. Newly constructed developments along Second Avenue are typically seven-story or higher apartment buildings with elevators (e.g. 2147 Second Avenue and 2167 Second Avenue). The

Jefferson Cartier School (P.S. 102) is located at East 113th Street, within the President Thomas Jefferson NYCHA complex.

EAST 116TH STREET

East 116th Street is one of the major commercial corridors in East Harlem and a major east–west connector between East Harlem and 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.

BETWEEN EAST 104TH STREET AND EAST 116TH STREET

The project area between East 104th and East 116th streets includes portions of Park, Lexington, Third, and Second Avenues. Much of Park Avenue within this area is typified by large, tower-in-the-park NYCHA developments. The Lehman and Carver houses are located on the west side of Park Avenue between East 104th and 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 walking environment. The east side of Park Avenue is characterized by a mix of uses ranging from public housing, commercial uses to, community gardens.

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 buildings on the west side of Lexington Avenue, the building heights step down to a range of between four and eight stories.

The conditions along Third Avenue south of East 116th Street are similar to those above 115th Street. Despite the 2003 East Harlem Rezoning, which increased the residential density, much of the area is still characterized by four- to seven-story tenement-style buildings with ground-floor retail. Although the area is residentially zoned, there are a number of properties where the upper stories are vacant 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.

D. EXISTING ZONING

East Harlem in Community District 11 is comprised of approximately 2.4 square miles in Upper Manhattan. The portions of the Community District not affected by the Proposed Actions are

generally east of Second Avenue, west of Park Avenue, south of East 104th Street, and Randall's and Wards Islands.

Much of the current 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 East Harlem Rezoning, adopted in 2003, changed most of the mapped R7-2 and C4-4 districts to contextual districts 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 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, including residential, commercial, entertainment, and community facility uses.

Existing zoning districts are shown in **Figure 1-2** and discussed below.

M1-2 AND M1-4

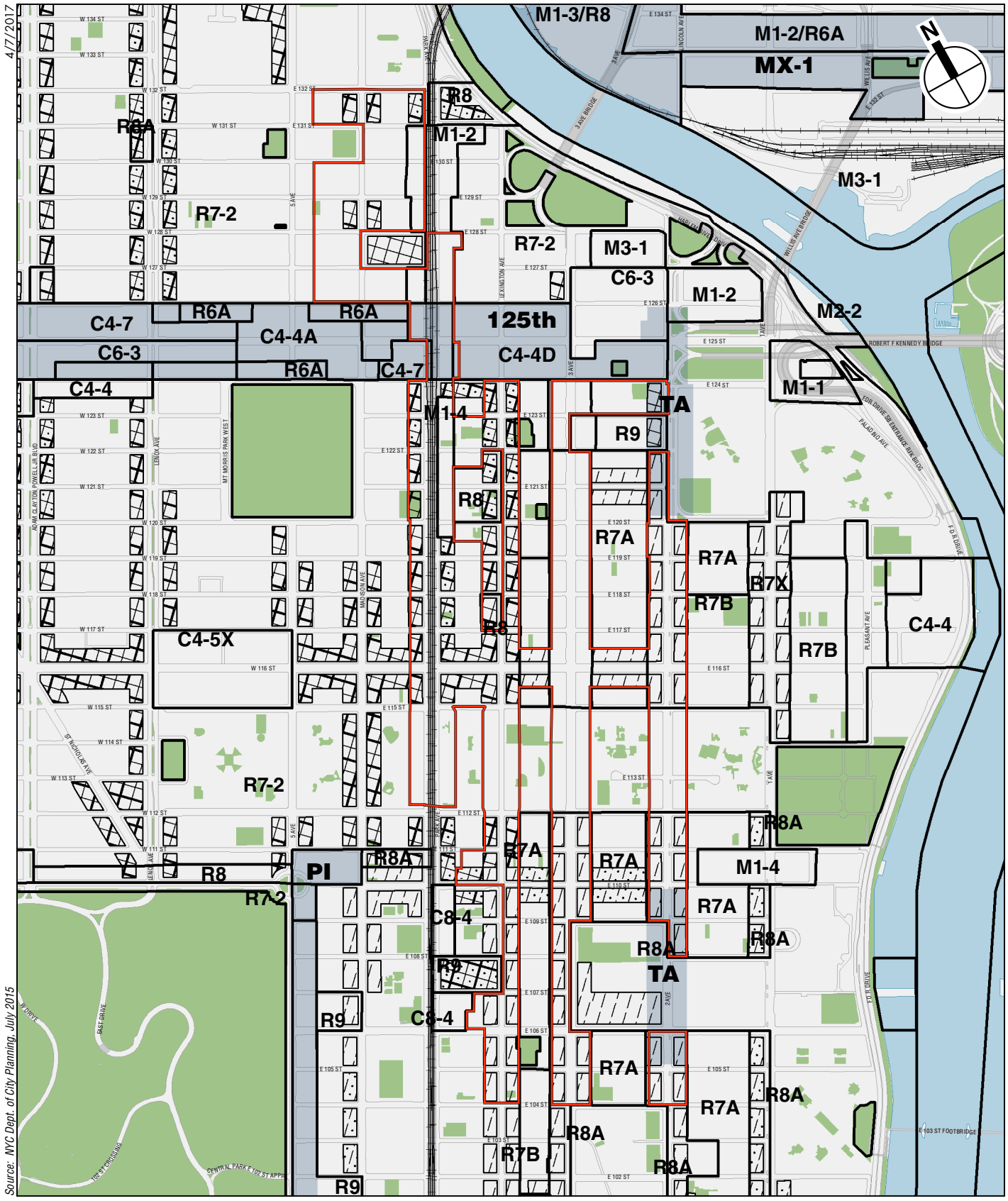
M1 districts generally allow one- or two-story warehouses for light-industrial uses, including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the City's Zoning Resolution (ZR). The M1-2 district mapped on the east side of Park Avenue between East 128th and East 131st Streets allows manufacturing and commercial uses at a maximum FAR of 2.0 and community facility uses at a maximum FAR of 4.80. M1 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 M1-2 districts. M1-2 districts are subject to 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, and allows 6.5 FAR for community facility uses and 2.0 FAR for commercial and manufacturing uses. Residential uses and community facility uses with sleeping accommodations are not permitted in M1 districts, but commercial uses and a wide range of light manufacturing, warehousing, and auto service uses are permitted. Many commercial uses are restricted to 10,000 sf 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 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 with 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



EAST HARLEM REZONING

Existing Zoning
Figure 1-2

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.

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

C6-3

The C6-3 district is mapped along a portion of Park Avenue within the Special 125th Street District. The C6-3 district, outside of the Core Subdistrict of the Special 125th Street District, 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 buildings or other structures that exceed a height of 85 feet in the C6-3 district 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

R7-2 districts are 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. R7-2 districts are medium-density residential districts that permit a maximum FAR of 4.0 for residential uses on wide streets (an FAR of 3.44 is allowed along narrow streets) and 6.5 for community facility uses. Commercial overlays mapped in this district permit a maximum allowable FAR of 2.0. The R7-2 district regulations encourage residential towers on large lots and allow new development that could be out of scale or that could conflict with the context of certain portions of the neighborhood. R7-2 districts do not have provisions for new buildings to line up with adjacent buildings, allowing new development to break the continuity of the streetwall.

However, 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 contextual 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 the residential units but may be waived or reduced.

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

R8A

The R8A district is mapped mostly in the southern portion of Third Avenue between East 112th and East 104th Streets and along entire portion of Second Avenue within the Project Area (and

is a result of the 2003 rezoning of East Harlem). However, an R8A district is mapped on the south side of East 111th Street between Park and Madison Avenues. In R8A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage 10- to 12-story apartment buildings set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. R8A districts allow a maximum residential floor area of 6.02 and maximum community facility FAR of 6.5. Commercial overlays mapped in this district allow a maximum FAR of 2.0. The maximum allowable building height is 120 feet (125 feet with a qualifying ground-floor use) and minimum and maximum base height between 60 and 85 feet.

R7A

The R7A district is mapped along East 116th Street, east of Lexington Avenue (and is a result of the 2003 rezoning of East Harlem). 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. R7A districts allow a maximum residential and community facility floor area ratio of 4.0. Commercial overlays mapped in this district allow a maximum FAR of 2.0. 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.

C4-4 AND C4-4D

There is one C4-4 district mapped on the west side of Third Avenue between East 122nd and 123rd Streets and on both sides of Third Avenue between East 123rd and East 124th Streets. 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.

A C4-4D district is mapped along the entire portion of Third Avenue from East 115th Street to East 122nd Street. The C4-4D district allows the same range and density of commercial uses as the C4-4 but has 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 district, the maximum commercial FAR is 3.4. Building and streetwall heights must comply with the R8A bulk regulations.

C1-9

The C1-9 district is a commercial district that is predominantly residential in character. These commercial districts are mapped along major thoroughfares in medium and higher-density areas. The C1-9 has a maximum commercial FAR of 2.0 and a maximum residential and community FAR of 10.

The C1-9 district in East Harlem is mapped on the westernmost portion of a city block bounded by Third and Second Avenues between East 122nd and East 123rd Streets. The district was

designated to accommodate the Taino Towers, a federally funded residential complex with four 35-story towers atop a four-story commercial base.

COMMERCIAL OVERLAYS

Commercial district overlays permitting local commercial retail 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 facilitate local shopping 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 second floor. Often mapped only in high-density residential areas, C1-4 districts typically require one parking space per 1,000 sf of commercial use, whereas C1-5 districts do not require parking accessory to commercial use. C1-2 districts are typically mapped in a low-density area and require one parking space per 300 sf 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 districts are 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 districts are 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 district overlays are regulated by the bulk regulations of the underlying residential districts. C2-5 districts do not require parking accessory to commercial use, but C2-4 districts typically require one parking space per 1,000 sf of commercial use.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

East Harlem is a transit-rich community with vibrant commercial corridors and an existing housing stock that is largely affordable. However, like many other neighborhoods throughout the City with similar assets, East Harlem is facing increasing pressure as new market-rate development permitted under existing zoning holds the potential to affect East Harlem's continued affordability and neighborhood character. The Neighborhood Study is the City's effort to leverage these community assets and preserve existing affordability while creating new opportunities for housing and economic development. The Proposed Actions were informed by and draw from the recommendations included in the EHNP, a community-based plan created by local stakeholders and residents.

