



CITY PLANNING COMMISSION

September 5, 2012/Calendar No. 9

C 120309 ZMM

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 3b and 6a:

1. eliminating from within an existing R8 District a C1-4 District bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;
2. changing from an R7-2 District to an R6A District property bounded by:
 - a. West 153rd Street, a line 100 feet westerly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Broadway;
 - b. a line 100 feet southerly of West 155th Street, St. Nicholas Avenue, West 153rd Street, St. Nicholas Place, West 152nd Street, Convent Avenue, West 151st Street, a line 125 feet easterly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Amsterdam Avenue;
 - c. a line midway between West 151st Street and West 150th Street, a line 100 feet westerly of Amsterdam Avenue, West 147th Street, and a line 100 feet easterly of Broadway;
 - d. West 150th Street, a line 100 feet westerly of Convent Avenue, a line midway between West 149th Street and West 148th Street, Convent Avenue, West 149th Street, St. Nicholas Avenue, West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, West 141st Street, Convent Avenue, West 140th Street, Amsterdam Avenue, West 145th Street, and a line 100 feet easterly of Amsterdam Avenue, and excluding the area bounded by a line midway between West 147th Street and West 148th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - e. a line 100 feet southerly of West 145th Street, Bradhurst Avenue, the westerly center line prolongation of West 143rd Street, and a line midway between St. Nicholas Avenue and Edgecombe Avenue; and
 - f. West 143rd Street, a line 500 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 450 feet easterly of Broadway, West 141st Street, and a line 100 feet easterly of Broadway;

3. changing from an R8 District to an R6A District property bounded by:
 - a. West 148th Street, a line 100 feet westerly of Broadway, West 145th Street, a line 315 feet westerly of Broadway, a line midway between West 146th Street and West 145th Street, a line 250 feet westerly of Broadway, West 146th Street, a line 225 feet westerly of Broadway, a line midway between West 147th Street and West 146th Street and its westerly prolongation, the easterly boundary line of Riverside Park, West 147th Street and its westerly center line prolongation, a line 80 feet easterly of Riverside Drive, a line midway between West 148th Street and West 147th Street, and a line 105 feet easterly of Riverside Drive;
 - b. a line midway between West 143rd Street and West 142nd Street and its westerly prolongation, a line 200 feet westerly of Broadway, West 142nd Street and its westerly center line prolongation, and the easterly boundary line of Riverside Park; and
 - c. a line midway between West 139th Street and West 138th Street, a line 100 feet westerly of Broadway, a line midway between West 138th Street and West 137th Street, a line 455 feet westerly of Broadway, West 138th Street, and a line 400 feet westerly of Broadway;
4. changing from an R7-2 District to an R7A District property bounded by:
 - a. West 155th Street, a line 100 feet easterly of Amsterdam Avenue, West 152nd Street, a line 125 feet easterly of Amsterdam Avenue, West 151st Street, Convent Avenue, West 152nd Street and its easterly center line prolongation, a line midway between St. Nicholas Place and Edgecombe Avenue, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line 100 feet northerly of West 145th Street, St. Nicholas Avenue, West 149th Street, Convent Avenue, a line midway between West 149th Street and West 148th Street, a line 100 feet westerly of Convent Avenue, West 150th Street, a line 100 feet easterly of Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, Amsterdam Avenue, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, West 147th Street, a line 100 feet westerly of Amsterdam Avenue, a line midway between West 151st Street and West 150th Street, a line 100 feet easterly of Broadway, West 152nd Street, a line 100 feet westerly of Amsterdam Avenue, West 153rd Street, and Amsterdam Avenue;
 - b. a line 150 feet southerly of West 155th Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, West 153rd Street, and St. Nicholas Avenue;
 - c. a line midway between West 148th Street and West 147th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - d. a line 100 feet southerly of West 145th Street, Amsterdam Avenue, the southerly boundary line of Annunciation Park and its easterly and westerly prolongations, Convent Avenue, West 130th Street, Amsterdam Avenue, West 133rd Street, a line

- 200 feet easterly of Broadway, West 135th Street, a line 100 feet easterly of Broadway, a line 100 feet easterly of Hamilton Place, a line midway between West 138th Street and West 136th Street, Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 141st Street, a line 450 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 500 feet easterly of Broadway, West 143rd Street, and a line 100 feet easterly of Broadway;
- e. West 145th Street, St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, the westerly center line prolongation of West 143rd Street, Bradhurst Avenue and its southerly centerline prolongation, Edgecombe Avenue, West 141st Street, and a line 100 feet westerly of St. Nicholas Avenue; and
 - f. West 130th Street, St. Nicholas Terrace, West 127th Street, a line 100 feet westerly of St. Nicholas Avenue, West 126th Street, a line 100 feet westerly of Morningside Avenue, West 127th Street, a line 100 feet westerly of Convent Avenue, West 129th Street, and Convent Avenue;
5. changing from an R7-2 District to an R8A District property bounded by:
- a. West 155th Street, St. Nicholas Avenue, a line 100 feet southerly of West 155th Street, and a line 100 feet easterly of Amsterdam Avenue;
 - b. Edgecombe Avenue, West 145th Street, Bradhurst Avenue, a line 100 feet southerly of West 145th Street, St. Nicholas Avenue, a line 100 feet northerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line midway between St. Nicholas Place and Edgecombe Avenue, the easterly center line prolongation of West 152nd Street, St. Nicholas Place, West 153rd Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, a line 150 feet southerly of West 155th Street, a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street, a line 100 feet southerly of West 155th Street, St. Nicholas Place, and West 155th Street; and
 - c. a line 100 feet northerly of West 145th Street, Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet easterly of Amsterdam Avenue, West 145th Street, Amsterdam Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Broadway;
6. changing from a C8-3 District to an R8A District property bounded by West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street;

7. changing from an R8 District to a C6-3X District property bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;
8. changing from an M1-1 District to an M1-5/R7-2 District property bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;
9. establishing within a proposed R6A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Broadway, West 145th Street, and a line 315 feet westerly of Broadway; and
 - b. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Convent Avenue, West 145th Street, Convent Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Amsterdam Avenue;
10. establishing within a proposed R7A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - b. a line 100 feet northerly of West 141st Street, a line 100 feet westerly of Amsterdam Avenue, West 141st Street, and Hamilton Place; and
 - c. a line midway between West 140th Street and West 139th Street, a line 100 feet easterly of Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 139th Street, and Hamilton Place;
11. establishing within an existing R8 District a C1-4 District bounded by West 145th Street, a line 100 feet westerly of Broadway, a line midway between West 145th street and West 144th Street, and a line 270 feet westerly of Broadway;
12. establishing within a proposed R8A District a C2-4 District bounded by West 155th Street, Edgecombe Avenue, a line 150 feet southerly of West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the

street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street; and

13. establishing a Special Mixed Use District (MX-15) bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;

Borough of Manhattan, Community District 9, as shown on a diagram (for illustrative purposes only) dated May 7, 2012, and subject to the conditions of CEQR Declaration E-284.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on May 3, 2012. The requested action, in conjunction with the related application for the proposed zoning text amendment, would facilitate the West Harlem Rezoning, an area-wide 90-block rezoning of northern West Harlem.

RELATED ACTION

In addition to the proposed amendment to the Zoning Map, which is the subject of this report, implementation of the proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

N 120310 ZRM: Zoning Text Amendment

BACKGROUND

The Department of City Planning is proposing zoning map and text amendments that would affect 90 blocks comprising Hamilton Heights, Sugar Hill and portions of Manhattanville, within an area generally bounded by West 155th Street to the north, West 126th Street to the south, Edgecombe, Bradhurst and Convent avenues to the east and Riverside Drive to the west.

The proposed actions are the product of an extensive five-year collaborative effort with Community Board 9, the Borough President of Manhattan, the City Council Member representing the 7th District and West Harlem residents, property owners and stakeholders. Community participation and consensus building played an integral role in developing this

proposal which responds to concerns raised about future development during the 2007 Columbia University/Special Manhattanville Mixed Use District (MMU) public review process (N 070496 ZRM). It was widely recognized at that time that zoning changes were needed for the broader West Harlem neighborhood to provide better protection against out-of-scale development.

The West Harlem rezoning area has two medium-density residential districts, R7-2 and R8, which are widely mapped north of West 130th Street. These broadly-applied zoning districts have remained unchanged since 1961 and allow for unpredictable building forms (“tower-in-the-park” developments) that do not closely reflect the unique and varied character of the area’s low-rise brownstones, rowhouses and mid-rise apartment buildings.

South of West 130th Street, the southern portion of the proposed rezoning area (i.e., West 126th to West 129th streets, between Amsterdam and Convent avenues) is zoned M1-1, which allows commercial and light manufacturing uses up to 1.0 FAR but does not allow residential development and most community facility uses, such as schools and non-profit art galleries. Accordingly, the M1-1 district limits opportunity for expansion of existing buildings and new construction. Additionally, West Harlem’s current zoning does not offer zoning incentives that expand future housing development opportunities, including income-targeted affordable housing. The rezoning proposal is intended to achieve the following objectives:

- **Promote building forms that are compatible with existing neighborhood character.** The proposal removes opportunities for incompatible development by mapping varied contextual zoning districts along mid-blocks and avenues to ensure that future building forms reinforce the patterns of scale and continuity throughout the area. The predominant built-out character would be brought into greater compliance with the proposed zoning districts. The strongly established context of mid-blocks containing low-rise brownstones and rowhouse buildings would be preserved through the proposed zoning.
- **Enhance and expand future development opportunities for West 145th Street, while fostering new opportunities for affordable housing development.** The proposal

comprehensively addresses the major east-west corridor of 145th Street by allowing for modest increases in density for transit-oriented development (at intersections immediately served by transit) and affordable housing development. Although West Harlem is a predominantly built-out neighborhood that did not undergo the same degree of property distress experienced elsewhere, affordable housing is still needed to accommodate this community's growing population. The presence of a concentration of sites along a block-long stretch of 145th Street would provide opportunities for new mixed-income residential development.

- **Support and enhance mixed-use development opportunities in the M-district.** The proposal removes the constraints of the current M1-1 zoning by replacing it with a new MX district, which allows increased commercial and light manufacturing development to enhance and expand existing uses and promote economic development. The proposed zoning emphasizes the Community Board's *197-A Plan* stated goals by allowing for a wide range of uses and activities (such as retail, arts production uses and exhibition space, offices and other commercial anchors) to occur throughout the proposed district as well as within mixed use buildings. The proposed MX zoning would also permit residential use at a relatively lower density (compared to other uses) in order to retain the area's commercial and light industrial character.
- **Provide support for existing ground floor retail uses.** In the proposed rezoning area, ground floor commercial uses are found along portions of West 145th Street between Riverside Drive and Broadway and between Amsterdam and St. Nicholas avenues, along Hamilton Place north of West 141st Street and portions of West 155th Street. However, no commercial overlay exists in these areas. In an effort to accommodate existing ground floor retail uses and meet the need for future ground floor commercial space, the rezoning proposal includes the mapping of new commercial overlays for these areas to better serve current and future local retail needs.

West Harlem is a vibrant and diverse community comprising the neighborhoods of Hamilton Heights, Sugar Hill and Manhattanville. The area is distinguished by well-maintained and fully-occupied residential building stock. The neighborhoods are of predominately low- to mid-rise

residential character, made up of five- and six-story apartment buildings, three- and four-story brownstones and rowhouses. Approximately 20 percent of lot area within the rezoning area (generally the blocks east of Amsterdam Avenue) is located within six New York City Landmarks Preservation Commission (LPC)-designated and two New York State-designated historic districts.

The West Harlem Rezoning area comprises approximately 1,900 tax lots (approximately 199.5 acres). Land uses within the rezoning area include a mix of residential, mixed-use, institutional, commercial, and open space, with very few vacant lots located throughout the area. Residential uses predominate within the rezoning area, with residential-only and mixed residential/commercial buildings comprising 74 percent of the total land area. Ten percent of the lot area within the rezoning area is occupied by institutions or public facilities. Commercial and industrial uses comprise six percent and transportation/parking uses comprise four percent of the total land area. Because the neighborhood's major parks are outside the proposed rezoning area, open space comprises a relatively small portion of land use; only four percent of the total lot area is used for recreation and open space purposes. Vacant land captures two percent of the total land area.

Hamilton Heights and Sugar Hill encompass the central and northern portions of the rezoning area, respectively, and are characterized by street wall buildings with uniform cornice lines that rise without setback. The scale and density of the neighborhood lowers from the west to the east. Taller buildings, generally above 60 feet in height, are concentrated on the western portion of the rezoning area between Broadway and Riverside Drive; however, certain mid-blocks display a low-rise rowhouse character. Clusters of three- to four-story brownstones can be found on mid-blocks generally bounded by West 145th to West 148th streets, along the north side of West 142nd Street and along West 138th Street. Amsterdam Avenue is characterized primarily by five- and six-story medium-density buildings between 50 and 65 feet in height. Convent Avenue has three- to six-story buildings with heights ranging from 40 to 60 feet. The eastern portion of the rezoning area, bounded by St. Nicholas Avenue and St. Nicholas Place, is distinguished mostly by four- to six-story buildings; however about one-quarter of the buildings have heights ranging from 60 to 70 feet.