DCP is proposing these land use actions in response to the recommendations identified in the EHNP and the Community Board's 11 East Harlem Land Use and Rezoning Initiative. DCP, in conjunction with other City agencies, developed a plan to achieve these goals through new zoning and other land use actions, expanded programs and services, and capital investments.

Under the current zoning in the neighborhood, much of which dates to the original zoning districts mapped in 1961, many of the recommendations highlighted in the Plan would not be implementable. New residential developments in key areas and along major corridors are not permitted due to the presence of manufacturing zoning districts. In areas where residential use is permitted, the existing zoning restricts new development to densities that limit the production of substantial amounts of housing, particularly affordable housing pursuant to the Mandatory Inclusionary Housing (MIH) provisions, which inhibits the potential of the major corridors from becoming vibrant pedestrian destinations.

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. 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. Modification of the zoning, as per the Proposed Actions, would unlock development opportunities and allow for a growing and diverse residential population. As a part of the Proposed Actions, a new special permit for hotel use would be established to ensure that new hotel development does not conflict with thriving residential districts or the creation of opportunities for requiring permanently-affordable housing. 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 core 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.

Additionally, though not part of the Proposed Actions, DCP's East Harlem Neighborhood Study calls for strategic infrastructure investments to support anticipated development activity. These improvements and investments could include streetscape improvements along key corridors, and would be implemented separately from the Proposed Actions. While the Proposed Actions are a key component to facilitate the implementation of the City's overall Plan, they are not dependent on these additional components and as such are not part of a coordinated environmental review. Moreover, there are components of the City's overall Plan for the neighborhood that are not yet known to a sufficient level of detail to include in the EIS analyses. The Proposed Actions reflect DCP's on-going engagement with Community Board 11, the East Harlem Steering Committee, DCP's interagency partners, and local 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 existing commercial and manufacturing uses;

- Establish a Special District that improves the pedestrian experience and establishing urban design controls that balance new development in response to existing neighborhood context and scale; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demands and future growth.

CREATE OPPORTUNITIES FOR REQUIRING PERMANENTLY AFFORDABLE HOUSING AND PRESERVE EXISTING AFFORDABILITY TO ENSURE THAT THE NEIGHBORHOOD CONTINUES TO SERVE DIVERSE HOUSING NEEDS.

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 zoning today.

As asking rents continue to increase and wages remain stagnant throughout the City, East Harlem, like other neighborhoods, is experiencing a shortage of available affordable housing. In East Harlem, more than 30 percent of the population is living in poverty, approximately 12 percent of the population is unemployed, and nearly 50 percent of households are rent burdened. These conditions have threatened the housing security of existing residents and affect the economic development potential of the neighborhood.

Park, Third, and Second Avenues 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 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.

New multifamily housing in the vicinity of the Project Area has consisted of privately developed and publicly financed housing developments. The proposed MIH program would require that residential development include an affordable component, ensuring that new market-rate development would facilitate mixed-income communities. In addition, it is expected that a variety of City and State financing programs for affordable housing will continue to be available to help support the new development and preservation of affordable housing in the area.

MODIFY THE EXISTING ZONING, WHERE APPROPRIATE, TO PRESERVE THE BUILT NEIGHBORHOOD CHARACTER.

East Harlem's rich cultural and social history has made it a community of choice for a number of immigrants, who are drawn to the cultural allure of this vibrant neighborhood. The northern portion of Project Area, bounded by East 126th and East 132nd Streets and Park and Madison Avenues, reflects the neighborhood's historic built character with well-maintained mid-rise row houses and brownstones in the midblock. The existing zoning in this area of East Harlem may encourage development that is out of scale with the existing built context. Changing the existing medium-density height factor district currently mapped in this area would provide a greater level of protection for the existing built context, and would discourage teardowns and the development of out-of-scale buildings. The proposed zoning will preserve residential neighborhoods and promote contextual infill development. Contextual zoning would ensure that

new infill development complements the existing residential character by promoting consistent building height and size.

CREATE OPPORTUNITIES FOR ECONOMIC DEVELOPMENT WHILE PRESERVING THE VITALITY OF EXISTING COMMERCIAL AND MANUFACTURING USES.

A vital component of DCP's Neighborhood Study is the creation of new economic development and commercial opportunities along key corridors, especially within 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. 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 regional 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, both in the northern and mid-section of the Project Area, has growth potential that can accommodate new economic development opportunities like life sciences, office space, and commercial uses without precluding residential development. Growth in this area will activate the Park Avenue corridor and facilitate the transformation of this underutilized corridor to accommodate the proposed residential growth.

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 within the district.

ESTABLISH A SPECIAL DISTRICT THAT IMPROVES THE PEDESTRIAN EXPERIENCE AND ESTABLISHES URBAN DESIGN CONTROLS THAT BALANCE NEW DEVELOPMENT IN RESPONSE TO EXISTING NEIGHBORHOOD CONTEXTAND SCALE.

The Proposed Actions would establish a new special district known as the Special East Harlem Corridors District (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 promote 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 Special District would also introduce a new requirement for a special permit for the creation of any new hotel floor area. This discretionary action ensures that new hotel development will not conflict with the Proposed Actions' goals of creating new housing opportunities and ensuring safe and active residential corridors.

The urban design controls that would be included in the Special District would regulate streetwall conditions, minimum and maximum base heights, parking requirements, and eliminate the plaza bonus. These 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.

ENSURE A SUCCESSFUL NEIGHBORHOOD PLAN BY ESTABLISHING A PLANNING FRAMEWORK THAT IS INCLUSIVE OF THE RELEVANT CAPITAL INFRASTRUCTURE NEEDS AND SERVICES TO SUPPORT CURRENT DEMANDS AND FUTURE GROWTH.

The Proposed Actions would catalyze new development; modifying and enhancing the character of the key corridors included in the Project Area. As a part of the Neighborhood Study, it was essential to coordinate not only with community partners—the Community Board 11 and the Steering Committee—but also DCP's interagency partners to ensure that planning framework was inclusive of the relevant capital infrastructure needs and services to support growth within the Project Area.

Although many of the infrastructure and service needs are outside of the purview of zoning, they are crucial to the planning and development of the community. The EHNP, through its recommendations, highlighted a number of community needs. The Plan has been used as a guide to inform the on-going engagement process between the Community and the City and has been instrumental in formulating the planning framework for this community. DCP, in conjunction with other city agencies, continues to work with Community Board 11 and the Steering Committee to address as many of the recommendations, as feasible, to ensure that relevant infrastructure and service needs are a part of the overall planning process.

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to facilitate the implementation of the objectives of DCP's Neighborhood Study, which shares the long-term vision articulated in the EHNP for the creation of more affordable housing and more diverse commercial and retail uses, to spur economic development, foster safer streets, and generate new community resources. To accomplish these goals, DCP is proposing zoning map and text amendments that would affect approximately 96 blocks in the three sections in East Harlem, described in detail above (see **Appendix A-4** for affected blocks and lots). Additionally, HPD is proposing amendments to the Milbank Frawley Circle-East URP to make the plans compatible with the zoning actions (see **Appendix A-2**).

DCP will be acting as lead agency on behalf of CPC and will conduct a coordinated environmental review. HPD will be the co-applicant for the Urban Renewal Plan amendment and, as the result, will serve as an involved agency under CEQR.

Each of these actions is discretionary and subject to review under ULURP, Section 200 of the City Charter, and the CEQR process. The proposed actions are described in more detail below.

PROPOSED ZONING DISTRICTS

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. **Figure 1-3** presents the proposed zoning districts. **Figures 1-3a through 1-3c** present detailed maps showing existing and proposed zoning districts for the Project Area north of East 125th Street, between East 125th and East 116th Streets and the portion of the Project Area south of East 116th Street.

PROPOSED SPECIAL EAST HARLEM CORRIDORS DISTRICT

The proposed Special East Harlem Corridors District (EHC) 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 (see **Figure 1-3d**).

Use Regulations: Within proposed M1-6/R9 and M1-6/R10 Districts, the EHC would apply special use regulations similar to that of the Special Mixed Use District (Article XII, Chapter 3). 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, C4-4,C4-4D, C8-2, and M1-2 districts. The EHC would also introduce a requirement for a new special permit in order to permit the development of new floor area designated for hotel use.

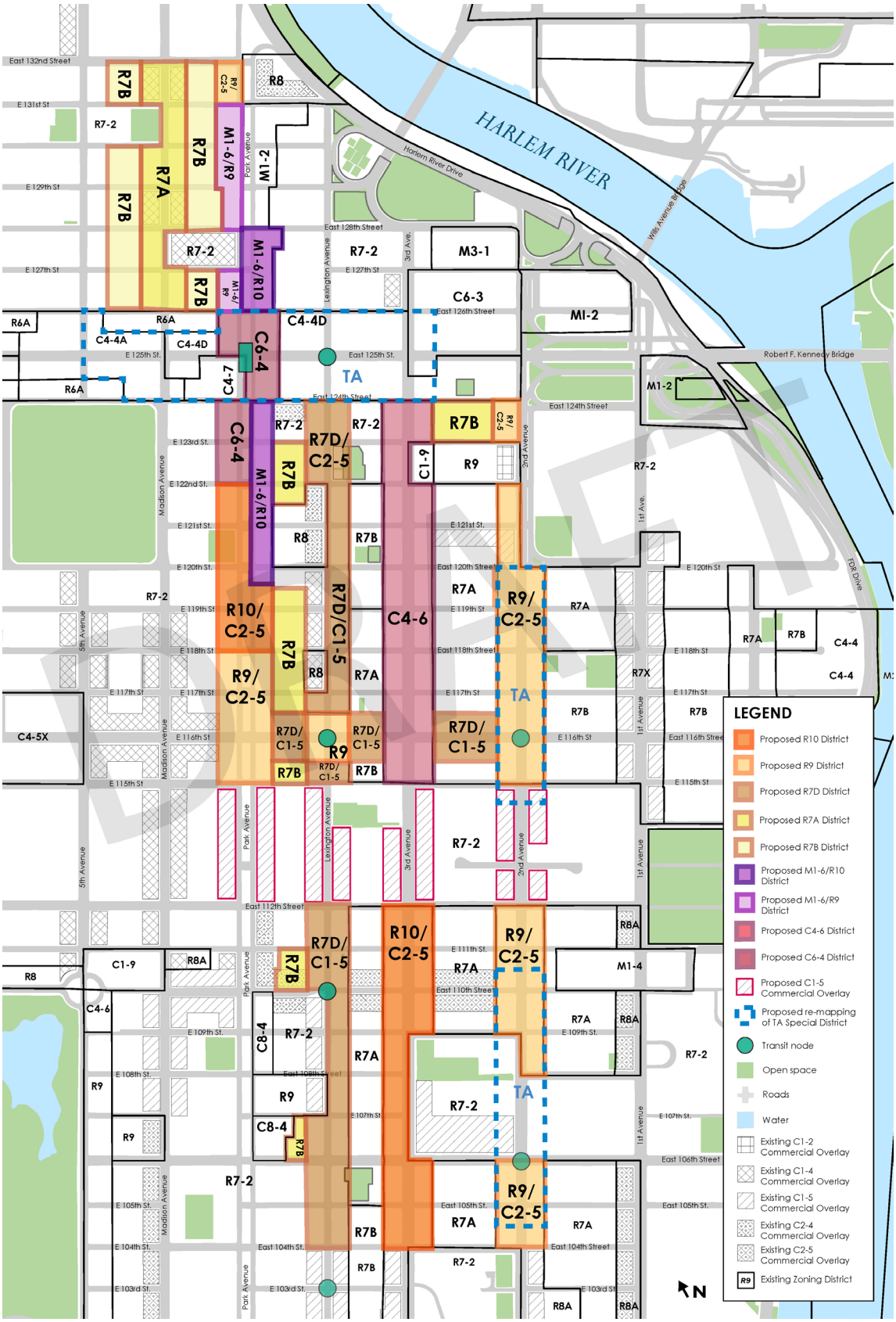
Floor Area Regulations: Within certain high-density residential, commercial, and manufacturing districts, the EHC would apply special FAR regulations, as described in detail below, to ensure a desirable mix of these uses that support the objectives of the plan. The underlying public plaza and arcade floor area bonus provisions of non-contextual commercial and manufacturing districts would be eliminated.

Streetwall Location: The EHC would modify the underlying streetwall location regulations to facilitate the creation of a desirable pedestrian environment and a consistent urban design approach. Along Park Avenue, the EHC would modify the varying streetwall location regulations of proposed districts to apply one consistent streetwall location rule: at least 70 percent of a streetwall must be located within eight feet of a street line. Along Third Avenue, the underlying streetwall location regulation of a tower development option will be modified to require a consistent streetwall at the street line except for permitted recesses and courts.

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 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 streetwalls.

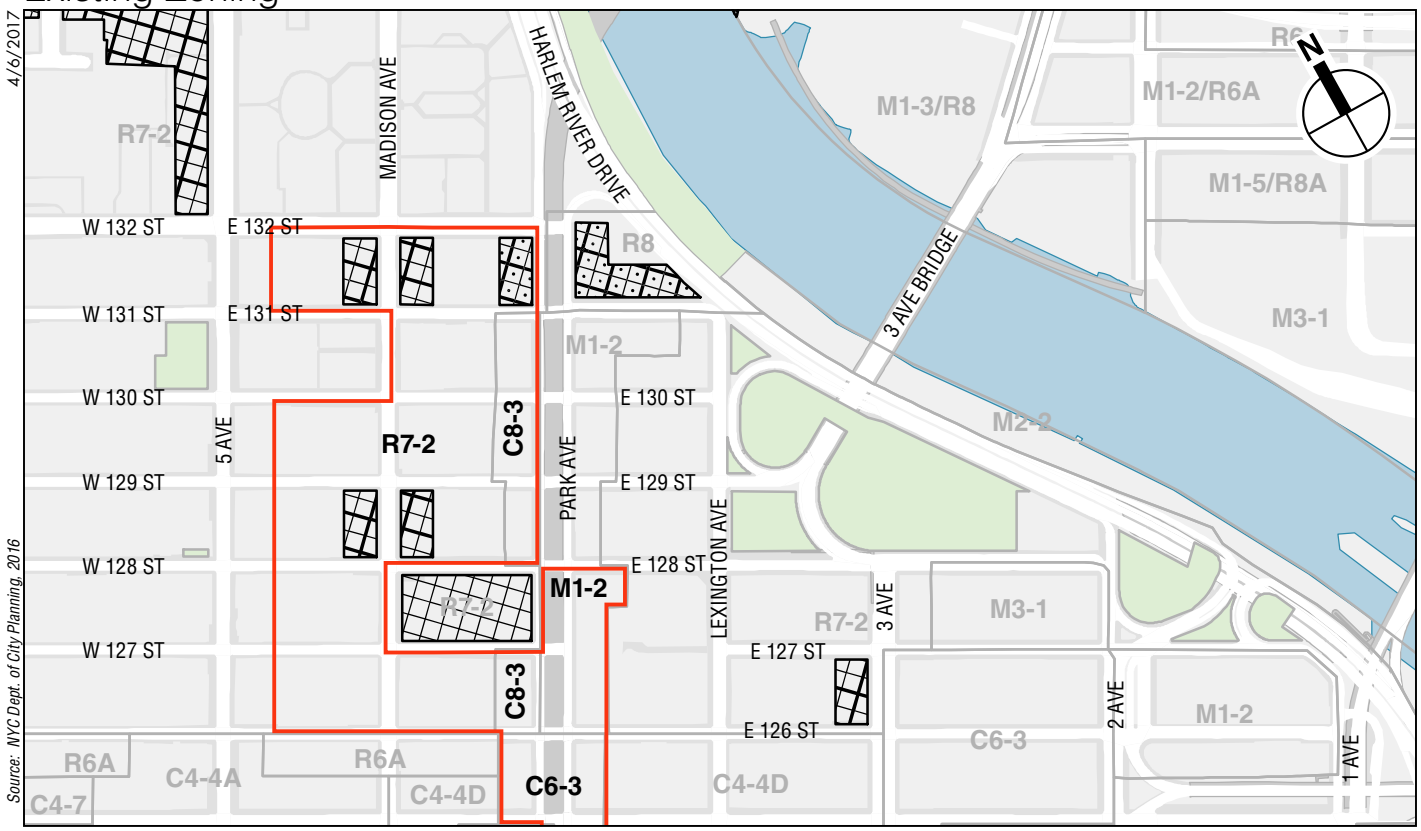
Quality Housing Tower Option: In non-contextual R9 and R10 districts, and their equivalent commercial districts, where a tower development option is available, the EHC would modify the underlying tower regulations to require a contextual base to create consistent and active pedestrian environment. The EHC would also require 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