Varied patterns of scale and context occur throughout mid-block portions north of 140th Street between Broadway and Edgecombe Avenue. Certain mid-blocks are characterized by significant clusters of low-rise three- to four-story rowhouses and remaining s contain mid-rise five- to six-story residential buildings. Portions of the avenues (such as Convent and St. Nicholas avenues) contain a mixed character of low- to mid-rise scales. The northeastern portion of the rezoning area, St. Nicholas and St. Nicholas Place is distinguished mostly by four- to six-story buildings or above.

West 145th Street is the area's major east-west corridor containing a consistent street wall with buildings of varying height constructed at the street line. Between Broadway and Riverside Drive, West 145th Street contains low-scale residential (north side of the street) and mid-rise residential buildings on the south side. The West 145th Street/Broadway intersection is anchored by active commercial and residential uses (three one- to two-story commercial buildings and a six-story mixed commercial/residential building) that are directly served by the IRT No.1 subway line. Between Broadway and Amsterdam Avenue, six-story mixed-use buildings are interspersed with a few low-slung, under-built structures. On the north side of West 145th Street between Broadway and Amsterdam Avenue, is a vacant public school building, the former P.S. 186. Portions of West 145th Street east of Convent Avenue are located within the Hamilton Heights Historic District and are developed with three-story brownstones, some with active ground floor retail. The West 145th Street/St. Nicholas Avenue intersections is served by the IND A, B, C and D lines and contains predominately mid-rise mixed commercial/residential developments.

A small concentration of light industrial and transportation uses exists in Manhattanville section of the southern edge of the West Harlem area, comprises portions of four blocks generally bounded by West 126th and West 129th streets, Convent and Amsterdam avenues. The area has a mix of commercial, residential and light industrial uses, including an existing two-story MTA bus depot. Also located in the area is the Mink Building complex, composed of five lots from West 128th to West 129th streets containing buildings of various size and character. The site contains most of this area's light industrial and commercial uses. Vacant buildings within the

manufacturing district include the former Taystee Bakery factory complex that contains warehouse buildings in vacant and partially demolished condition. The site was recently the subject of a Request for Expressions of Interest (RFEI) by the City to allow for redevelopment pursuant to the West Harlem Rezoning proposal.

In recent years, two private applications were approved by the City Planning Commission to rezone property along West 129th Street (C 080039 ZMM, approved 2009) and West 155th Street (C 100277 ZMM, approved 2010), areas immediately adjacent to the proposed rezoning area. In addition, the Commission has approved a number of applications within the proposed rezoning area to dispose of and develop City-owned property through various HPD affordable housing and homeownership programs.

The proposed rezoning area is well served by mass transit. It has seven subway stations: four IND stations along St. Nicholas Avenue including express stops at West 125th Street and West 145th Street (served by A, B, C and D trains), and local stops at West 135th Street (B, C) and West 155th Street (C); two IRT stations along Broadway at West 125th Street and West 137th Street-City College (both served by No. 1 trains); and an IND station at West 155th Street and Eighth Avenue (served by B and D trains).and the area is also served by several bus lines that run along West 135th, West 145th and West 155th streets and along all major north-south avenues. Local shopping is primarily available along Broadway, Amsterdam and St. Nicholas avenues, and along portions of Hamilton Place and West 145th Street.

The Special Manhattanville Mixed-Use District (MMU), New York City Housing Authority's (NYCHA) Manhattanville Houses and City College's West Harlem campus are not included in the proposed rezoning area. The proposed rezoning area includes blocks that had not been subjected to a comprehensive zoning review since adoption of the 1961 Zoning Resolution – a period of 50 years.

The surrounding neighborhood has a mix of institutional and residential uses. Urban renewal efforts in the 1950s and 1960s resulted in the development of large scale residential projects

south and east of the proposed rezoning area, including the Manhattanville Houses, located on a super-block between West 129th and West 133rd Streets. Riverside Park Community (a.k.a, 3333 Broadway), a large former Mitchell-Lama housing development completed in 1974, adjoins the proposed rezoning area to the south. City College is located along Convent and Amsterdam avenues, between West 130th and West 140th streets.

West of Broadway, between West 125th and West 130th streets, Columbia University has begun Phase I construction of its proposed Manhattanville campus, within the Special Manhattanville Mixed Use District (MMU). The MMU comprises 35 acres generally bounded by West 125th and West 134th streets between Broadway, Old Broadway and Twelfth Avenue, within which Columbia would build a 17-acre Academic Mixed-Use Development of approximately 6.8 million square feet of floor area. Approximately 2 million square feet would be below grade, largely to facilitate contiguous support space, parking and loading, and central energy plants for the campus above. The above-grade development of approximately 4.8 million square feet would be primarily for community facility uses serving the University, with street-level retail and other active uses at the ground floor.

Development of the 17-acre campus would take place generally in two phases; the first phase, currently under construction, would develop the area bounded by West 125th, West 129th and West 130th streets, as well as the east side of Twelfth Avenue between West 130th and West 131st streets. The entire project would be completed by the end of the second phase, in 2030.

Existing Zoning

Currently, the West Harlem Rezoning area generally consists of three broadly-applied zoning districts: R8, R7-2, and M1-1. Two recent zoning changes within the rezoning area were approved between 2009 and 2010, allowing for an R8A district along a portion of a block and an R7A district along one block. C1-1 and C2-4 commercial overlay districts are mapped along major retail corridors, including portions of Broadway, Amsterdam Avenue, and West 145th Street. By and large, the current zoning has remained unchanged since 1961 when the Zoning Resolution was adopted.

R8

An R8 zoning district is mapped on the westernmost portion of the rezoning area - along Broadway, Riverside Drive and on mid-blocks within an area generally bounded by Broadway, Riverside Drive, West 135th and West 155th streets. Another smaller R8 zoning district is also mapped on the eastern portions of two blocks bounded by Convent and St. Nicholas avenues between West 126th and West 128th streets.

R8 zoning districts are higher density districts with a maximum residential floor area ratio (FAR) of 6.02 and a maximum community facility FAR of 6.5 FAR. R8 zoning districts are “height factor” zoning districts governed by sky exposure plane regulations and do not have street wall controls or height limits. Mid-block brownstone areas, which articulate a strong sense of scale and continuity along a street, are located within the existing R8 district where a wide variety of building forms could occur. Larger lots could be developed with buildings set back from the street and surrounded by open space (“tower in the park” developments) and rising to heights of 18 and 21 stories, sharply contrasting the existing built character.

Under the optional Quality Housing program, on wide streets outside the Manhattan Core (i.e., Manhattan Community Districts 9, 10, 11 and 12), residential development is permitted up to 7.2 FAR within a maximum contextual building envelope consisting of a base height of 60 to 85 feet, after which a minimum 10-foot setback is required. The maximum building height is 120 feet. The Quality Housing option for narrow streets (or mid-blocks) outside the Manhattan Core, permits up to 6.02 residential FAR within a maximum contextual building envelope consisting of a base height of 60 to 80 feet, after which a minimum 15-foot setback is required and a maximum height limit of 105 feet. In R8 zoning districts, parking is required for 40 percent of the residential units, but may be waived or reduced depending on lot size.

R7-2

Most of the rezoning area, including the majority of the Hamilton Heights neighborhood and the eastern portion of the Manhattanville neighborhood, lies within an R7-2 medium-density residential zoning district that is mapped to the east of Broadway. R7-2 zoning districts allow a

maximum residential FAR of 3.44 and a maximum community facility FAR of 6.5 with no street wall controls or height limits. Like R8 districts, R7-2 districts are height factor districts that permit a range of building forms to occur, especially for larger lots. Buildings constructed under height factor zoning could rise between 14 and 16 stories in R7-2 districts - significantly taller than rowhouses in the mid-blocks that characterize much of the area. Larger buildings such as community facilities could result in future building heights that are unpredictable and out of scale with the prevailing context.

The optional Quality Housing program also applies to R7-2 districts mapped outside the Manhattan Core (i.e., Manhattan Community Districts 9, 10, 11 and 12); it allows for a maximum residential FAR of 4.0 along wide streets (3.44 on narrow streets). The maximum contextual building envelope for R7 Quality Housing buildings consists of a base height of 40 to 60 feet (65 feet for wide streets), after which a minimum setback of 15 feet is required (10 feet for wide streets). There is a maximum building height of 75 feet (80 feet for wide streets). Parking is required for 50 percent of residential units, but may be waived or reduced.

C8-3

Along the northern border of the primary study area, a small C8-3 zoning district is mapped at the southwest corner of West 155th Street and St. Nicholas Place in Sugar Hill. C8 zoning districts permit automotive and other commercial uses, but not residential use. Performance standards are imposed for certain semi-industrial uses in C8 zoning districts (i.e., Use Groups 11A and 16). These districts are typically mapped along major traffic arteries where concentrations of automotive uses have developed. Typical uses include automobile showrooms, automotive service facilities and warehouses. C8-3 districts have a maximum allowable FAR of 2.0 for commercial uses.

M1-1

In the southern portion of the rezoning area, an M1-1 light manufacturing zoning district is mapped on portions of four blocks generally bounded by West 126th Street, West 129th Street, Amsterdam Avenue and Convent Avenue in Manhattanville. M1-1 zoning districts allow retail,

commercial and light manufacturing uses up to 1.0 FAR and does not allow residential use. Certain commercial uses such as supermarkets are limited to 10,000 square feet of floor area per establishment. A limited subset of community facility uses, including houses of worship, is permitted up to 2.4 FAR. Moreover, M1-1 districts do not have height limits; accordingly, building height and setback are governed by sky exposure plane regulations.

C1-4 and C2-4 Commercial Overlays

Local retail activity is facilitated by C1-4 and C2-4 commercial overlays mapped along portions of Broadway, Amsterdam Avenue, St. Nicholas Avenue, Hamilton Place, West 145th Street, and West 155th Street. C1 and C2 districts are distinguished by slight differences in the range of permitted uses and in parking requirements. As local service districts, C2-4 districts allow a slightly wider range of commercial uses than allowed in C1-4 districts, which primarily allow local retail uses. C1-4 and C2-4 allow commercial use up to 2.0 FAR in R7 and R8 zoning districts; however, in mixed residential/commercial buildings, commercial use is limited to the ground floor. C1-4 and C2-4 districts require 1 parking space per 1,000 square feet of commercial use, which can be waived if less than 40 parking spaces are required.

The zoning map amendment and text amendment would affect approximately 1,900 lots on 90 blocks. The rezoning area covers portions of Zoning Map sections 3b and 6a. The proposed zoning map amendments would replace the existing R7-2, R8, C8-3 and M1-1 zoning districts within the proposed rezoning area with R6A, R7A, R8A, C6-3X and M1-5/R7-2 districts; establish Special Mixed Use District (MX 15); and map new commercial overlays along portions of West 155th Street, West 145th Street and Hamilton Place to promote and better support local retail development. The zoning text amendment would apply the Inclusionary Housing Program to C6-3X (R9X equivalent zoning district) and R8A zoning districts located along West 145th Street between Broadway and Amsterdam Avenue; establish Special Mixed Use District 15 (MX 15) in West Harlem; and require all R8 districts north of West 125th Street within Manhattan Community District 9 to be developed pursuant to the R8 Quality Housing Program.

Proposed Zoning Map Amendments – C 120309 ZMM

R6A (From R8 and R7-2)

The R6A zoning district would replace R8 and R7-2 districts currently mapped on all or portions of 36 blocks generally bounded by West 138th Street between Riverside Drive and Broadway; the north side of West 142nd Street between Riverside Drive and Broadway; West 145th Street to West 148th streets between Riverside Drive and Broadway; West 142nd to West 143rd streets between Broadway and Hamilton Place; West 147th to West 150th streets between Broadway and Amsterdam Avenue; West 145th to West 150th streets between Amsterdam and St. Nicholas avenues; West 151st to West 154th streets between Amsterdam, Convent and St. Nicholas avenues; West 140th to West 145th streets between Amsterdam Avenue and Hamilton Terrace; and along the north side of West 152nd Street between Broadway and Amsterdam Avenue. R6A districts allow residential and community facility uses up to 3.0 FAR. The maximum contextual building envelope consists of a base height of 40 to 60 feet, after which a minimum setback is required (10 feet for wide streets and 15 feet for narrow streets) and maximum height limit of 70 feet. Parking is required for 50 percent of residential units, but may be waived if few spaces are required. The proposed R6A district, with lower bulk, height and street wall requirements would provide consistency between the existing built context of low-scale areas and its underlying zoning.

R7A (From R7-2 and C8-3)

This district would replace existing R7-2 districts currently mapped on all of portions of 57 blocks generally located along St. Nicholas Place, Amsterdam, Convent and St. Nicholas avenues and on select mid-blocks between Broadway and St. Nicholas Avenue. R7A districts allow residential and community facility uses up to 4.0 FAR. The maximum contextual building envelope would be similar to the R7 Quality Housing form and would consist of a base height of 40 to 65 feet, after which a minimum setback is required (10 feet for wide streets and 15 feet for narrow streets) and maximum height limit of 80 feet. Parking is required for 50 percent of residential units, but may be waived or reduced depending on zoning lot size. The mid-blocks proposed for R7A are characterized by mid-rise multi-family buildings interspersed with low-rise residential buildings. The building form encouraged by R7A regulations would result in

residential buildings that are consistent with the scale, street wall and density of the existing mid-block buildings.