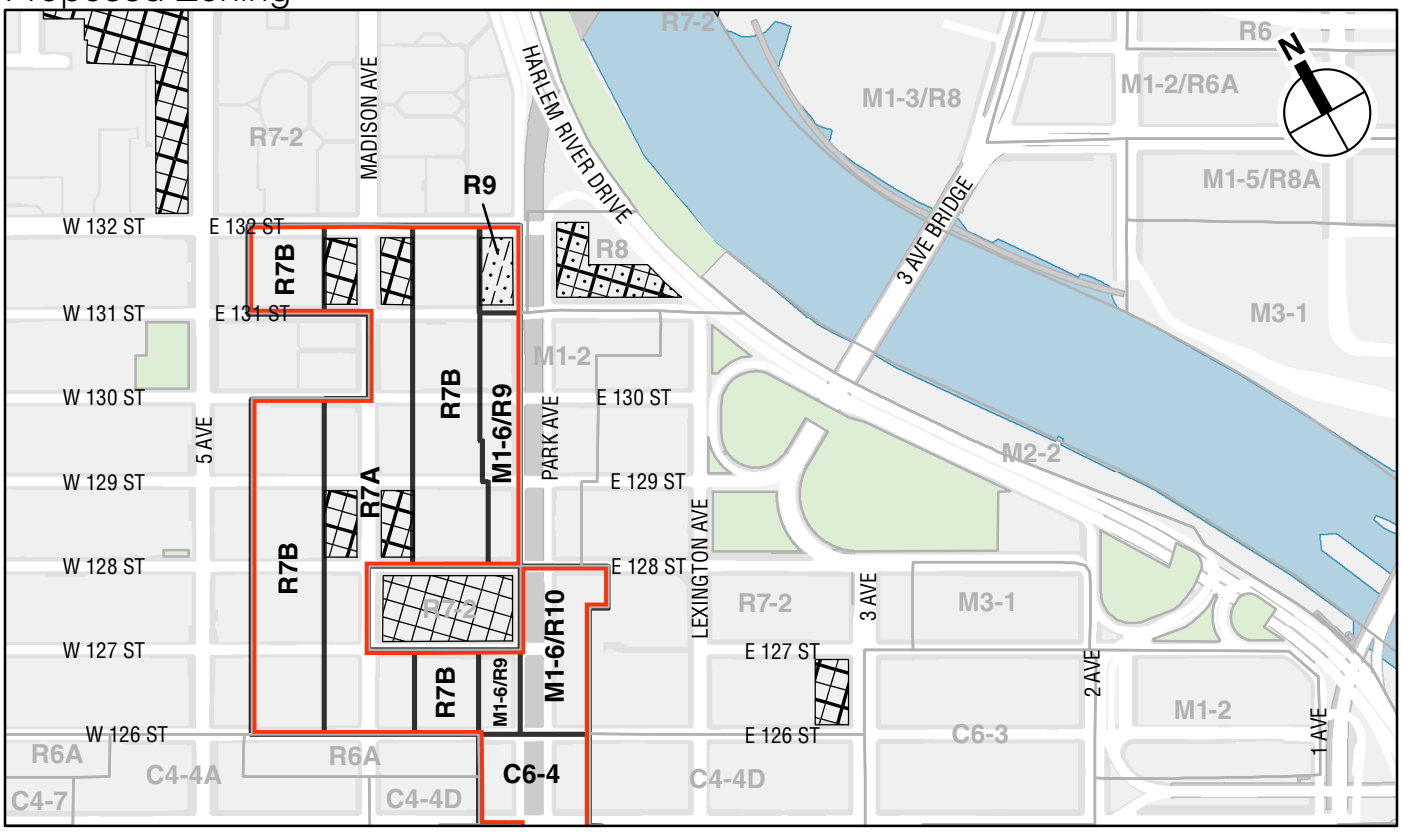


Proposed Zoning
Figure 1-3

Existing Zoning



Proposed Zoning



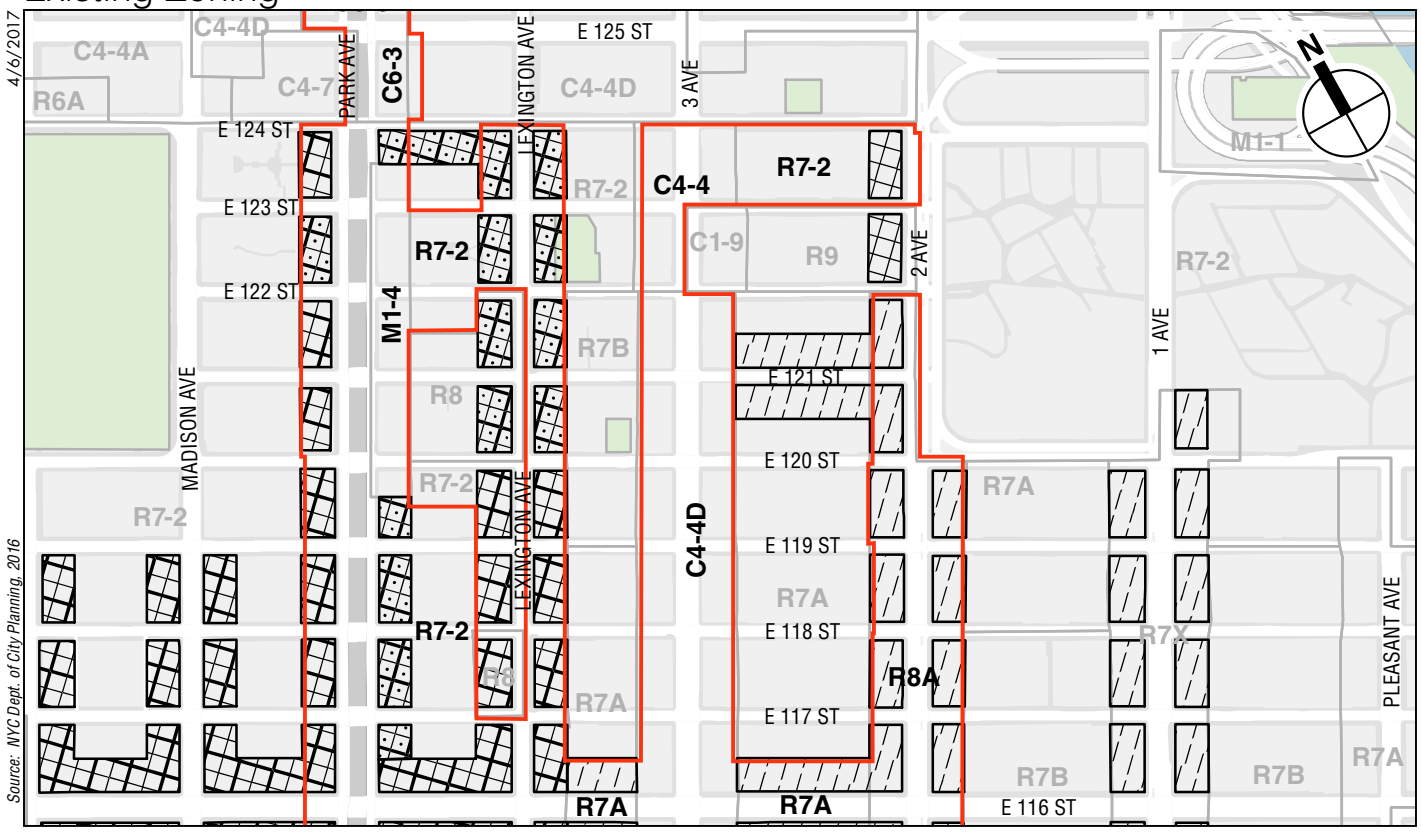
Project Area | *Zoning Districts* | *PARK*

C1-1 *C1-2* *C1-3* *C1-4* *C1-5* *C2-4* *C2-1* *C2-2* *C2-3* *C2-5*

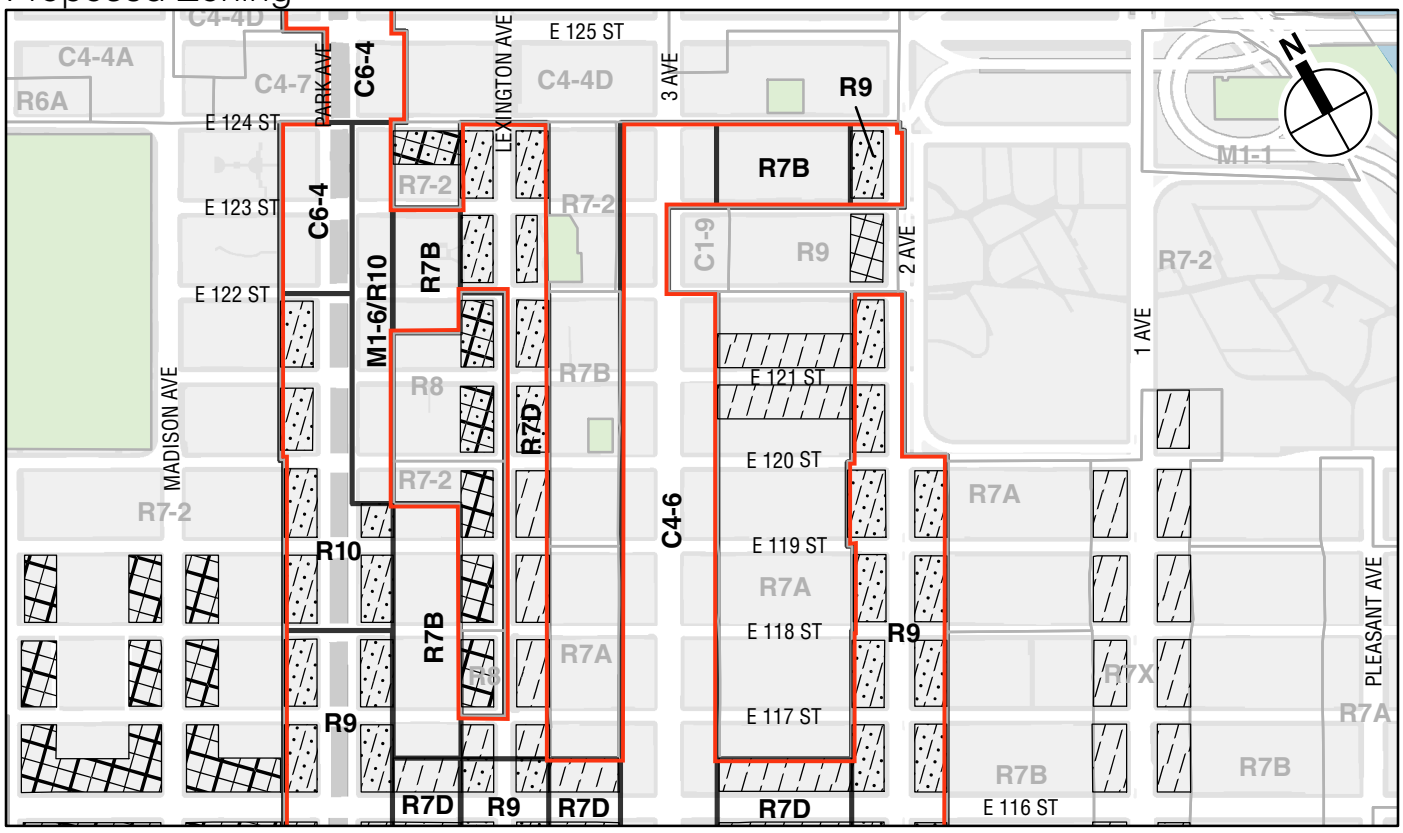
0 500 FEET

Proposed Zoning Changes
North of East 125th Street
Figure 1-3a

Existing Zoning



Proposed Zoning



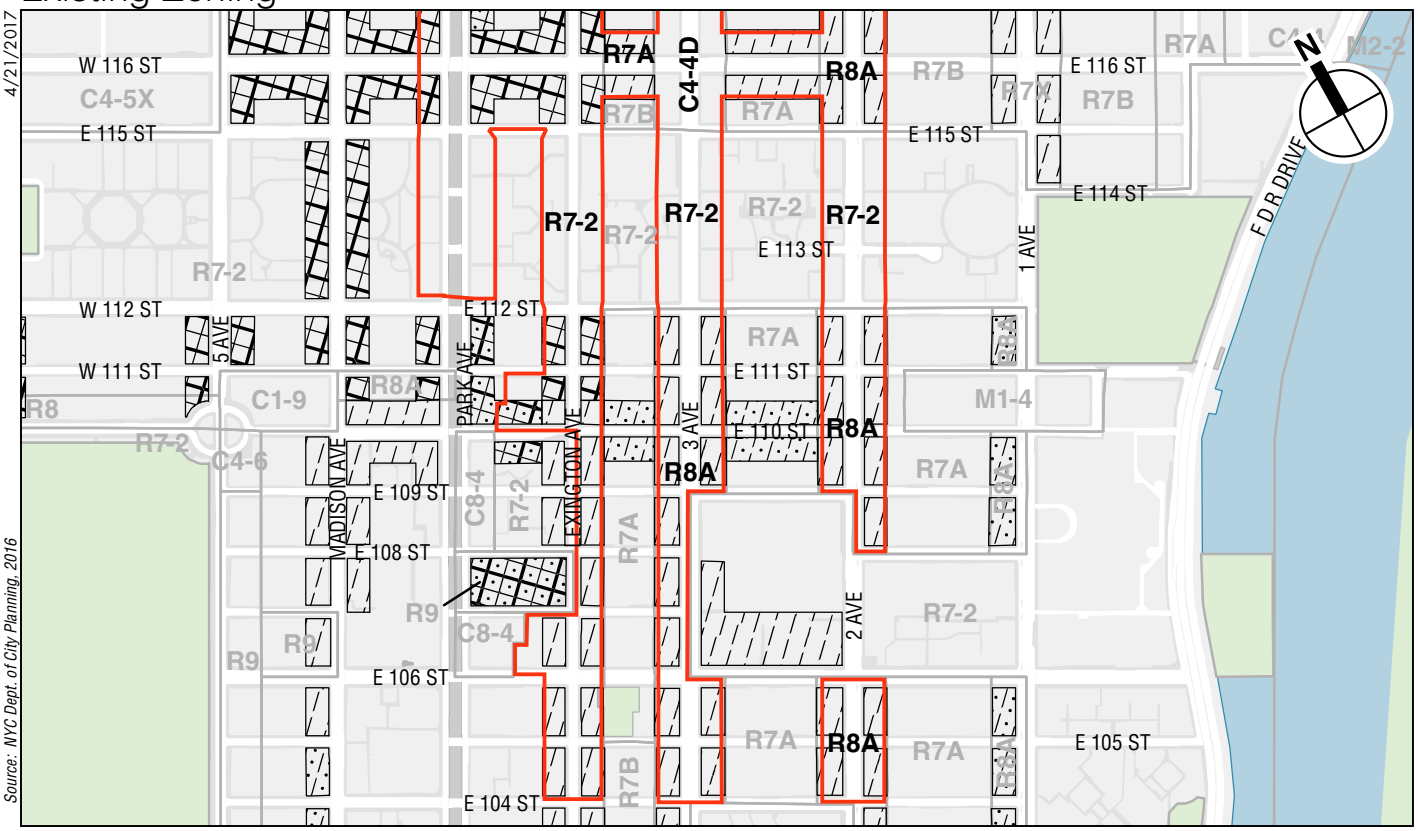
Project Area
Zoning Districts
PARK
C1-1 C1-2 C1-3 C1-4 C1-5 C2-4 C2-1 C2-2 C2-3 C2-5

0 500 FEET

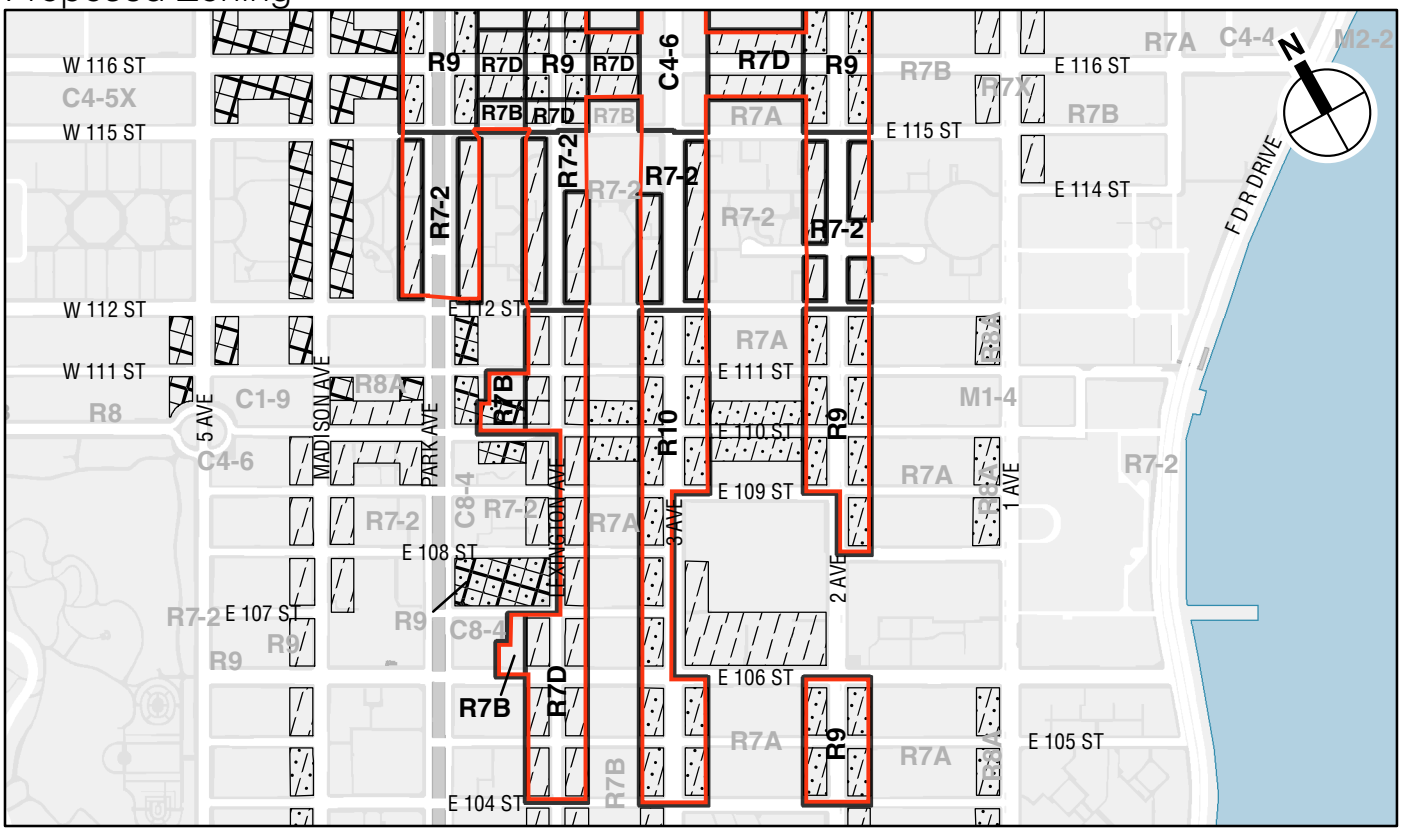
Proposed Zoning Changes
Between East 116th Street and East 125th Street