R8A (From R7-2)

West 145th Street between Broadway and Amsterdam Avenue

This district would replace the existing R7-2 district along portions of three blocks along West 145th Street between Broadway and Amsterdam Avenue. R8A districts typically allow a maximum residential FAR of 6.02, but the maximum residential FAR would be increased in order to provide an incentive to develop affordable housing and enhance future development opportunities. The Inclusionary Housing Program would be designated in connection with the proposed R8A district through zoning text amendments (described below). In doing so, a base residential density of 5.4 FAR would be allowed; however, the allowable FAR may be increased up to 7.2 FAR, achievable through the Inclusionary Housing bonus subject to a maximum contextual building envelope. The maximum permitted building form would consist of a base height between 60 to 85 feet, after which a minimum setback of 10 feet is required. The maximum building height is 120 feet. Parking is required for 50 percent of residential units but may be waived or reduced depending on zoning lot size. Community facilities would be allowed up to 6.5 FAR, as currently allowed under the existing R7-2 district regulations. The proposed R8A district combined with the Inclusionary Housing Program would support transit-oriented development while providing zoning incentives to encourage the development of affordable housing.

Edgecombe Avenue, West 155th Street and West 145th Street between St. Nicholas and Bradhurst avenues

This district would replace the existing R7-2 zoning districts along Edgecombe Avenue, West 155th Street and West 145th Street between St. Nicholas and Bradhurst avenues with the R8A zoning district in order to maintain the scale and street wall with the existing dense, mid-rise multi-family buildings within the area. R8A districts permit residential uses up to 6.02 FAR, community facility uses up to 6.5 FAR. The required building form would consist of a base height between 60 to 85 feet, after which a minimum setback of 10 feet is required. There is a

maximum building height limit of 120 feet. Parking is required for 50 percent of residential units, but may be waived or reduced depending on zoning lot size.

C6-3X (From R8)

The C6-3X zoning district (R9X residential district equivalent) would be mapped at the intersection of West 145th Street and Broadway on the four corners to a depth of 100 feet, an area currently zoned R8/C1-4. C6 districts permit a wide range of commercial uses requiring a central location well-served by mass transit, such as office, hotels and entertainment facilities. C6 districts also allow residential and community facility uses. Commercial uses would be allowed up to 6.0 FAR and could be located above the ground floor in mixed residential/commercial buildings. Community facility uses would be allowed up to 9.0 FAR. The proposed district would allow residential uses up to 7.3 FAR, bonusable to 9.7 FAR through the Inclusionary Housing bonus made applicable by a proposed text amendment (described below). The required building form would consist of a base height between 105 to 120 feet, after which a minimum setback of 10 feet is required. The maximum building height is 170 feet. Parking is typically required for 40 percent of residential units, but may be waived or reduced depending on zoning lot size. The proposed C6-3X zoning district expands future development opportunity at the West 145th Street/Broadway intersection, which is well-served by mass transit. Additionally, the associated Inclusionary Housing Program designation would provide a useful incentive to encourage the development of affordable housing.

Special Mixed Use District – MX 15(From M1-1)

The proposed action would rezone the existing manufacturing area located on portions of four blocks generally bounded by West 126th and West 129th streets, and Amsterdam and Convent avenues, zoned M1-1, to MX 15, denoting the Special Mixed Use District 15 (established through a proposed zoning text amendment). The Special Mixed Use District is a special zoning district that is mapped in several locations throughout the city and allow for new residential uses and non-residential uses to be permitted as-of-right. Designated on zoning maps as ‘MX’ with a numerical suffix, the special zoning district contains an M1 manufacturing district that is paired with an R3 to R9 residential district. The proposed MX district would pair an M1-5

manufacturing district (allows commercial, light manufacturing uses) with an R7-2 residential district (allows community facility and residential uses) thereby expanding opportunities for mixed-use development.

The proposed MX 15 district would allow retail, commercial and light manufacturing uses up to 5.0 FAR and community facility uses up to 6.5 FAR. The applicable R7-2 residential density of 3.44 FAR is proposed in order to retain the predominately non-residential character of the area (3.44 is the lowest of the permitted densities within the proposed district). Retail and commercial may be placed above the ground floor, commercial uses, such as supermarkets are limited to 10,000 square feet of floor area per establishment. Residential development may be permitted up to 4.0 FAR under the Quality Housing option, which is available on wide streets outside the Manhattan Core.

The permitted maximum building form would consist of a base height between 60 to 85 feet, after which a minimum setback is required (10 feet on wide streets and 15 feet on narrow streets). The maximum building height is 135 feet. Buildings may exceed the maximum building height up to a height of 175 feet through the use of a provision that requires any stories constructed above a height of 135 feet to contain 20% less area than the story below it ('penthouse rule'). The proposed street wall provisions would be applicable through a proposed text amendment (as described below).

Since the proposed rezoning area is strongly built-out, the existing M1-1 district is one of few places that could provide an opportunity for additional commercial and light manufacturing development, especially supporting activities that complement arts production and exhibition. The MX district provides the increased flexibility intended to incentivize the development of new businesses and better support the expansion of existing businesses. Additionally, the proposed MX district would complement and support the City's renewed efforts to redevelop the former Taystee Bakery complex.

C1-4 and C2-4 Commercial Overlays

C1-4 and C2-4 overlays are proposed to be mapped along portions of the south side of West 155th Street adjacent to St. Nicholas Place (C2-4); on both sides of the West 145th Street mid-block between Riverside Drive and Broadway; both sides of the West 145th Street mid-block between Amsterdam and St. Nicholas avenues (C2-4), and portions of Hamilton Place between West 138th and West 140th streets and West 141st and West 142nd streets (C1-4). C1 and C2 commercial overlays are mapped on streets within residential districts that serve the local retail needs of the surrounding residential neighborhood. Typical retail uses include grocery stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. The proposed commercial overlays would be mapped within R6A, R7A and R8A districts and would bring existing ground floor commercial uses into conformance. They would also support future ground floor commercial uses to serve the neighborhood.

Within the proposed R6A, R7A and R8A districts, ground floor retail uses would be allowed up to 1.0 FAR in mixed residential/commercial buildings. Buildings without residential uses would also be allowed 2.0 FAR of commercial uses. New developments would be subject to the density and bulk requirements of the proposed underlying R6A, R7A and R8A districts.

Proposed Zoning Text Amendment – N 120310 ZRM

In addition to the aforementioned zoning map amendment, the Department's proposal also requires a zoning text amendment as described below.

Inclusionary Housing Program

As part of the City's ongoing effort to provide new housing opportunities, the Department identified areas that are appropriate for the Inclusionary Housing designation in West Harlem. The Inclusionary Housing designation, which can be applied in areas being rezoned to allow medium- and high-density residential development, combines a zoning floor area bonus with a variety of housing subsidy programs to create powerful incentives for the development and preservation of affordable housing.

The proposed zoning text amendment would make the Inclusionary Housing Program (IHP) zoning regulations applicable in the C6-3X zoning district (R9X residential zoning district equivalent) and the R8A district along West 145th Street between Broadway and Amsterdam Avenue. In the areas where the IHP would be applicable, new residential developments that provide on- or off- site housing that will remain permanently affordable for low- and moderate-income families would receive increased floor area. The IHP provides a 33 percent bonus in exchange for 20 percent of floor area set aside as affordable units. The additional floor area must be accommodated within the bulk regulations of the underlying zoning districts. Affordable units could be financed through city, state, and federal affordable housing subsidy programs. Within the proposed rezoning area, portions of approximately five blocks would be subject to the IHP.

The affordable housing requirement of the Inclusionary Housing zoning bonus could be met through the development of affordable units, on-site, or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same community district or within a half-mile of the bonused development site. The availability of on-site and off-site options provides maximum flexibility to ensure the broadest possible utilization of the program under various market conditions.

Special Mixed Use District – MX 15

The Department's proposal would establish Special Mixed Use District - MX 15 in West Harlem, thereby making the existing Special Mixed Use District's general provisions applicable. The proposed street wall provisions will ensure that new development retains the existing strong street wall character in the area. The Department's proposal would amend the existing base height requirements by adding a new minimum base height provision and street wall location provision, since none exist today for R7-2-paired MX districts. The proposed text would require a minimum base height of 60 feet and street wall provision to require that 70% of the aggregate building walls of new developments be located on the street line, with the remaining 30% to be located within 8 feet of the street line. As stated earlier, the proposed MX district is intended to support and enhance existing commercial and light industrial uses while encouraging the redevelopment and underutilized land.

Mandatory Quality Housing for R8 Districts within West Harlem

The Department's proposal would make mandatory the current provisions of the Quality Housing Program for R8 districts in the West Harlem Rezoning area. The proposed text amendment would encourage building forms that are consistent with the existing scale and character of the 6- to 8-story apartment buildings generally found within existing R8 districts located from West 135th Street to West 153rd Street between Riverside Drive and Broadway and along the west side of St. Nicholas Avenue and the east side of St. Nicholas Terrace between West 126th Street to West 128th Street. The Quality Housing Program for R8 districts (applicable to Manhattan Community Districts 9-12) allows a maximum residential density of 6.02 FAR on narrow streets and a maximum of 7.2 FAR for wide streets. Community facility FAR may be developed up to 6.5 FAR. For sites on narrow streets, the required building envelope would provide for a street wall of 60 to 85 feet in height, with a maximum building height of 105 feet. For sites on wide streets, the street wall must rise between 60 to 85 feet in height with a maximum allowable building height of 120 feet.

ENVIRONMENTAL REVIEW

This application (C 120309 ZMM), in conjunction with the related application (N 120310 ZRM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 12DCP070M. The lead agency is the City Planning Commission.

It was determined that the Department's proposal may have a significant effect on the environment. A Positive Declaration was issued on December 12, 2011, and distributed, published and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on December 12, 2011. A public scoping meeting was held on January 26, 2012. A Final Scope of Work was issued on May 4, 2012.

A DEIS was prepared and a Notice of Completion for the DEIS was issued on May 4, 2012. On July 25, 2012, a public hearing was held on the DEIS pursuant to SEQRA and other relevant statutes. A Final Environmental Impact Statement (FEIS) reflecting the comments made during scoping and the public hearing on the DEIS was completed and a Notice of Completion for the FEIS was issued on August 24, 2012.

The FEIS identified the following significant adverse impacts in the areas of historic and cultural resources (architectural resources), shadows, transportation (traffic), and construction-related historic and cultural resources and traffic. Details on these impacts and measures to minimize or eliminate these impacts, where feasible and practicable, are described below. On September 5, 2012, a Technical Memorandum was issued which describes and analyzes the modifications to the Department's proposal and minor changes to the (E) designations, adopted herein. The Technical Memorandum concluded that the Department's proposal with the modifications would not result in any new or different significant adverse environmental impacts not already identified in the FEIS.

Historic and Cultural Resources

The Proposed Action could result in significant adverse impacts due to potential partial or complete demolition of one eligible resource on projected development sites 14 and 40 (the former Bernheimer & Schwartz Pilsener Brewing Company complex), which is calendared for consideration and has been heard by LPC for designation as a landmark, but, and was heard previously on 7/15/91 and 10/29/91. With implementation of measures such as HABS documentation and an interpretive exhibit, the identified significant adverse direct impact to historic architectural resources would be partially mitigated. In order to adopt these measures in the absence of a site-specific approval, such as a Special Permit with accompanying restrictive declaration, a mechanism would have to be developed to ensure implementation and compliance. Discussions with the owner of the complex have not, however, resulted in the development of such a mechanism.

In addition, LPC could elect to conduct a hearing and designate the structures, either in whole or in part, as landmark buildings. Should the Department of Buildings issue a notice of pending demolition to LPC, LPC then has 40 days to decide to designate. During this period, the owners of the property may work with LPC to modify their plans to make them appropriate. In the event that landmark designation was approved, LPC approval would be required for any alteration or demolition of the designated structures. As the potential for use and results of any designation process cannot be assumed or predicted with certainty, the availability of designation is considered herein as a partial mitigation only.

Accordingly, as the potential for this impact would not be completely eliminated, it would constitute an unavoidable significant adverse impact on this historic resource as a result of the Proposed Action.

In addition, as discussed below under Construction Impacts, inadvertent construction-related damage could potentially occur to four eligible resources as a result of the Proposed Action. As the potential for this impact would not be completely eliminated, it would constitute an unavoidable significant adverse impact related to construction as a result of the Proposed Action.

Shadows

The Proposed Action would result in a significant shadows impact on St. Mary’s Episcopal Protestant Church. The Department of City Planning, in accordance with Chapter 9, “Historic and Cultural Resources”, Sections 520 through 521.2 of the *CEQR Technical Manual* (2012), has determined that there are no feasible or practicable mitigation measures that can be implemented to mitigate this impact, and the Proposed Action’s significant adverse shadows impact on St. Mary’s Protestant Episcopal Church therefore remains unmitigated.

Transportation

The traffic impact analysis indicates that there would be the potential for significant adverse impacts at four intersections in each of the weekday AM and PM peak hours, and two in each of the weekday midday and Saturday midday peak hours. Table ES-5 summarizes the recommended mitigation measures to address these impacts, which are subject to review and approval by NYCDOT. As shown in Table ES-5, these measures consist of standard signal timing changes and parking regulation modifications, which are considered low-cost, readily implementable measures as per Table 16-18 in the *CEQR Technical Manual*, and conform to the guidance in NYCDOT’s 2009 *Street Design Manual*.

The traffic mitigation plan shown in Table ES-5 would fully mitigate all of the identified significant adverse traffic impacts without any additional significant adverse impacts to pedestrian or parking conditions.

**TABLE ES-5
Recommended Traffic Mitigation Measures**

Intersection	Approach (1)	No-Action Signal Timing (seconds) (2)	Proposed Signal Timing (seconds) (2)				Recommended Mitigation
		All Times	AM	MD	PM	SAT MD	
W.125 th Street @ Amsterdam Ave (3)	EB/WB	33	33	33	33	33	Shift 2 seconds of green time from the NB-L/SB-L phase to the NB/SB phase in the AM.
	NB/SB	40	42	40	40	40	
	NB-L/SB-L	17	15	17	17	17	
W.125 th Street @ St. Nicholas Ave	EB/WB	50	50	50	49	49	Shift 1 second of green time from the EB/WB phase to the NB/SB phase in the PM and Saturday MD.
	NB/SB	40	40	40	41	41	
W.126 th Street @ Amsterdam Ave	WB	40	42	40	40	40	Shift 2 seconds of green time from the NB/SB phase to the WB phase in the AM; install no standing 4PM-7PM,
	NB/SB	50	48	50	50	50	

							Monday-Friday regulation for 100' along south curb on W.126 th Street approach.
W.126 th Street @ Morningside Ave	WB NB/SB	• 3 1 59	• 56	• 56	• 56	• 57	• Shift 3 seconds of green time from the NB/SB phase to the WB phase in the AM, MD and PM, and 2 seconds in the Saturday MD.
W.127 th Street @ Morningside/Convent Aves	WB NB/SB	31 59	34 56	34 56	34 56	31 59	Shift 3 seconds of green time from the NB/SB phase to the WB phase in the AM, MD and PM.
Notes: (1) EB – eastbound, WB – westbound, NB – northbound, SB – southbound, NB-L – northbound left-turn, SB-L – southbound left-turn. (2) Signal timings shown are total seconds of green plus yellow and all-red. (3) Assumes elimination of exclusive EB/WB left-turn phase in all analyzed peak hours in the No-Action condition in conjunction with the implementation of turn prohibitions as mitigation for the 125 th Street Corridor and Related Actions project.							

In addition, as discussed below, under Construction Impacts, inadvertent construction-related traffic impacts could result from the Proposed Action. Through the implementation of standard mitigation measures described in the EIS, the potential for this impact would be completely eliminated.

Construction

Historic and Cultural Resources

Inadvertent construction-related damage could potentially occur to four eligible historic resources including: the residences at 2-14 Convent Avenue (S/NR-eligible), as a result of construction on projected development site 15; the S/NR-eligible St. Joseph’s Roman Catholic Church complex, as a result of construction on projected development site 19 and part of projected development site 18; the LPC-eligible Engine Co. 23 building, as a result of construction on potential development site 30; and the LPC-eligible Upper Riverside Drive historic district, as a result of construction on potential development site 56 and projected development site 5. If these eligible resources are designated in the future prior to the initiation of

construction, TPPN 10/88 would apply and indirect significant adverse impacts resulting from construction would be avoided. Should they remain undesignated however, the additional protective measures of TPPN 10/88 would not apply, and significant adverse construction-related impacts would not be mitigated.

Transportation

The travel demand forecast provided in the analysis projected that when fully built-out in 2021, the West 126th/West 128th Street Cluster (referred to as “Cluster 1”) would generate a net traffic increment of 268 vph (278 PCEs) in the 8-9 AM peak hour, and 370 vph (370 PCEs) in the 5-6 PM peak hour, substantially more than the combined construction/operational traffic for the 2016 construction period described in the analysis (see see Table ES-6). It was found that, with full build-out of the project in 2021, one or more movements at a total of five intersections in proximity to the West 126th/West 128th Street Cluster would be significantly adversely impacted in one or more peak hours. These intersections are:

- West 125th Street and Amsterdam Avenue
- West 125th Street and St. Nicholas Avenue
- West 126th Street and Amsterdam Avenue
- West 126th Street and Morningside Avenue
- West 127th Street and Morningside/Convent Avenues

TABLE ES-6

**Comparison of Peak Project-Generated Traffic Volumes in 2016 and 2021
For the West 126th Street/West 128th Street Cluster**

	Peak Hour	Passenger Car Equivalents (PCEs)			Percent Difference
		2021 (Full Build-Out)	2016 (Construction/Operational)	Net Difference	
W.126 th Street/ W.128 th Street Cluster	8-9 AM	278	136	-142	-51%
	5-6 PM	370	161	-209	-57%

As the combination of peak construction and operational traffic in 2016 would result in 51 to 58 percent less traffic than the fully built-out project during the 8-9 AM and 5-6 PM peak hours (refer to Table ES-6), no new intersections are expected to experience significant adverse traffic impacts in these periods during the 2016 construction analysis year. It is likely, however, that some or all of the five intersections impacted under the Proposed Action in 2021 would also potentially be impacted in the 2016 construction analysis year.

Implementation of mitigation measures in 2016 would also be effective at mitigating potential impacts from the combination of construction and operational traffic generated at the West 126th/West 128th Street Cluster in that interim year.

The FEIS and Technical Memorandum included (E) designations to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise, as described below.

The (E) designation requirements related to hazardous materials would apply to the following development sites:

Projected Development Sites:

Block 2069, Lot 20 (Projected Development Site 1)
Block 2054, Lot 69 (Projected Development Site 2)
Block 2078, Lot 55 (Projected Development Site 4)
Block 2092, Lot 26 (Projected Development Site 5)
Block 2077, Lot 14 (Projected Development Site 6)
Block 2076, Lot 61 (Projected Development Site 7)
Block 2076, Lot 45 (Projected Development Site 8)
Block 2076, Lots 40, 41 (Projected Development Site 9)
Block 2072, Lot 38 (Projected Development Site 10)
Block 1988, Lot 14 (Projected Development Site 11)
Block 1988, Lot 18 (Projected Development Site 12)
Block 1970, Lot 9 (Projected Development Site 13)
Block 1967, Lot 85 (Projected Development Site 14)
Block 1967, Lot 66 (Projected Development Site 15)
Block 1953, Lot 54 (Projected Development Site 17)
Block 1966, Lots 78, 80, 81, 82, 83 (Projected Development Site 18)
Block 1966, Lot 77 (Projected Development Site 19)
Block 1967, Lots 89, 45, 50, 60 (Projected Development Site 40)
Block 1966, Lots 41, 95 (Projected Development Site 50)
Block 2050, Lot 150 (Projected Development Site 53)
Block 2070, Lot 8 (Projected Development Site 54)
Block 2070, Lot 12 (Projected Development Site 55)
Potential Development Sites:
Block 2065, Lot 6 (Potential Development Site 20)
Block 2065, Lot 10 (Potential Development Site 21)
Block 2078, Lot 17 (Potential Development Site 22)
Block 2077, Lot 6 (Potential Development Site 23)
Block 2077, Lot 24 (Potential Development Site 24)
Block 2091, Lot 36 (Potential Development Site 25)
Block 2076, Lots 25, 125 (Potential Development Site 26)
Block 2076, Lots 27, 127 (Potential Development Site 27)
Block 2051, Lots 56, 57 (Potential Development Site 28)
Block 2051, Lots 58, 59 (Potential Development Site 29)
Block 2071, Lots 42, 141 (Potential Development Site 30)
Block 1968, Lot 16 (Potential Development Site 31)
Block 1966, Lots 107, 108 (Potential Development Site 32)
Block 1967, Lots 9, 10, 12 (Potential Development Site 33)
Block 2092, Lot 21 (Potential Development Site 56)
Block 2060, Lot 10 (Potential Development Site 57)
The (E) designation text related to hazardous materials is as follows:

Task 1

The applicant must submit to the New York City Office of Environmental Remediation (OER), for review and approval, a Phase 1 Environmental Site Assessment (ESA) of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination

is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan (CHASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos containing materials. For all projected and potential development sites where no (E) designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of the New York State Department of Environmental Conservation (NYSDEC)) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

The (E) designation requirements related to air quality would apply to the following development sites:

Block 1967, Lot 45 (Projected Development Site 40):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) would use exclusively natural gas as the type of fuel for space heating and hot water (HVAC) systems and are located at least 15 feet from the lot line facing Morningside Avenue and at least 17 feet from the lot line facing W 128th Street, to avoid any potential significant adverse air quality impacts.

Any new residential and/or commercial development on Block 1967, Lot 45 must ensure that existing fossil fuel-fired equipment on adjacent building(s) on Block 1967, Lot 40 meet(s) applicable Department of Building Code provisions regarding the alteration of exhaust stacks to ensure they are equal to or taller than operable windows or air intakes on the development proposed on Block 1967, Lot 45, including, as necessary, altering the stack to run up the facade of the new development. This would preclude the potential for significant adverse air quality impacts from the heating and hot water systems boilers at Block 1967, Lot 40 onto the proposed Block 1967, Lot 45.

Block 1967, Lot 50-60 (Projected Development Site 40):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) would use exclusively natural gas as the type of fuel for space heating and hot water (HVAC) systems and are located at least 17 feet from the lot line facing W 127th Street and Amsterdam Avenue and at least 19 feet from the lot line facing W 128th Street, to avoid any potential significant adverse air quality impacts.

Block 1967, Lot 89 (Projected Development Site 40):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) would use exclusively natural gas as the type of fuel for space heating and hot water (HVAC) systems and are located at least 22 feet from the lot line facing W 127th Street, to avoid any potential significant adverse air quality impacts.

Any new residential and/or commercial development on Block 1967, Lot 89 must ensure that existing fossil fuel-fired equipment on adjacent building(s) on Block 1967, Lot 40 meet(s) applicable Department of Building Code provisions regarding the alteration of exhaust stacks to ensure they are equal to or taller than operable windows or air intakes on the development proposed on Block 1967, Lot 89, including, as necessary, altering the stack to run up the facade of the new development. This would preclude the

potential for significant adverse air quality impacts from the heating and hot water systems boilers at Block 1967, Lot 40 onto the proposed Block 1967, Lot 89.

Block 2054, Lot 69 (Projected Development Site 2):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 43 feet for oil No.2 from the lot line facing Edgecombe Avenue and West 150th Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2076, Lot 45 (Projected Development Site 8):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 20 feet for oil No.2 from the lot line facing Amsterdam Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1967, Lot 85 (Projected Development Site 14):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 47 feet for oil No.2 from the lot line facing Amsterdam Avenue and W 127th Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1967, Lot 66 (Projected Development Site 15):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 46 feet for oil No.2 from the lot line facing 128th Street and 36 feet from the lot line facing Amsterdam Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1966, Lot 77 (Projected Development Site 19):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 13 feet for oil No.2 from the lot line facing Amsterdam Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 1966, Lot 41, 95 (Projected Development Site 50):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 64 feet for oil No. 2 from the lot line facing Morningside Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2076, Lots 25, 125 (Potential Development Site 26):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No. 2 from the lot line facing West 145th Street for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2051, Lot 56, 37 (Potential Development Site 28):

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 13 feet for oil No.2 from the lot line facing Edgecombe Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Block 2051, Lot 58, 59 (Potential Development Site 29):

Any new residential and/or commercial development on the above-referenced properties must ensure that

the heating, ventilating and air conditioning stack(s) are located at least 15 feet for oil No.2 from the lot line facing St. Nicholas Avenue for fuel oil or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts. With (E) designations, the potential impacts from the projected and potential development sites heating systems would not exceed the applicable NAAQS and would therefore not have potential significant adverse environmental impacts on air quality.

The (E) designation requirements related to noise would apply to the following development sites:

Block 2069, Lot 20 (Projected Development Site 1)
Block 2077, Lot 14 (Projected Development Site 6)
Block 2070, Lot 8 (Projected Development Site 54)

The text for the (E) designation for noise is as follows:

In order to ensure an acceptable interior noise environment, future residential/ commercial uses must provide a closed-window condition with a minimum of 31 dBA window-wall attenuation in all façades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

With the proposed (E) designations, the Department's proposal would not result in significant adverse impacts related to hazardous materials, air quality or noise.

UNIFORM LAND USE REVIEW

On May 7, 2012, the application, C 120309 ZMM, was certified as complete by the Department of City Planning, and was duly referred to Manhattan Community Board 9 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the related application for a zoning text amendment, (N 120310 ZRM) for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 9 held a public hearing on this application (C 120309 ZMM), in conjunction with the related application for the proposed zoning text amendment (N 120310 ZRM), on June 21, 2012, and on that date, by a vote of 40 in favor, 0 opposed and 3 abstaining, adopted a resolution recommending approval of this application with the following condition:

The Lower Density Alternative, an R7A zoning district with a C2-4 commercial overlay be mapped on portions of the West 145th Street corridor, extending from a

point 100 feet east of Broadway to Amsterdam Avenue, replacing the proposed R8A IH (with C2-4 commercial overlay zoning district in the Department's proposal.

Borough President Recommendation

The application (C 120309 ZMM) was considered by the Borough President, who issued a recommendation for approving the application on June 27, 2012.