Figure 1-3b

Existing Zoning



Proposed Zoning



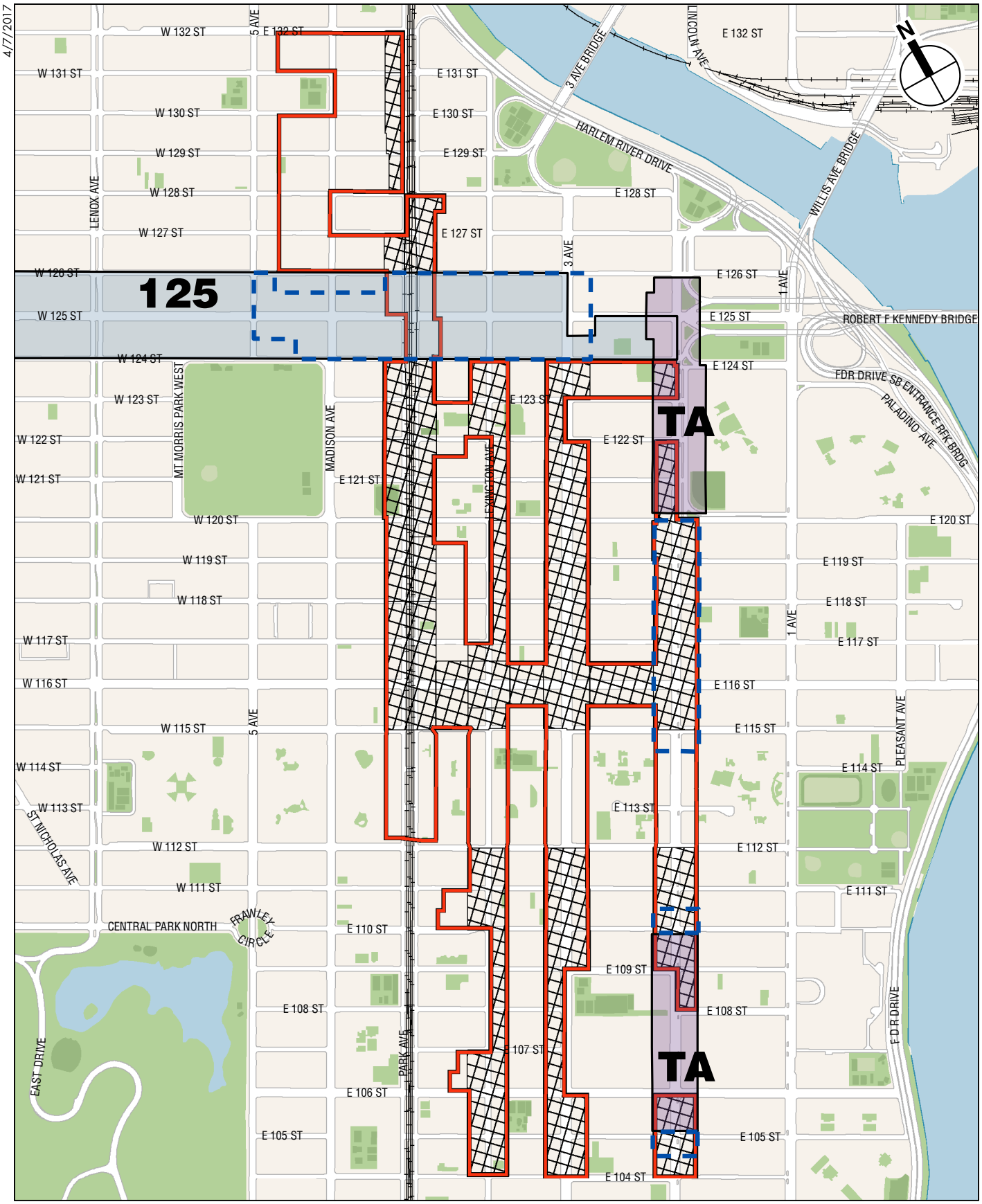
Project Area *Zoning Districts* *PARK*

C1-1 *C1-2* *C1-3* *C1-4* *C1-5* *C2-4* *C2-1* *C2-2* *C2-3* *C2-5*

0 500 FEET

Proposed Zoning Changes South of East 116th Street

Figure 1-3c



EAST HARLEM REZONING

Special Districts
Figure 1-3d

levels of transparency limiting curb cuts, where appropriate. The controls would foster a safe, varied, 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 EHC. In 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 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 12.0 in a mixed-use building. To support the economic development and commercial growth objectives of the plan, the EHC would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized. The special streetwall 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 building. To support the economic development and commercial growth objectives of the plan, the EHC would impose a non-residential use requirement of 1.5 FAR before any permitted residential floor area could be utilized. The special streetwall 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 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 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, 10.0 for community facility and commercial uses. The EHC would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized and the overall maximum floor area for a mixed-use 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 streetwall 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 depends on the size of a 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 R9/C2-5 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, will have maximum FAR of 8.5 for community facility uses and residential uses under the Inclusionary Housing program. 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 streetwall location and minimum base height provisions along Park Avenue or other avenues, as applicable, of the EHC would apply. 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 depends on the size of a 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 R10/C2-5 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 in areas designated as part of the Inclusionary Housing program, 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 streetwall location and minimum base height provisions along Park Avenue or other Avenues, as applicable, 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 depends on the size of a 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 streetwall location and minimum base height provisions along Avenues, other than 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 depends on the size of a 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 2nd 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 mid-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 a Mandatory Inclusionary Housing Area 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

The Proposed Actions would modify the Special 125th Street District at three of the corners adjacent to the intersection of East 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 would be subject to provisions consistent with the proposed use, bulk, ground-floor design and parking regulations included in the proposed EHC.

PROPOSED C6-4

(Existing C6-3)

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 C6-4 district would allow a maximum residential FAR of 10.0 (with Mandatory Inclusionary Housing requirements), with 10.0 also available for community facility and commercial uses. The proposed text modifications to the Special 125th Street District would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized and the overall maximum floor area for a mixed-use development would be 12.0 FAR. Pursuant to the existing special bulk provisions of the Special 125th Street District, developments would provide a contextual base between 60 feet and 85 feet in height along East 125th Street. The streetwall location and minimum base height provisions along Park Avenue of the EHC would apply to the portion of a building along Park Avenue. The maximum lot coverage of the portion of a building above the contextual base will be limited to 40 percent to 50 percent depends on type of uses occupying such portion of the building. The addition, for the eastern block frontage of Park Avenue between 124th Street and 125th Street, any development or horizontal development would be required to provide a sidewalk widening of at least 10 feet. The existing special ground-floor design provisions of the 125 Special District would apply. The underlying parking provisions of the 125 would be modified to be consistent with that of the EHC.

PROPOSED R7A AND R7B

(Existing R7-2)

The proposed R7A and R7B districts 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 district 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 district will 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 will 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 R7A 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 introduce 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 does not by itself effectuate any development on NYCHA properties, as additional approvals by others would be required 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 define appropriate zones for potential future commercial uses on 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 will 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.

PROPOSED 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.

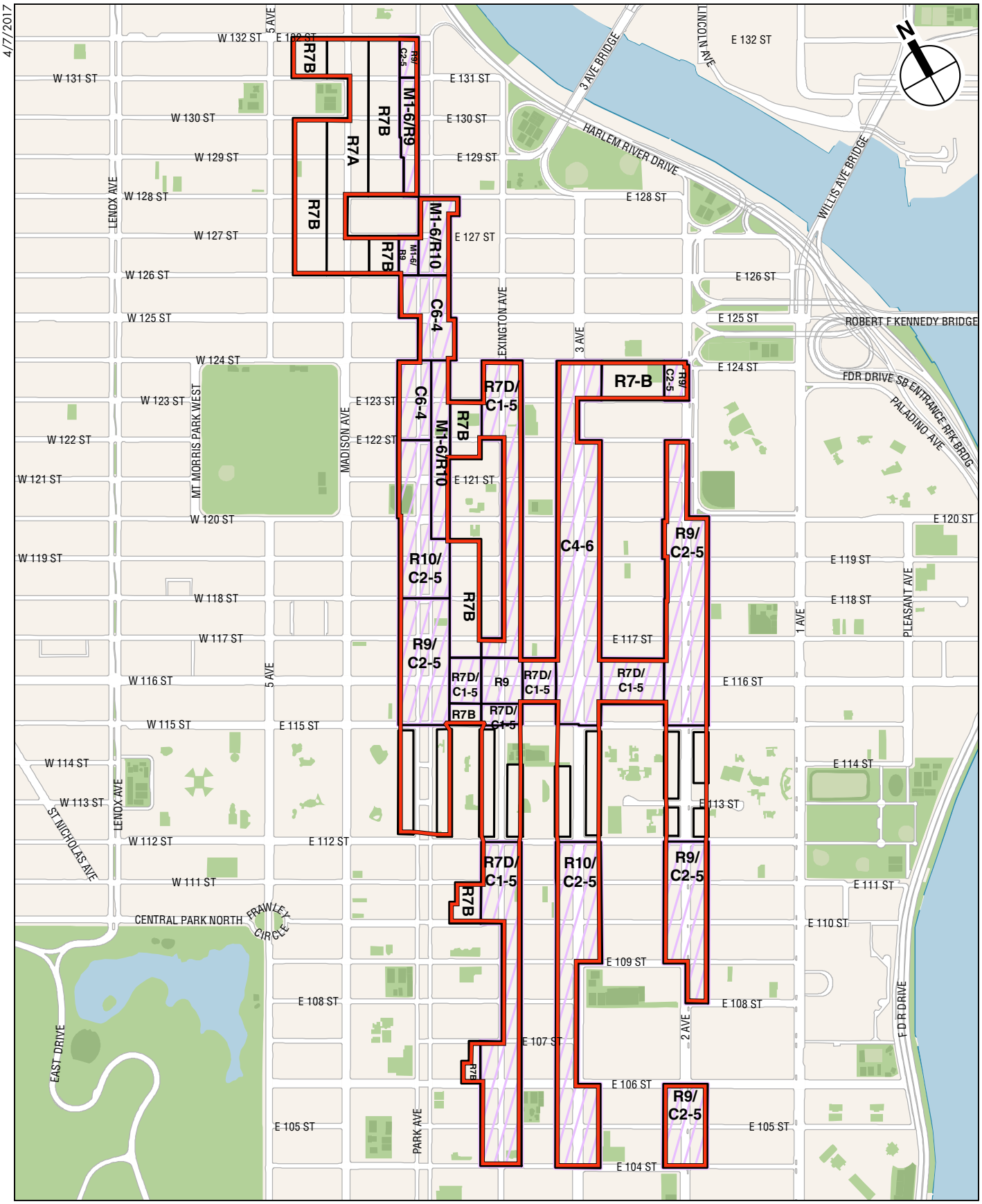
SPECIAL EAST HARLEM CORRIDORS DISTRICT

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.

MANDATORY INCLUSIONARY HOUSING 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 (see **Figure 1-3e**). The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped "Mandatory Inclusionary Housing Areas" (MIHAs). The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning sf within the MIH designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 sf, 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 sf 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 AMI. Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require



Project Area

Mandatory Inclusionary Housing Area

0 1,000 FEET

EAST HARLEM REZONING

Mandatory Inclusionary Housing Area

Figure 1-3e

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.

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 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 100-foot extension to the east along the south side of East 106th Street.
  - Relocate the TA Special District on Second Avenue near East 125th Street, to be located roughly along East 125th Street between Park and Third Avenues.

Proposed Text Modifications

- Modify the existing text and add new text to exclude floor area for any subway transit-related uses such as subway entrances and ancillary facilities (e.g., vent facilities, emergency egress) from the definition of zoning floor area.
- Modify text and tables 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.

URBAN RENEWAL PLAN AMENDMENTS

The proposed amendments to the Milbank Frawley Circle-East URP would conform with land use restrictions to zoning and would refresh the general provisions of the URPs.

WRP REVIEW PROCESS AND DETERMINATION

Portions of the Project Area are within the coastal zone and would therefore be reviewed by CPC, in its capacity as the City Coastal Commission (CCC) to determine if the Proposed Actions are consistent with the relevant WRP policies.

ACTIONS TO SUPPORT THE SENDERO VERDE DEVELOPMENT ALTERNATIVE

The DEIS includes an alternative that considers, in addition to the Proposed Actions as described above, a series of actions needed to facilitate an HPD-sponsored affordable housing development proposed for Sendero Verde ("the Sendero Verde Development Alternative"). The affected property is a public site owned by the City of New York (under the jurisdiction of HPD) and bounded by East 111th Street, Madison Avenue, East 112th Street, and Park Avenue. The site is over 76,500 sf in size and encompasses community gardens and space formerly used as a baseball field. There are two privately owned parcels on the block. HPD is proposing to develop the site to facilitate the creation of a mixed-use development with residential, commercial, and community facility uses.

In February 2017, the City designated a development team led by Jonathan Rose Companies and L+M Development Partners ("Development Team") along with several community partners to develop a three-phased, mixed-use, and sustainable development containing residential and community facility space. In addition to the development expected under the Proposed Actions, the alternative assesses 663 affordable DUs, 15,065 sf of retail space, 159,840 sf of community facility space and new community gardens. All of the proposed residential units would be affordable in accordance with HPD affordability requirements. The proposed development would incorporate four of the existing gardens and relocate two of the other gardens elsewhere within the surrounding neighborhood. These lots would be transferred to the Department of Parks and Recreation (NYC Parks) as GreenThumb gardens upon project completion. NYC Parks has helped the organization that formerly used the baseball field to obtain a permit for another field.

The land use actions necessary to facilitate the development of the Sendero Verde Site are expected to enter public review as a separate land use application concurrent with the Proposed Actions. The actions are anticipated to include: (a) zoning map amendment to rezone the R7-2 district to R9; (b) zoning text amendment to apply the MIH program to the site; (c) UDAAP designation and project approval for the Disposition Area and disposition of City-owned property; (d) acquisition of a portion of the Disposition Area by the City for community garden use; (e) special permit pursuant to Section 74-743 to modify the bulk regulations within a Large Scale General Development (LSGD) to allow for modifications to height and setback requirements and yard requirements applicable to the Proposed Development; (f) special permit pursuant to Section 74-744(b) to permit commercial floor area to be located above the second story in a mixed-use building; (g) special permit pursuant to Section 74-752 to waive up to 129 accessory parking spaces required in connection with non-income restricted dwelling units within the proposed development; and (h) City Planning Commission certification pursuant to Section 32-435 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied at the ground level by commercial use.

PROPOSED ZONING DISTRICTS

HPD seeks a Zoning Map Amendment to change an R7-2 district with C1 -4 commercial overlays along the Park and Madison Avenue frontages to a R9 district with C2 -5 commercial overlays along the Park and Madison Avenue frontages.

Proposed R9/C2-5

With the Sendero Verde Development Alternative in place, the proposed R9/C2-5 district would be mapped over a city block bounded by Park Avenue to the east, East 111th Street to the south, Madison Avenue to the west, and East 112th Street to the north. This action within the rezoning would only take place with the Sendero Verde Development Alternative, which would include an additional projected development site bounded by Madison and Park Avenues, between East 111th and East 112th Streets. The Sendero Verde Site would be undertaken by HPD. An R9 district is a high-density non-contextual district that allows 8.0 FAR of residential floor area (with Mandatory Inclusionary Housing) and 10.0 FAR of Community Facility floor area. The C2-5 commercial overlay allows up to 2.0 FAR of local retail and service uses. Within an R9 district, a development may comply with either contextual Quality Housing or tower-on-a-base height and setback options. For the contextual Quality Housing option, the minimum and maximum base heights are 60 feet and 125 feet, respectively, and the maximum overall building heights are 165 feet along narrow streets and 175 feet along wide streets. For the tower-on-a-base option, the minimum and maximum base heights are 60 feet and 85 feet, respectively, and the portion of a building exceeding the maximum base height will be subject to the maximum tower coverage of 40 percent.

PROPOSED ZONING TEXT AMENDMENT

HPD seeks to amend Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing Area (MIHA) over the Project Area. HPD is proposing to utilize Option 2, and therefore requests that the CPC and City Council allow the MIH affordable housing requirements to be met by complying with the Section 23-154(d)(3)(ii) requirements and providing no less than 30 percent of residential floor area to households earning an average of 80 percent of AMI.

DISPOSITION OF CITY-OWNED PROPERTY

HPD is seeking UDAAP designation, project approval and approval for the disposition of City-owned parcels including Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 32, 33, 35, 37, 38, 39 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121, and 122.

ACQUISITION OF COMMUNITY GARDEN SPACE

HPD seeks approval to acquire a portion of the Site for use as 4 four community gardens. The Community Gardens portion would be acquired upon or before project completion. NYC Parks would assume jurisdiction of the gardens.

CPC SPECIAL PERMITS

Large Scale General Development (LSGD)

HPD and the Development Team seek a Special Permit, pursuant to ZR Section 74-743, to modify the bulk regulations within a Large Scale General Development to modify height and

setback restrictions and yard requirements applicable to the development proposed for the Sendero Verde Site.

Modification of Use Regulations

HPD and the Development Team seek a Special Permit pursuant to ZR Section 74-744(b), to allow commercial use above the level of the second story in a mixed use building contrary to the provisions set forth in ZR Section 32-42 and 32-435(c). Section 32-42 does not permit commercial uses within a predominantly residential building to be located above the second level. The Sendero Verde Development includes space for health care related offices on the second and third levels of Building A. The Special Permit is necessary to allow health care offices to be located above the second level of Building A.

Reduction of Parking Spaces to Facilitate Affordable Housing

HPD and the Development Team seek a Special Permit pursuant to ZR Section 74-533, to waive up to 129 accessory off-street parking spaces required in connection with up to 322 non-income-restricted dwelling units within the proposed development. Under the proposed Rezoning, accessory off-street parking spaces are required for a minimum of 40 percent of non-income restricted dwelling units. Providing the required parking spaces would make it infeasible to provide the important amenities in the Sendero Verde Development, including below-grade community facility amenities and common open spaces as well as the community gardens. Accordingly, a waiver of the parking requirement is requested to facilitate the development of the income-restricted dwelling units.

CITY PLANNING COMMISSION CERTIFICATION

HPD and the Development Team requests a certification from the CPC pursuant to ZR Section 32-435 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied at the ground level by commercial uses.

The Sendero Verde Development requires significant coordination between HPD, various city agencies, property owners and the development team. Given the uncertainty of the coordination outcome, the DEIS will include an alternative that encompasses the necessary actions to facilitate this proposed HPD-sponsored affordable housing development in addition to the Proposed Actions.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed for both the current (future No Action) and proposed zoning (future With Action) conditions for a 10-year period (analysis year 2027). See also **Appendix A-3** for detailed tables showing the RWCDS. The incremental difference between the No Action and With Action Conditions will serve as the basis for the impact analyses of the EIS. A 10-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development.

To determine the With Action and No Action Conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

In determining the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario for the Proposed Actions was to identify those sites where new development could be reasonably expected to occur.

Development sites were initially identified based on the following criteria:

- Lots located in areas where a substantial increase in permitted FAR is proposed;
- Lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 4,500 sf, respectively, if assemblage seems probable[1]) or where a smaller sized site (2,000 sf or greater) is substantially underutilized as defined below;
- Underutilized lots which are defined as vacant, occupied by a vacant building, a building with only a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning; and
- Lots located in areas where changes in use would be permitted.

Certain lots that meet these criteria have been excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped as a result of the proposed rezoning:

- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment. However, recently constructed or altered lots that were built to less than or equal to half of the maximum allowable FAR under the proposed zoning have been included for consideration as likely development sites.
- The sites of schools (public and private), municipal libraries, government offices, large medical centers and houses of worship. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. Additionally, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings (existing individual buildings with six or more residential units, and assemblages of buildings with a total of 10 or more residential units, are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).
- Certain large commercial structures, such as multi-story office buildings, regional centers of national corporations, and hotels. Although these sites may meet the criteria for being built

[1] Assemblages are defined as a combination of adjacent lots, which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the aforementioned soft site criteria; or (2) at least one of the lots, or combination of lots, meets the aforementioned soft site criteria, and ownership of the assemblage is shared by no more than three distinct owners.

to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.

- Lots whose location, highly irregular shape, or highly irregular topography would preclude or greatly limit future as of right development. Generally, development on highly irregular lots does not produce marketable floor space.
- Lots utilized for public transportation and/or public utilities.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