City Planning Commission Public Hearing

On July 11, 2012 (Calendar No. 2), the City Planning Commission scheduled July 25, 2012 for a public hearing on this application (C 120309 ZMM). The hearing was duly held on July 25, 2012 (Calendar No. 21), in conjunction with the public hearing on the application for the related application(N 120310 ZRM).

There were 15 speakers in favor of the application and none opposed. Speakers in favor of the rezoning proposal and accompanying text amendment included the Chair, Co-Chairs of the Land Use and Zoning Committee, members and a consultant of Manhattan Community Board 9, the Director of Land Use for the Manhattan Borough President, the President & CEO of the Harlem School for the Arts, a representative of a property owner and a member of the labor union SEIU 32BJ.

There was general support for the fundamental goals of the rezoning proposal: to reinforce the special built character of West Harlem through the replacement of 50-year old zoning contextual districts by requiring predictable building forms, to activate one of the community's last remaining manufacturing districts to support economic development and mixed use and to identify areas for affordable housing. Speakers noted that the proposal's contextual zoning districts would serve to protect existing buildings containing rent-regulated housing units by lessening development pressure that was anticipated at the time of the Columbia University Special Manhattanville Mixed Use District ULURP (C 070495 ZMM, N 070496 ZRM) process. The Director of Land Use, Planning and Development for the Manhattan Borough President

applauded the Department for following up on a commitment made in 2007 during the Columbia-Manhattanville ULURP process to study zoning changes for the West Harlem neighborhood and expressed support for the proposal along the West 145th Street corridor, noting that it is one of the only major corridors with few residential properties and subway access which could support additional density.

The Chair of Community Board 9 recognized the multi-year efforts of the rezoning partners, the Department, Community Board 9 and elected officials for its strong collaboration. She reiterated the concerns raised by the Community Board that the proposed R8A district with the Inclusionary Housing designation proposed for a portion of West 145th Street between Broadway and Amsterdam Avenue revised to an R7A zoning district since there was the potential to create demolition pressure on existing buildings located along the south side of West 145th Street which contain rent-regulated or HUD-subsidized housing units.

Several speakers in favor also discussed the former PS 186 site located on West 145th Street between Broadway and Amsterdam Avenue. They noted that the property was noted as a projected development site with potential to facilitate affordable housing in the Draft Environmental Impact Statement. They further explained that it may not actually generate affordable units because it is constrained by a deed restriction requiring 85% community facility use. The Director of Land Use, Planning and Development for the Manhattan Borough President noted that the Borough President was in discussions with the property owner regarding a modification of the deed restriction and noted that any modification would consider the community's preference for preservation of the PS 186 structure.

Representatives for the Harlem School for the Arts (HSA) raised concerns regarding the impact that the proposed rezoning would have on HSA, an arts education institution for young people, located on St. Nicholas Avenue between West 141st and West 145th streets. The president and CEO of HSA expressed the concern that the rezoning would hinder the organization's long-term plans to redevelop the property. They requested that the Department at some time in the future consider a future text amendment to allow certain developments to access additional density and

height when such development involves a physical improvement to an arts educational institution, such as HSA. A speaker from the Community Board urged the Commission to make no special exceptions for institutions such as HSA. The Commission also received written testimony from the Dance Theater of Harlem stating concerns about the proposal's potential effect on its future development plans.

A representative of the property owner adjacent to HSA, located at 655 St. Nicholas Avenue, noted support for a future zoning solution that would help facilitate an appropriate development that worked for both HSA and the property owner, but raised concerns about the proposed R7A zoning district boundary along the west side of St. Nicholas Avenue between West 141st and West 145th streets, located 100 feet from St. Nicholas Avenue. The speaker noted that the proposed district boundary line occurs in the rear yard of the property and, in so doing, creates a "split lot" condition whereby the majority of the lot is zoned R7A and a small rear portion of the property is zoned R6A. The speaker requested that the zoning district boundary line be moved to approximately 100 to 125 feet from St. Nicholas Avenue in order to remove the encumbrance of the split lot condition and in doing so, such a change would not have an effect on existing buildings along Hamilton Terrace.

A speaker on behalf of building service workers' union SEIU 32BJ encouraged the Commission to further protect West Harlem residents and workers by considering conditions that would allow for locally-hired jobs at good wages.

There were no other speakers, and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 11-081.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the amendment to the Zoning Map (C120309 ZMM), as modified, in conjunction with the related application for a zoning text amendment (N 120310 ZRM), is appropriate.

The rezoning proposal was developed in response to future development concerns raised by Manhattan Community Board 9, community residents, local elected officials and the Manhattan Borough President during the Columbia-Manhattanville ULURP process in 2007. It is the product of a nearly five-year participatory planning process, created through close collaboration with Manhattan Community Board 9, local elected officials, the Manhattan Borough President and community stakeholders and implements key recommendations from Manhattan Community Board 9's 197-a Plan and the Manhattan Borough President's Plan for a West Harlem Special District.

West Harlem's current zoning lacks height limits and street wall controls, and could produce out-of-scale developments that differ dramatically from the unique patterns of scale and character that have significantly shaped the area's remarkable sense of place. The area's existing property zoned for manufacturing use also inhibits expansion of existing properties and limits new development.

The proposed R6A, R7A, R8A and C6-3X zoning districts would prescribe building heights, street walls, and densities that would require future developments to more closely relate to and reinforce the distinctive character of West Harlem.

The proposed R6A zoning district, the lowest density residential zoning district in Manhattan, would preserve and strengthen the existing character of low-rise rowhouses located primarily

along West Harlem's mid-blocks. The R7A zoning district would protect the existing character of townhouses and mid-rise apartment buildings and the R8A zoning district and the proposed text changes to require contextual development for the remaining R8 zoning districts would provide greater compatibility of density and building form for medium-sized apartment buildings in certain areas. The Commission believes that these districts, and the related zoning text change, would protect the existing context of low-scaled rowhouses, brownstones and mid-rise apartment buildings.

The Commission believes that the proposed Special Mixed Use District MX 15 would activate the existing manufacturing area by supporting the improvement and growth of existing uses while at the same time enhances and expands the area's mixed-use character.. The Commission further believes that the Department's proposal would facilitate the redevelopment of the long-vacant City-owned site, the former Taystee Bakery complex, into commercial, light industrial, retail and community facility space that will contribute toward increased economic activity in West Harlem.

The Commission believes that the C6-3X zoning district, concurrent with the proposed text changes to allow applicability of the Inclusionary Housing provisions, would strengthen the east-west corridor of West 145th Street by providing opportunities for modest growth and affordable housing development to an area well-served by transit. The Commission is pleased to note that the commercial zoning district, C6-3X, is in response to community goals for additional commercial uses such as office or retail establishments above the ground floors of buildings, typical of buildings located within transit-accessible neighborhood centers. The Commission believes the Inclusionary Housing Program, which stimulates the provision of permanently affordable housing through a floor area bonus, is an effective tool for promoting the development and preservation of affordable housing, a significant need in West Harlem neighborhoods. The Commission believes that the C6-3X zoning district with Inclusionary Housing designation would enhance the West 145th Street and Broadway intersection with new mixed-use and mixed-income developments contained within a predictable building form that would relate to the existing street wall character of Broadway.

The Commission acknowledges the recommendation of the community board and testimony at the public hearing with respect to demolition of existing buildings and the harassment of existing tenants and the request to replace the R8A zoning district with Inclusionary Housing designation with an R7A zoning district along the south side of West 145th Street between Broadway and Amsterdam Avenue. The Commission believes that that the proposed R8A zoning district with Inclusionary Housing designation is appropriate and would promote permanent affordable housing opportunities. It further notes that the harassment of tenants is unlawful; that the Tenant Protection Act (Local Law 7 of 2008) allows tenants facing harassment to seek injunctive relief against and civil penalties from their landlords in Housing Court; and that such Local Law is specifically designed to address the issues raised by this testimony. Moreover, the Commission notes that the Final Environmental Impact Statement (FEIS) did not identify any direct residential displacement as a result of the Department's proposal.

The Commission believes that the R8A zoning district with the proposed text amendment to allow for the Inclusionary Housing program along West 145th Street between Broadway and Amsterdam Avenue is appropriate. The proposal allows for modest growth along the wide east-west corridor of West 145th Street to build upon existing neighborhood assets such as retail shopping, the public library, and access to Riverbank State Park and acknowledges redevelopment opportunities on non-residential sites. The Commission believes that the proposed rezoning is responsive to the community's goals to promote income-targeted, permanent affordable housing and to strengthen the east-west corridor of 145th Street as a neighborhood center supported by transit-oriented and mixed-use developments of an appropriate scale.

The Commission notes that the Harlem School of the Arts has stated that the proposed rezoning might affect its development plans and that it intends to prepare a development plan in collaboration with an adjacent property owner in order to finance the physical improvement of its facility. The Commission notes that at this time, HSA does not have a defined future development plan. The Commission believes that proposed rezoning of St. Nicholas Avenue

between West 141st and West 145th streets to R7A is appropriate, and urges HSA to explore future development options that are aligned with the proposed rezoning's goal of reinforcing the neighborhood's existing scale and character. The Commission encourages HSA to continue discussions with the Department's staff and the community as it prepares for the future.

The Commission received testimony from the property owner at 655 St. Nicholas Avenue regarding the R7A zoning district boundary located at a depth of 100 feet from west of St. Nicholas Avenue and requested reconsideration of the zoning district boundary location. The Commission acknowledges that properties fronting on St. Nicholas Avenue between West 141st and West 145th streets contain rear lot lines that vary beyond 100 feet west of St. Nicholas Avenue (due to the block's geometry) and that the proposed zoning district boundary location has resulted in an inadvertent split lot condition (R7A and R6A). Therefore, the Commission modifies the zoning map amendment in order to relocate the zoning district boundary to the centerline of the block. In doing so, the zoning map would better complement the varied built character by allowing the R7A zoning district to be mapped over properties fronting St. Nicholas Avenue and the R6A zoning district to be mapped over properties fronting Hamilton Terrace. In addition, in response to comments received on the DEIS, the Commission is modifying the proposed (E) designations on Site 40 in connection with changes to the development program analyzed in the DEIS and FEIS for that Site.

The Commission further believes that the proposed commercial overlays along portions of West 155th Street, West 145th Street and Hamilton Place would promote and better support local retail development.

The Commission is pleased to support this comprehensive rezoning for West Harlem. The Department's proposal provides specific density, urban design, building height and street wall controls that respond to long-standing community concerns regarding future growth and out-of-scale development, to better protect the distinct character of this vibrant neighborhood. The proposal also targets density increases to the Broadway/West 145th Street intersection and along West 145th Street – a key intersection within a major east-west corridor, to support transit-

oriented growth and development and to expand opportunities for income-targeted affordable housing through the Inclusionary Housing bonus. The proposed MX District seeks to catalyze the production of commercial, office, retail, residential and arts-related uses by allowing a wider the range of uses than currently allowed under the existing M1-1 zoning, and would enliven the district during the day and evening. The Commission believes that the proposed building and street wall controls would better ensure that future development is architecturally sympathetic to the area's existing built character.

The Commission strongly believes in the benefits and importance of achieving the rezoning plan's goals and objectives and acknowledges the community participation which took place during the development of the rezoning proposal and throughout the public review process. The Commission believes that the proposed amendment to the Zoning Map, in conjunction with the related application for a zoning text amendment, is appropriate.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 24, 2012 with respect to this application, together with the Technical Memorandum, dated September 5, 2012, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;
and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS and the Technical Memorandum, constitute the written statement of facts, and of social, economic and other factors

and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the Department's proposal is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961 and as subsequently amended, is hereby amended by changing the Zoning Map, Section Nos. 3b and 6a:

1. eliminating from within an existing R8 District a C1-4 District bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;
2. changing from an R7-2 District to an R6A District property bounded by:
 - a. West 153rd Street, a line 100 feet westerly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Broadway;
 - b. a line 100 feet southerly of West 155th Street, St. Nicholas Avenue, West 153rd Street, St. Nicholas Place, West 152nd Street, Convent Avenue, West 151st Street, a line 125 feet easterly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Amsterdam Avenue;
 - c. a line midway between West 151st Street and West 150th Street, a line 100 feet westerly of Amsterdam Avenue, West 147th Street, and a line 100 feet easterly of Broadway;
 - d. West 150th Street, a line 100 feet westerly of Convent Avenue, a line midway between West 149th Street and West 148th Street, Convent Avenue, West 149th Street, St. Nicholas Avenue, West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, the easterly prolongation of the northerly street line of West 144th Street, a line midway between Hamilton Terrace and St. Nicholas Avenue, West 141st Street, Convent Avenue, West 140th Street, Amsterdam Avenue, West 145th Street, and a line 100 feet easterly of Amsterdam Avenue, and excluding the area bounded by a line