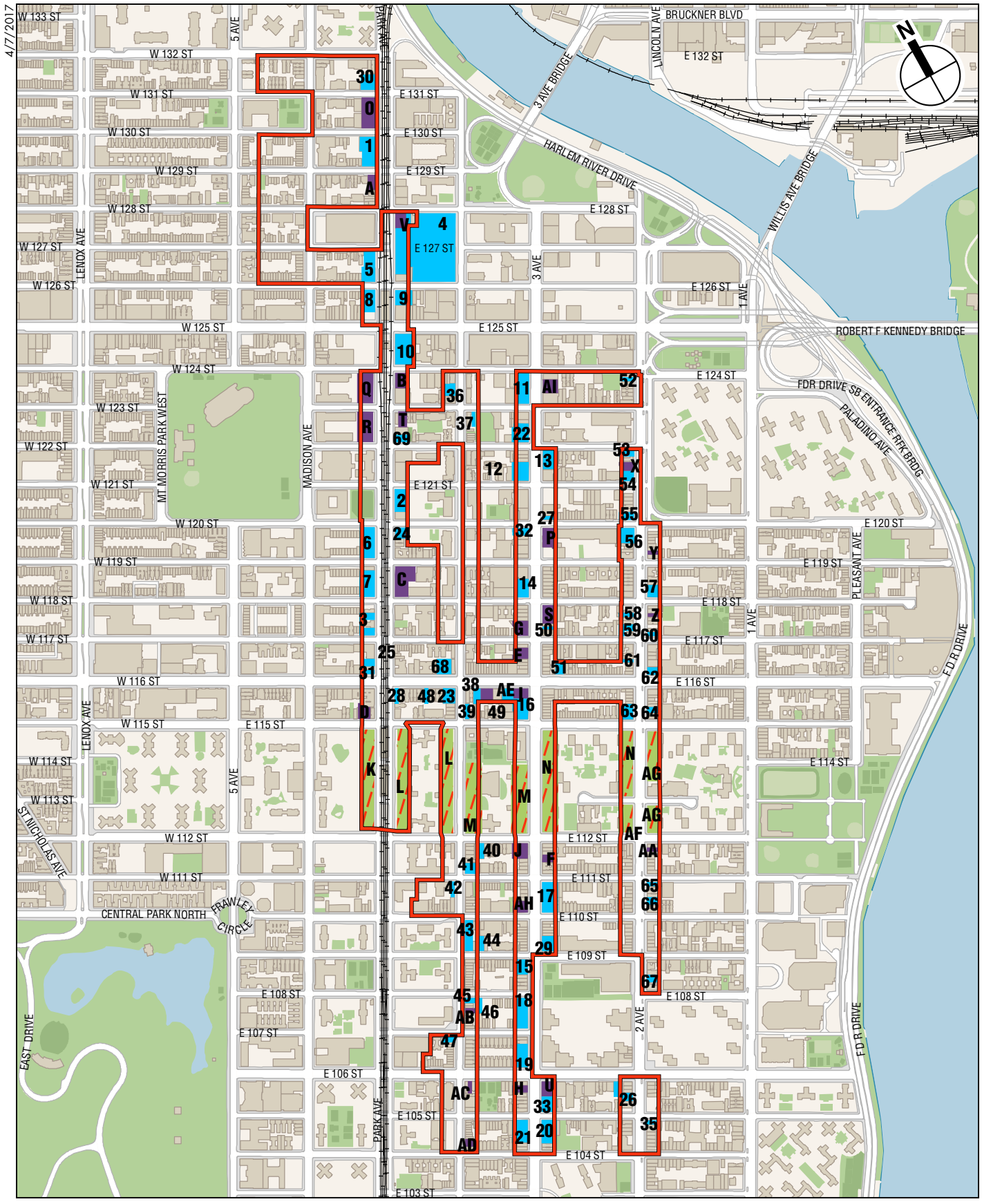
To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Potential development sites were identified based on the following criteria:

- Lots whose with slightly irregular shapes, topographies, or encumbrances would make development more difficult.
- Lots with 10 or more commercial tenants, which may be difficult to dislodge due to long-term leases.
- Lots where the conversion of an existing building to residential use could occur.
- Active businesses, which may provide unique services or are prominent, and successful neighborhood businesses or organizations unlikely to move.
- Sites divided between disparate zoning districts.
- Sites smaller than 9,500 sf where residential uses are currently permitted unless they are underutilized as defined above and/or within close proximity to subway stations.
- Sites consisting of interior lots whose longest dimension (either width or depth) is less than 80 feet.

Based on the above criteria, 102 development sites (68 projected and 34 potential) have been identified in the rezoning area. These projected and potential development sites are depicted in **Figure 1-4** and the detailed RWCDS tables provided in **Appendix A-3** identify the uses expected to occur on each of these sites under No Action and With Action conditions.

The EIS will assess both density-related and site-specific potential impacts from development on all projected development sites. Density-related impacts are dependent on the amount and type of development projected on a site and the resulting impacts on traffic, air quality, community facilities, and open space.

Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted in order to ensure a conservative analysis.



Projected and Potential Development Sites

EAST HARLEM REZONING

Figure 1-4

DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential floor area by 900 and rounding to the nearest whole number.

Transportation-Related Facilities within Transit Areas

Select developments sites were identified along Second Avenue within the proposed TA Districts that could potentially accommodate MTA ancillary support facilities for the future phase of the Second Avenue Subway in addition to private development that would occur on those sites as the result of the Proposed Actions. These select developments sites are examples that demonstrate the bulk that may be needed to accommodate the MTA ancillary support facilities on these sites under the future With Action Condition. The final location of such facilities will be informed by designs for subsequent phases of the Second Avenue Subway, and as such, their precise location is not definitively known at this time.

Sendero Verde Development Alternative

As discussed earlier in this document, the Sendero Verde Development Alternative involves the proposed redevelopment of City-owned parcels on the block bounded by East 112th Street to the north, Park Avenue to the west, East 111th Street to the south, and Madison Avenue to the east would be facilitated by a separate land use application by the City. HPD is leading a coordination effort between various governmental agencies, community organizations, and the Development Team. Because certain development specifications for this site are unknown at this time pending completion of that coordination effort, the DEIS will include an alternative that encompasses the necessary actions to facilitate the development of the Sendero Verde Site in addition to the Proposed Actions.

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

In the future without the Proposed Actions (No Action Condition), the identified projected development sites are assumed to either remain unchanged from existing conditions, or become occupied by uses that are as-of-right under existing zoning and reflect current trends if they are vacant, occupied by vacant buildings, or occupied by low intensity uses that are deemed likely to support more active uses. **Table 1-1a** shows the No Action Condition for the projected development sites.

As detailed below, it is anticipated that, in the future without the Proposed Actions, there would be a total of approximately 2,978,556 sf of built floor area on the 68 projected development sites. Under the RWCDS, the total No Action development would comprise 2,472 dwelling units (DUs), with no guarantees for affordability, 385,009 sf of retail space, 76,559 sf of office space, 32,974 sf of hotel space, 10,592 sf of auto-oriented commercial use; 57,614 sf of commercial storage, 7,395 sf of community facility space, and 22,777 sf of industrial space. The No Action Condition estimated population would include approximately 5,959 residents and 1,723 workers on these projected development sites.

Table 1-1a
2027 RWCDS No Action and With Action 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	**562,748 sf**	**727,322 sf**	**+ 164,575 sf**
Other Uses			
Total Community Facility	7,395 sf	112,437 sf	+ 105,042 sf
Total Industrial	22,777 sf	155,171 sf	+ 132,394 sf
Parking			
Parking (floor area)	120,907 sf	102,504 sf	- 18,403 sf
Population[1]			
Residents	5,959	14,364	+ 8,405
Workers	1,723	3,265	1,543

Note:
1. Assumes 2.41 persons per 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).

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. As discussed above, the possible future development of the Sendero Verde Site will be analyzed as an alternative in the DEIS; the analysis framework for this alternative is described later in this narrative section.

Under the Proposed Actions, the total development expected to occur on the 68 projected development sites would consist of approximately 6,433,375 sf of built floor area, including approximately 5,960 DUs, a substantial proportion of which are expected to be affordable; 507,551 sf of commercial retail space, 219,771 sf of office space, 112,437 sf of community facility space and 155,171 sf of industrial use (see **Table 1-1a**). The projected incremental (net) change between the No Action and With Action Conditions that would result from the Proposed Actions would be a net increase of 3,488 DUs; 122,542 sf of retail space, 143,212 sf of office space, 105,042 sf of community facility space, and 132,394 sf of industrial space; and net decreases of 10,592 sf of auto-related space, 32,974 sf of hotel space, and 57,614 sf of commercial storage space.

Based on 2010 Census data, the average household size for residential units in Manhattan Community District 11 is 2.41. Based on these ratios and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table 1-1a** also provides an estimate of the number of residents

and workers generated by the Proposed Actions. As indicated in **Table 1-1a**, the Proposed Actions would result in a net increment of 8,405 residents and a net increase of 1,543 workers.

Thirty-four sites were considered less likely to be developed within the foreseeable future and were thus considered potential development sites (see **Appendix A-3**). As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria listed above. However, as discussed above, the analysis recognizes that a number of potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected development sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the EIS for site-specific effects.

SENDERO VERDE DEVELOPMENT ALTERNATIVE

As shown in **Table 1-1b**, under the alternative where possible future development of the Sendero Verde site would occur, the total development expected for that site in combination with the 68 projected development sites associated with the Proposed Actions would consist of approximately 7,254,107 sf of built floor area, including approximately 6,623 DUs, a substantial proportion of which are expected to be affordable, 522,616 sf of retail space, 244,574 sf of office space, 272,277 sf of community facility uses, and 155,171 sf of industrial use. The projected incremental (net) change between the No Action and With Action Conditions that would result under this alternative would be an increase of a total of 4,143 DUs, 135,557 sf of retail space, 168,015 sf of office space, 264,882 sf of community facility space and 132,394 sf of industrial space; and a net decrease of 32,974 sf of hotel space, a net decrease of 10,592 sf of auto-oriented commercial use, and a net decrease of 57,614 sf of commercial storage space.

Based on the average household size for residential units in Manhattan Community District 11 of 2.41 and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table 1-1b** also provides an estimate of the number of residents and workers generated by the Sendero Verde Development Alternative. As indicated in **Table 1-1b**, this alternative would result in a net increment of 9,984 residents and a net increase of 1,893 workers.

The EIS will analyze the projected developments for all technical areas of concern and will evaluate the effects of the potential developments for site-specific effects such as archaeology, shadows, hazardous materials, stationary source air quality, and noise.

Table 1-1b
2027 RWCDS No Action and With Action Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Total Residential	2,480 DU	6,623 DU	+ 4,143 DU
Commercial			
Commercial Retail	387,059 sf	522,616 sf	+ 135,557 sf
Hotel	32,974 sf	0 sf	- 32,974 sf
Office	76,559 sf	244,574 sf	+ 168,015 sf
Auto-related	10,592 sf	0 sf	- 10,592 sf
Storage	57,614 sf	0 sf	- 57,614 sf
Total Commercial	**564,798 sf**	**767,190 sf**	**+ 202,393 sf**
Other Uses			
Total Community Facility	7,395 sf	272,277 sf	+ 264,882 sf
Total Industrial	22,777 sf	155,171 sf	+ 132,394 sf
Parking			
Parking (floor area)	120,907 sf	102,504 sf	- 18,403 sf
Population[1]			
Residents	5,978	15,962	+ 9,984
Workers	1,729	3,803	+ 2,074

Note:
1. Assumes 2.41 persons per 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).

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