- midway between West 147th Street and West 148th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
- e. a line 100 feet southerly of West 145th Street, Bradhurst Avenue, the westerly center line prolongation of West 143rd Street, and a line midway between St. Nicholas Avenue and Edgecombe Avenue; and
 - f. West 143rd Street, a line 500 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 450 feet easterly of Broadway, West 141st Street, and a line 100 feet easterly of Broadway;
3. changing from an R8 District to an R6A District property bounded by:
- a. West 148th Street, a line 100 feet westerly of Broadway, West 145th Street, a line 315 feet westerly of Broadway, a line midway between West 146th Street and West 145th Street, a line 250 feet westerly of Broadway, West 146th Street, a line 225 feet westerly of Broadway, a line midway between West 147th Street and West 146th Street and its westerly prolongation, the easterly boundary line of Riverside Park, West 147th Street and its westerly center line prolongation, a line 80 feet easterly of Riverside Drive, a line midway between West 148th Street and West 147th Street, and a line 105 feet easterly of Riverside Drive;
 - b. a line midway between West 143rd Street and West 142nd Street and its westerly prolongation, a line 200 feet westerly of Broadway, West 142nd Street and its westerly center line prolongation, and the easterly boundary line of Riverside Park; and
 - c. a line midway between West 139th Street and West 138th Street, a line 100 feet westerly of Broadway, a line midway between West 138th Street and West 137th Street, a line 455 feet westerly of Broadway, West 138th Street, and a line 400 feet westerly of Broadway;
4. changing from an R7-2 District to an R7A District property bounded by:
- a. West 155th Street, a line 100 feet easterly of Amsterdam Avenue, West 152nd Street, a line 125 feet easterly of Amsterdam Avenue, West 151st Street, Convent Avenue, West 152nd Street and its easterly center line prolongation, a line midway between St. Nicholas Place and Edgecombe Avenue, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line 100 feet northerly of West 145th Street, St. Nicholas Avenue, West 149th Street, Convent Avenue, a line midway between West 149th Street and West 148th Street, a line 100 feet westerly of Convent Avenue, West 150th Street, a line 100 feet easterly of Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, Amsterdam Avenue, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, West 147th Street, a line 100 feet westerly of Amsterdam Avenue, a line midway between West 151st Street and

- West 150th Street, a line 100 feet easterly of Broadway, West 152nd Street, a line 100 feet westerly of Amsterdam Avenue, West 153rd Street, and Amsterdam Avenue;
- b. a line 150 feet southerly of West 155th Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, West 153rd Street, and St. Nicholas Avenue;
 - c. a line midway between West 148th Street and West 147th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - d. a line 100 feet southerly of West 145th Street, Amsterdam Avenue, the southerly boundary line of Annunciation Park and its easterly and westerly prolongations, Convent Avenue, West 130th Street, Amsterdam Avenue, West 133rd Street, a line 200 feet easterly of Broadway, West 135th Street, a line 100 feet easterly of Broadway, a line 100 feet easterly of Hamilton Place, a line midway between West 138th Street and West 136th Street, Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 141st Street, a line 450 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 500 feet easterly of Broadway, West 143rd Street, and a line 100 feet easterly of Broadway;
 - e. West 145th Street, St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, the westerly center line prolongation of West 143rd Street, Bradhurst Avenue and its southerly centerline prolongation, Edgecombe Avenue, West 141st Street, a line midway between Hamilton Terrace and St. Nicholas Avenue, the easterly prolongation of the northerly street line of West 144th Street, and a line 100 feet westerly of St. Nicholas Avenue; and
 - f. West 130th Street, St. Nicholas Terrace, West 127th Street, a line 100 feet westerly of St. Nicholas Avenue, West 126th Street, a line 100 feet westerly of Morningside Avenue, West 127th Street, a line 100 feet westerly of Convent Avenue, West 129th Street, and Convent Avenue;
5. changing from an R7-2 District to an R8A District property bounded by:
- a. West 155th Street, St. Nicholas Avenue, a line 100 feet southerly of West 155th Street, and a line 100 feet easterly of Amsterdam Avenue;
 - b. Edgecombe Avenue, West 145th Street, Bradhurst Avenue, a line 100 feet southerly of West 145th Street, St. Nicholas Avenue, a line 100 feet northerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line midway between St. Nicholas Place and Edgecombe Avenue, the easterly center line prolongation of West 152nd Street, St. Nicholas Place, West 153rd Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, a line 150 feet southerly of West 155th Street, a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point

of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street, a line 100 feet southerly of West 155th Street, St. Nicholas Place, and West 155th Street; and

- c. a line 100 feet northerly of West 145th Street, Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet easterly of Amsterdam Avenue, West 145th Street, Amsterdam Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Broadway;
6. changing from a C8-3 District to an R8A District property bounded by West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street;
 7. changing from an R8 District to a C6-3X District property bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;
 8. changing from an M1-1 District to an M1-5/R7-2 District property bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;
 9. establishing within a proposed R6A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Broadway, West 145th Street, and a line 315 feet westerly of Broadway; and
 - b. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Convent Avenue, West 145th Street, Convent Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Amsterdam Avenue;
 10. establishing within a proposed R7A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - b. a line 100 feet northerly of West 141st Street, a line 100 feet westerly of Amsterdam Avenue, West 141st Street, and Hamilton Place; and

- c. a line midway between West 140th Street and West 139th Street, a line 100 feet easterly of Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 139th Street, and Hamilton Place;
11. establishing within an existing R8 District a C1-4 District bounded by West 145th Street, a line 100 feet westerly of Broadway, a line midway between West 145th street and West 144th Street, and a line 270 feet westerly of Broadway;
 12. establishing within a proposed R8A District a C2-4 District bounded by West 155th Street, Edgecombe Avenue, a line 150 feet southerly of West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street; and
 13. establishing a Special Mixed Use District (MX-15) bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;

Borough of Manhattan, Community District 9, as shown in a diagram (for illustrative purposes only) dated May 7, 2012, modified by the City Planning Commission on September 5, 2012, and subject to the conditions of CEQR Designation E-284.

The above resolution (C 120309 ZMM), duly adopted by the City Planning Commission on September 5, 2012 (Calendar No. 9), is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice-Chairman
RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
BETTY Y. CHEN, MARIA M. DEL TORO, ANNA HAYES LEVIN,
ORLANDO MARIN, SHIRLEY A. McRAE, Commissioners

RICHARD W. EADDY, Commissioner recused

MICHELLE R. DE LA UZ, Commissioner Voting “No”

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application #: C 120309 ZMM, N 120310 ZRM

Docket Description:

C 120309 ZMM – IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Sections Nos. 3b, 5c, and 6a:

1. eliminating from within an existing R8 District a C1-4 District bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;
2. changing from an R7-2 District to an R6A District property bounded by:
 - a. West 153rd Street, a line 100 feet westerly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Broadway;
 - b. A line 100 feet southerly of West 155th Street, St. Nicholas Avenue, West 153rd Street, St. Nicholas Place, West 152nd Street, Convent Avenue, West 151st Street, a line 125 feet easterly of Amsterdam Avenue, West 152nd Street, and a line 100 feet easterly of Amsterdam Avenue;
 - c. A line midway between West 151st Street and West 150th street, a line 100 feet westerly of Amsterdam Avenue, West 147th Street, and a line 100 feet easterly of Broadway;

SEE ATTACHED

COMMUNITY BOARD NO: 09

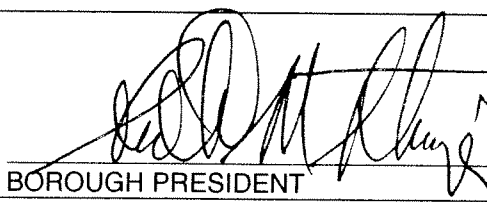
BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached


BOROUGH PRESIDENT

6/27/12
DATE

- d. West 150th Street, a line 100 feet westerly of Convent Avenue, a line midway between West 149th Street and West 148th Street, Convent Avenue, West 149th Street, St. Nicholas Avenue, West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, West 141st Street, and a line 100 feet easterly of Amsterdam Avenue, and excluding the area bounded by a line midway between West 147th Street and West 148th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - e. a line 100 feet southerly of West 145th Street, Bradhurst Avenue, the westerly center line prolongation of West 143rd Street, and a line midway between St. Nicholas Avenue and Edgecombe Avenue; and
 - f. West 143rd Street, a line 500 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 450 feet easterly of Broadway, West 141st Street, and a line 100 feet easterly of Broadway;
3. changing from an R8 District to an R6A District property bounded by:
- a. West 148th Street, a line 100 feet westerly of Broadway, West 145th Street, a line 315 feet westerly of Broadway, a line midway between West 146th Street and West 145th Street, a line 250 feet westerly of Broadway, West 146th Street, a line 225 feet westerly of Broadway, a line midway between West 147th Street and West 146th Street and its westerly prolongation, the easterly boundary line of Riverside Park, West 147th Street and its westerly center line prolongation, a line 80 feet easterly of Riverside Drive, a line midway between West 148th Street and West 147th Street, and a line 105 feet easterly of Riverside Drive;
 - b. a line midway between West 143rd Street and West 142nd Street and its westerly prolongation, a line 200 feet westerly of Broadway, West 142nd Street and its westerly center line prolongation, and the easterly boundary line of Riverside Park; and
 - c. a line midway between West 139th Street and West 138th Street, a line 100 feet westerly of Broadway, a line midway between West 138th Street and West 137th Street, a line 455 feet westerly of Broadway, West 138th Street, and a line 400 feet westerly of Broadway;
4. changing from an R7-2 District to an R7A District property bounded by:
- a. West 155th Street, a line 100 feet easterly of Amsterdam Avenue, West 152nd Street, a line 125 feet easterly of Amsterdam Avenue, West 151st Street, Convent Avenue, West 152nd Street and its easterly center line prolongation, a line midway between St. Nicholas Place and Edgecombe Avenue, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line 100 feet northerly of West 145th Street, St. Nicholas Avenue, West 149th Street, Convent Avenue, a line midway between West 149th Street and West 148th Street, a line 100 feet westerly of Convent Avenue, West 150th Street, a line 100 feet easterly of Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, Amsterdam Avenue, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, West 147th Street, a line 100 feet westerly of Amsterdam Avenue, a line midway between West 151st Street and West 150th Street, a line 100 feet easterly of Broadway, West 152nd Street, a line 100 feet westerly of Amsterdam Avenue, West 153rd Street, and Amsterdam Avenue;
 - b. a line 150 feet southerly of West 155th Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, West 153rd Street, and St. Nicholas Avenue;
 - c. a line midway between West 148th Street and West 147th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - d. a line 100 feet southerly of West 145th Street, Amsterdam Avenue, the southerly boundary line of Annunciation Park and its easterly and westerly prolongations, Convent Avenue, West 130th Street, Amsterdam Avenue, West 133rd Street, a line 200 feet easterly of Broadway, West 135th Street, a line 100 feet easterly of Broadway, a line 100 feet easterly of Hamilton Place, a line midway between West 138th Street and West 136th Street, Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 141st Street, a line 450 feet easterly of Broadway, a line midway between West 142nd Street and West 141st Street, a line 500 feet easterly of Broadway, West 143rd Street, and a line 100 feet easterly of Broadway;
 - e. West 145th Street, St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, the westerly center line prolongation of West 143rd Street, Bradhurst Avenue and its southerly centerline prolongation, Edgecombe Avenue, West 141st Street, and a line 100 feet westerly of St. Nicholas Avenue; and
 - f. West 130th Street, St. Nicholas Terrace, West 127th Street, a line 100 feet westerly of St. Nicholas Avenue, West 126th Street, a line 100 feet westerly of Morningside Avenue, West 127th Street, a line 100 feet westerly of Convent Avenue, West 129th Street, and Convent Avenue;
5. changing from an R7-2 District to an R8A District property bounded by:
- a. West 155th Street, St. Nicholas Avenue, a line 100 feet southerly of West 155th Street, and a line 100 feet easterly of Amsterdam Avenue;
 - b. Edgecombe Avenue, West 145th Street, Bradhurst Avenue, a line 100 feet southerly of West 145th Street, St. Nicholas Avenue, a line 100 feet northerly of West 145th Street, a line midway between St. Nicholas Avenue and Edgecombe Avenue, a line midway between St. Nicholas Place and Edgecombe Avenue, the easterly center line prolongation of West 152nd Street, St. Nicholas Place, West 153rd Street, a line midway between St. Nicholas Avenue and St. Nicholas Place, a line 150 feet southerly of West 155th Street, a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street, a line 100 feet southerly of West 155th Street, St. Nicholas Place, and West 155th Street; and
 - c. a line 100 feet northerly of West 145th Street, Amsterdam Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet easterly of Amsterdam Avenue, West 145th Street, Amsterdam Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Broadway;
6. changing from a C8-3 District to an R8A District property bounded by West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street;
7. changing from an R8 District to a C6-3X District property bounded by a line midway between West 146th Street and West 145th Street, Broadway, a line 100 feet northerly of West 145th Street, a line 100 feet easterly of Broadway, a line 100 feet southerly of West 145th Street, Broadway, a line midway between West 145th Street and West 144th Street, and a line 100 feet westerly of Broadway;

8. changing from an M1-1 District to an M1-5/R7-2 District property bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;
9. establishing within a proposed R6A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Broadway, West 145th Street, and a line 315 feet westerly of Broadway; and
 - b. a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of Convent Avenue, West 145th Street, Convent Avenue, a line midway between West 146th Street and West 145th Street, a line 100 feet westerly of St. Nicholas Avenue, a line 100 feet southerly of West 145th Street, and a line 100 feet easterly of Amsterdam Avenue;
10. establishing within a proposed R7A District a C1-4 District bounded by:
 - a. a line midway between West 146th Street and West 145th Street, Convent Avenue, West 145th Street, and a line 100 feet westerly of Convent Avenue;
 - b. a line 100 feet northerly of West 141st Street, a line 100 feet westerly of Amsterdam Avenue, West 141st Street, and Hamilton Place; and
 - c. a line midway between West 140th Street and West 139th Street, a line 100 feet easterly of Hamilton Place, West 138th Street, a line 100 feet easterly of Broadway, West 139th Street, and Hamilton Place;
11. establishing within an existing R8 District a C1-4 District bounded by West 145th Street, a line 100 feet westerly of Broadway, a line midway between West 145th street and West 144th Street, and a line 270 feet westerly of Broadway;
12. establishing within a proposed R8A District a C2-4 District bounded by West 155th Street, Edgecombe Avenue, a line 150 feet southerly of West 155th Street, St. Nicholas Place, a line 100 feet southerly of West 155th Street, and a line perpendicular to the southerly street line of West 155th Street distant 205 feet easterly (as measured along the street line) from the point of intersection of the easterly street line of St. Nicholas Avenue and the southerly street line of West 155th Street; and
13. establishing a Special Mixed Use District (MX-15) bounded by West 129th Street, a line 100 feet westerly of Convent Avenue, West 127th Street, a line 100 feet westerly of Morningside Avenue, a line midway between West 126th Street and West 125th Street/Dr. Martin Luther King Jr. Boulevard, and Amsterdam Avenue;

Borough of Manhattan, Community District 9, as shown on a diagram (for illustrative purposes only) dated May 7, 2012, and subject to the conditions of CEQR Declaration E-284.

N 120310 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residential Districts), which establishes the Inclusionary Housing Program on West 145th Street and implements Quality Housing Program contextual controls in the R8 district west of Broadway. In addition, an amendment to Article XII, Chapter 3 (Special Mixed Use District), establishes a new mixed use manufacturing district between West 126th and 129th streets in the Borough of Manhattan, Community District 9.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
 BOROUGH OF MANHATTAN

SCOTT STRINGER
 BOROUGH PRESIDENT

June 27, 2012

Recommendation on
ULURP Application Nos. C 120309 ZMM & N 120310 ZRM
West Harlem Rezoning
 by the Department of City Planning

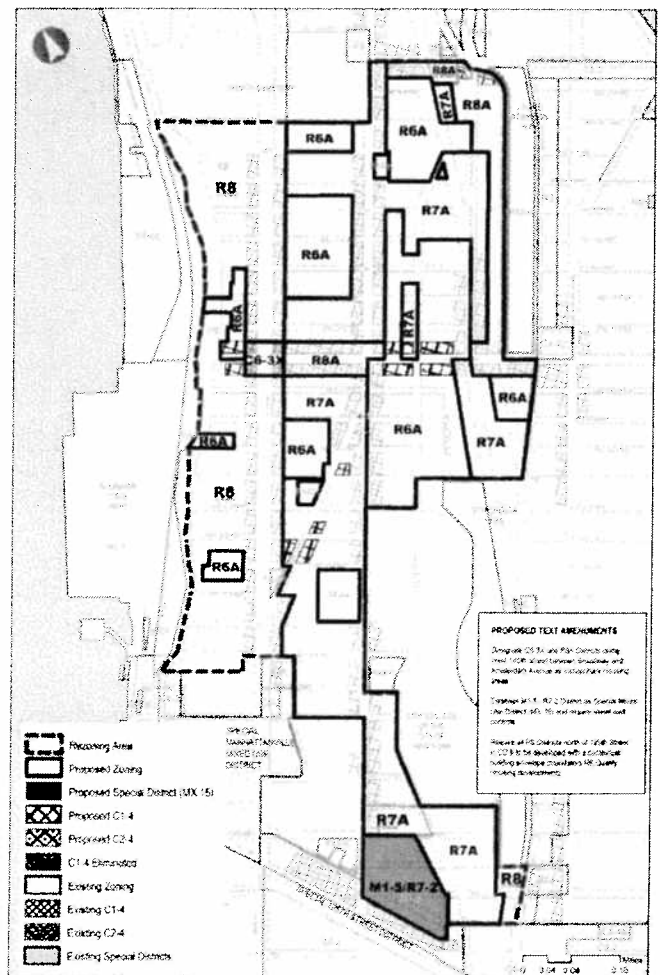
PROPOSED ACTIONS

The Department of City Planning (“DCP”) seeks approval of a zoning map amendment to establish contextual zoning districts, a Special Mixed Use District (“MX 15”), and commercial overlays. In a related action, DCP seeks approval of a zoning text amendment to require an R8 district west of Broadway to conform to contextual controls, provide opportunities for inclusionary housing bonus on West 145th Street and to create a new mixed use manufacturing district between West 126th and 129th streets. The proposed actions are sought to preserve the established character of the West Harlem residential neighborhoods, and provide opportunities for economic development and affordable housing. The proposed zoning map and text amendments would apply to a 90-block area of West Harlem located in Manhattan’s Community District 9 (“CB9”).

PROJECT DESCRIPTION

Zoning Map and Text Amendments

DCP proposes a comprehensive rezoning of West Harlem that is bounded by West 126th Street to the south, West 155th Street to the north, Edgecombe, Bradhurst and Convent avenues to the east, and Riverside Drive to the west.



The goals of the proposed rezoning are to:

1. Reinforce the special character of West Harlem's residential neighborhoods, and to update the existing zones with new contextual zones to produce predictable building forms that complement the existing urban fabric;
2. Activate the existing manufacturing area to support economic development and encourage mixed-uses in addition to the creation of residential units;
3. Strengthen the West 145th Street corridor by allowing development opportunities where appropriate, while designating the Inclusionary Housing Program to incentivize affordable housing.

The area is currently zoned R7-2 east of Broadway and R8 west of Broadway, with an M1-1 zoning district at the southern boundary, and a small C8-3 district at the northeastern boundary. C1-1 and C2-4 districts are mapped along major commercial corridors, including portions of Amsterdam Avenue, Broadway, and West 145th Street.

DCP proposes contextual districts for the majority of West Harlem. The neighborhood is characterized by predominantly low- to mid-rise buildings with three quarters of the lots in the study area comprised of residential uses. Remaining uses include institutional, mixed-use and commercial. The area has few vacant properties, and is well served by transit, with several bus lines, and express and local subways stations.

Additionally, DCP proposes to increase density at West 145th Street to accommodate affordable housing through the inclusionary housing bonus. West 145th Street is a major corridor characterized by low-scale residential and commercial buildings, and is well served by transit (A, B, C, D, 1 subway lines). Active one- and two-story commercial buildings anchor the intersection of Broadway and West 145th Street. On the north side of West 145th Street between Broadway and Amsterdam Avenue is P.S. 186, which the ML Wilson Boys and Girls Club of Harlem plans to redevelop through adaptive reuse.

Additionally, DCP proposes a mixed industrial area between West 126th and 129th streets. This area is characterized by commercial and light industrial uses. The mixed industrial area includes sites such as the Yuengling complex, which is calendared to be landmarked by the Landmarks and Preservation Commission ("LPC"), and the former Taystee Bakery complex, for which the New York City's Economic Development Corporation ("NYCEDC") recently released a Request for Expressions of Interest (RFEI), where Taystee Create LLC¹ was selected as the developer for the project. The proposed development will include 90,000 SF of office space, 40,000 SF of retail and a 10,000SF community facility.

Specifically, the proposed zoning map amendments would:

1. Replace existing R7-2, R8, M1-1 and C8-3 zoning districts within the proposed rezoning area with R6A, R7A, and R8A districts;
2. Designate a C6-3X zoning district to be mapped at the intersection of West 145th Street and Broadway;

¹ Taystee Create LLC is primarily a joint venture between Janus Partners LLC and Monadnock Construction

3. Replace the existing M1-1 zoning district within the proposed rezoning area with an M1-5/R7-2 zoning district;
4. Map new commercial overlays along portions of Hamilton Place, West 155th and West 145th streets; and
5. Create a Special Mixed Use District (MX 15).

The proposed zoning text amendments would:

1. Apply the Inclusionary Housing Program to the new C6-3X zoning district and R8A zoning districts located on West 145th Street between Broadway and Amsterdam Avenue;
2. Establish the Special Mixed Use District (MX 15) in West Harlem; and
3. Require all R8 districts in the community district north of West 125th Street be developed pursuant to the R8 Quality Housing Program.

The proposed R6A zoning district allows for residential and community facility uses up to 3.0 FAR and a maximum building height of 70 feet. Building setbacks are required at 60 feet (10 feet for wide streets, and 15 feet for narrow streets). The R6A district will replace existing R8 and R7-2 districts.

The proposed R7A district allows for residential and community facility uses up to 4.0 FAR and a maximum building height of 80 feet. Building setbacks are required at 65 feet (minimum setback of 10 feet for wide streets, and 15 feet for narrow streets). The R7A district will replace existing R7-2 and C8-3 districts.

Portions of the existing R8 district will remain, but the zoning would be altered to mandate building forms that are consistent with the existing mid-rise residential developments as prescribed by the Quality Housing Program. The Quality Housing Program for R8 districts allows for a maximum residential FAR of 6.02 on narrow streets and 7.2 for wide streets. Additionally, community facility uses are allowed at a maximum 6.5 FAR. The zoning will allow for a maximum building height of 105 feet on narrow streets and 120 feet on wide streets. The maximum height of the street wall is 60-85 feet.

An R8A district is proposed to replace the existing R7-2 district along a portion of West 145th Street between Broadway and Amsterdam avenues. R8A districts allow for a maximum residential FAR of 6.02 and community facility uses up to 6.5 FAR. The zoning would allow for a maximum building height of 120 feet after a setback at 85 feet (10 feet for wide streets and 15 feet for narrow streets). The R8A zoning district would be included in the Inclusionary Housing Program. The Inclusionary Housing Program bonus would increase the allowable FAR to 7.2, allowing for greater density to incentivize affordable housing. As required by the program, developments utilizing the bonus would be required to use 20% of the density for permanent affordable housing to individuals earning less than 80% of the area median income. The proposed rezoning would allow for the development of up to 82 affordable units.

A C6-3X zoning district is proposed to replace the existing R8 district at the four corners of the intersection of West 145th Street and Broadway. The C6-3X zoning district allows for a maximum FAR of 6.0 for commercial uses, 9.0 for community facility uses, and 7.3 for

residential uses. The zoning allows for a maximum building height of 170 feet, and at 120 feet requires a minimum setback of 10 feet. The proposed text amendment would include the intersection of West 145th Street and Broadway in the Inclusionary Housing Program, which allows a development bonus to a maximum FAR of 9.7 if affordable housing is provided.

A Special Mixed Use District (“MX 15”) is proposed through a zoning text amendment to rezone the existing M1-1 district. The MX 15 district pairs an M1-5 manufacturing district with an R7-2 residential district to allow for mixed-use development that could include retail, residential commercial, and light manufacturing uses with a maximum FAR of 5.0. Within the MX 15 district, community facility uses are allowed to have a maximum FAR of 6.5, and residential uses are allowed at a maximum FAR of 3.44. The MX 15 district permits a maximum building height of 135 feet with a setback at 85 feet (10 feet for wide streets and 15 feet for narrow streets). The proposed zoning text for the MX 15 district would require that 70% of building walls be located on the street line, and the remaining 30% of developments be located within eight feet of the street line.

Finally, C1-4 and C2-4 overlays will be mapped within the proposed R6A, R7A, and R8A districts and would allow a maximum commercial FAR of 1.0 in residential buildings, and a maximum FAR of 2.0 for buildings without residential uses.

COMMUNITY BOARD RECOMMENDATION

At a full board meeting on June 21, 2012, CB9 voted 40 in favor, 0 in opposition, and 3 in abstention to recommend conditional approval of the application. The Community Board’s recommendation includes the condition that the applicant replaces the proposed R8A zoning district and Inclusionary Housing on West 145th Street between Broadway and Amsterdam Avenue with an R7A zoning district.

BOROUGH PRESIDENT’S COMMENTS

Generally, the proposed rezoning will protect the existing community and its built context. The plan not only achieves many community goals, but the 90-block rezoning has received significant consensus from the community. The vast support is a testament to the extensive community outreach performed by DCP, CB9 and the local elected officials.

Further, the proposed plan fulfills a commitment made to Manhattan Borough President, Scott Stringer, by DCP in a letter from DCP Director, Amanda Burden, dated September 25, 2007, as part of the Columbia University Special Manhattanville Mixed Use District (N 070495 ZMM). In 2007, the Manhattan Borough President developed the West Harlem Special District plan in response to community concerns regarding Columbia University’s Manhattanville Rezoning. The Borough President’s rezoning plan was intended to enact key aspects of CB9’s 197-A plan and protect the residents of West Harlem.

DCP agreed to conduct a further study based on a block-by-block analysis and extensive community consultation. The analysis confirmed that the existing 1961 zoning was outdated as it allows for out-of-scale developments that do not reflect the current neighborhood conditions.

Without intervention, the existing zoning would encourage the demolition of existing residential buildings, many of which contain rent-stabilized buildings.

As proposed, the rezoning achieves a balance of preserving the existing built context while promoting future development in areas that can accommodate growth and will not encourage new displacement.

The proposed areas for growth are the MX 15 district, and West 145th Street between Broadway and Amsterdam Avenue. These areas were selected to accommodate economic development and affordable housing, priorities that were identified in CB9's 197-A plan.

The proposed MX 15 district is one of the few areas that can support mixed-use development. In the 197-A plan, CB9 identified the MX 15 area as an opportunity for new mixed-used manufacturing and commercial development. The proposed district and increased density will activate the area by creating a flexible manufacturing district.

Affordable housing development is an important citywide goal also highlighted in CB9's 197-A plan. The majority of the 90-block rezoning area is built-out with residential properties, and West 145th Street is one of the few corridors in the study area with projected developments that can accommodate growth (including affordable housing) without significantly displacing residential buildings.

Through the course of review, some community members have expressed a preference for R7A height limits instead of the R8A height limits (80 feet versus 120 feet, respectively). The difference of 40 feet of building height could result in up to 41 less affordable units constructed, and could mean 33-50% less potential affordable units. West 145th Street, Broadway and Amsterdam Avenue are wide streets well served by mass transit that can absorb the additional density without shadow or environmental impacts. As such, the R8A zoning is appropriate for the area. Additionally, on West 145th Street, the proposed C1 and C2 overlays will allow several existing ground floor retail establishments to be brought into compliance, and support additional local retail opportunities.

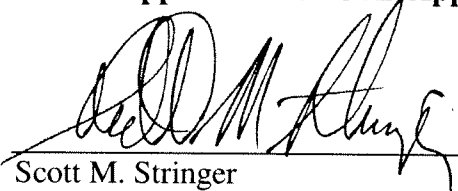
In April 2012, the Harlem School of the Arts ("HSA") attended a public hearing held by CB9 to request that their block not be included in the rezoning. HSA is located on West 141st Street and St. Nicholas Avenue, and the proposed R7A rezoning limits the organization's ability to sell air rights for a future development. HSA's proposal is still in its early stages, without a developer selected or a program identified. As such, it is impossible at this time to weigh the benefits of altering the zoning plan. Given these current conditions, the proposed rezoning should advance unaltered at this site. However, if HSA develops a more refined proposal, the school may seek a subsequent rezoning through the public review process. At that time, any potential benefits and land use considerations can be considered without prejudice.

DCP should be commended for their work on the rezoning plan. For five years, DCP worked with the Manhattan Borough President, elected officials, CB9, and community leaders to develop a rezoning that reflects the community goals expressed in CB9's community plan. For a rezoning of this scale, it is impressive that all stakeholders have collaborated to create a plan with almost overwhelming support from all of the stakeholders.

BOROUGH PRESIDENT'S RECOMMENDATION

The rezoning fulfills a commitment to the Manhattan Borough President by rezoning West Harlem to protect the existing neighborhood character, while providing opportunities for economic development and affordable housing. This plan serves as a model for future rezonings and demonstrates the value and effectiveness of true community based planning.

The Manhattan Borough President therefore recommends approval of ULURP Application Nos. C 120309 ZMM & N 120310 ZRM.



Scott M. Stringer
Manhattan Borough President

Application #: N1203102RM 120309ZMM CEQR Number: 120CP070M	Project Name: West Harlem Rezoning Borough(s): Manhattan Community District Number(s): 9 (nine)
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Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
 - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by

(see Attached documents)

Applicant(s): NYC Department of City Planning	Applicant's Representative: Melissa R. Cerezo Adam Wolff Edwin Marshall
Recommendation submitted by: Manhattan Community Bd. #9 - 1618 Old Broadway	
Date of public hearing: 6/11/12	Location: 3333 Broadway - Tower "A"
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	<small>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</small>
Date of Vote: 6/21/12	Location: Fortune Society 630 Riverside Drive @ 140th st
RECOMMENDATION <input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.	
Voting # In Favor: 40 # Against: 0 # Abstaining: 3 Total members appointed to the board: 50	
Name of CB/BB officer completing this form Hon. Rev. Georgette Morgan-Thomas	Title Chair
Date 6/27/12	

WEST HARLEM REZONING

FINAL RESOLUTION

Whereas, Manhattan Community Board 9 has developed and approved an integrated plan for Community District 9M under Section 197A of the New York City Charter and such plan was adopted by City Council in 2007; and

Whereas, the Manhattan Borough President conducted a study focused on an area generally bounded by West 125th and 145th Streets between Riverside Drive and St. Nicholas, Bradhurst and Convent Avenues and issued a proposal for a West Harlem Special District, a comprehensive plan to rezone West Harlem to protect its character and its longtime residents and businesses in the face of significant development pressure the neighborhood faces, and such proposal was approved and adopted by Manhattan Community Board 9 in 2007; and

Whereas, the Department of City Planning initiated the West Harlem rezoning study in recognition of the fact that zoning changes were needed to preserve the existing character of the area and to provide better protection against out-of-scale development, while incentivizing opportunities for mixed-use development and affordable housing, where appropriate; and

Whereas, the Department of City Planning and Manhattan Community Board 9 have collaborated for nearly five years on a substantial public outreach effort, including several informational community meetings, four Town Hall meetings and a public scoping session with residents, property owners and stakeholders to achieve broad consensus; and

Whereas, the West Harlem rezoning proposal (a.k.a. Proposed Action) recognizes and complements CB9's 197A Plan and the Borough President's West Harlem Special District Plan and important community feedback and focuses on a 90-block area north of West 125th Street generally bounded by West 126th and West 155th Streets, Riverside Drive and Edgecombe, Bradhurst and Convent Avenues (excluding the Special Manhattanville Mixed-Use District, NYCHA Manhattanville Houses and City College's West Harlem campus); and

Whereas, the proposed rezoning area includes blocks that had not been subjected to a comprehensive zoning review since adoption of the 1961 Zoning Resolution, a period of 50 years; and

Whereas, in order to achieve these goals and objectives, the zoning map changes and zoning text amendments as set forth in the Attachment to this Resolution (e.g., Pages 6 to 9 of Land Use Review Application) have been proposed; and

Whereas, an Environmental Impact Statement ("EIS") has been prepared in conformance with applicable laws and regulations and follows the guidance of the New York City Environmental Quality Review ("CEQR") Technical Manual and contains a description and analysis of the Proposed Action, the environmental impacts of the Proposed Action (including its short and long term effects), identification

of any significant adverse environmental effects that can be avoided through incorporation of corrective measures, a discussion of alternatives to the Proposed Action, the identification of any irreversible and irretrievable commitments of resources, and a description of any necessary mitigation measures proposed to minimize significant adverse environmental impacts; and

Whereas, four Reasonable Worst-Case Scenarios (“RWCDs”) for development associated with the Proposed Action have been identified, and whereas for environmental assessment purposes, projected developments considered likely to occur in the foreseeable future, i.e., an approximate 10 year period following the adoption of the Proposed Action, are expected to occur on 24 sites and potential developments, which are considered possible but less likely, have been identified for 16 additional sites; and

Whereas, the analysis included in the Draft EIS (“DEIS”) concludes that none of the existing residential units would be directly displaced as a result of the Proposed Action; direct displacement would be limited to 11 businesses and institutions (employing an estimated 161 workers) located on three of the 24 projected development sites; and

Whereas, according to the RWCDs 1 through 4 set forth in the DEIS, the Proposed Action would result in between 911 to 1,136 new residential units, including 61 to 82 new affordable units, respectively; and

Whereas, DCP, upon the request of Manhattan Community Board 9, has provided a Lower Density Alternative in Chapter 19 of the DEIS, Alternatives, to address concerns about out-of-scale development on the R8A IH zoning district on West 145th Street, from Broadway to Amsterdam Avenue; and

Whereas, the Lower Density Alternative, which replaces the proposed R8A IH zoning district on portions along the West 145th Street corridor, extending from a point 100 feet east of Broadway to Amsterdam Avenue, with an R7A zoning district with C2-4 commercial overlay, while allowing residential development to a lesser extent than the R8A IH district, is considered to be compatible with the existing zoning along the corridor and is in accordance with the goals and objectives of the Proposed Action;

Whereas, unlike the Proposed Action, the Inclusionary Housing Program would not be applicable in the R7A zoning district mapped under the Lower Density Alternative, as the residential density allowed under R7A is equivalent to the maximum residential density that is currently allowed on wide streets under the Quality Housing option in the existing R7-2 district; and

Whereas, the Lower Density Alternative when compared to the Proposed Action would result in the same mix of uses and the same amount of commercial development and generally the same amount of community facility space; while the total amount of residential development would be reduced under all four RWCDs (from 41 fewer total residential units in RWCDs 1 and 2 to 93 fewer total residential units in RWCDs 3 and 4), including a reduction of 20 affordable housing units in RWCDs 1 and 2 and a reduction of 41 affordable housing units in RWCDs 3 and 4; and

Whereas, like the Proposed Action, the Lower Density Alternative would not result in any direct residential displacement and would directly displace the same commercial and institutional uses from three projected development sites; and

Whereas, according to the DEIS, unavoidable significant adverse impacts relate to (1) Shadows, (2) Historical (Architectural) Resources, and, (3) Construction Impacts; and

Whereas, as discussed in the DEIS in Chapter 6, Shadows, under the Department of City Planning's reasonable worst case scenario for the purposes of the DEIS, the Proposed Action would cast incremental shadows on stained glass features on the western façade of St. Mary's Episcopal Church for a duration of approximately 1 hour and 33 minutes on December 21, and the remaining open spaces and historic resources in the study area would not be significantly affected or affected at all; and

Whereas, as noted in the DEIS in Chapter 7, Historic Resources, under the Department of City Planning's reasonable worst case scenario for the purposes of the DEIS, the Proposed Action could result in significant adverse impacts due to potential demolition of at least one eligible resource, which was identified in the DEIS as Site 40 ("Site 40"); and

Whereas, Site 40 has been calendared for consideration for landmark status by the Landmarks Preservation Commission ("LPC") for more than 20 years, and although a public hearing has been held with respect to the eligibility of Site 40 as a New York City landmark, no action has been taken either to designate it or remove it from the LPC calendar to date; and

Whereas, the potential impacts to St. Mary's Episcopal Church and Site 40 would not occur unless substantial demolition and new development were to take place on Site 40; and

Whereas, according to the DEIS, should the Department of Buildings ("DOB") receive an application for a demolition or alteration permit for any of the buildings at Site 40, LPC would be given forty (40) days notice prior to the issuance of any such permit(s) and could, within that period, hold a hearing to consider whether the affected building merits protection as a New York City Landmark; and

Whereas, according to the DEIS, in order to avoid the potential immitigable impact on historic resources, LPC would need to make a determination regarding the status of Site 40 as to whether the resource qualifies as a landmark and merits protection or is found not to meet the criteria to be designated as a landmark; and

Whereas, according to the DEIS, inadvertent construction-related damage could potentially occur to at least four eligible, although not designated as landmarks, resources (S/NR eligible residences at 2-14 Convent Avenue, the S/NR eligible St. Joseph's Roman Catholic church complex, the LPC eligible Engine Co. 23 building, and the LPC eligible Upper Riverside Drive historic district); and

Whereas, further according to the DEIS, if these eligible resources are designated in the future prior to the initiation of construction, DOB Technical Policy and Procedure Notice (TPPN) #10/88 would apply and potential indirect significant adverse impacts resulting from construction would be avoided; and

Whereas, a Public Hearing was conducted on Monday, June 18, 2012 and in attendance were 18 Community Board 9 members and 79 Community residents.

NOW BE IT RESOLVED, MANHATTAN COMMUNITY BOARD 9 VOTES TO APPROVE THE PROPOSED ACTION SUBJECT TO THE CONDITION LISTED BELOW:

THE LOWER DENSITY ALTERNATIVE, AN R7A ZONING DISTRICT WITH C2-4 COMMERCIAL OVERLAY BE MAPPED ON PORTIONS OF THE WEST 145TH STREET CORRIDOR, EXTENDING FROM A POINT 100 FEET EAST OF BROADWAY TO AMSTERDAM AVENUE, REPLACING THE PROPOSED R8A IH (WITH C2-4 COMMERCIAL OVERLAY) ZONING DISTRICT IN THE PROPOSED ACTION.

VOTE TAKEN JUNE 21, 2012

40 IN FAVOR, 0 OPPOSED, 3 ABSTENTIONS

space, the Proposed Action includes the mapping of new commercial overlays for these areas to better serve current and future local retail needs.

Proposed Action

The proposed actions would affect approximately 1,900 lots on ⁹⁰200 blocks. The rezoning area covers portions of Zoning Map sections 3b, 5c, and 6a. The Proposed Action includes:

- (1) Zoning map amendments to
 - Replace the existing R7-2, R8, C8-3 and M1-1 zoning districts within the proposed rezoning area with R6A, R7A, R8A, C6-3X and M1-5/R7-2 districts;
 - Establish Special Mixed Use District (MX 15);
 - Map new commercial overlays along portions of West 155th Street, West 145th Street and Hamilton Place to promote and better support local retail development; and
- (2) Zoning text amendments to
 - Apply the Inclusionary Housing Program to C6-3X (R9X equivalent zoning district) and R8A zoning districts located along West 145th Street between Broadway and Amsterdam Avenue;
 - Establish Special Mixed Use District 15 (MX 15) in West Harlem;
 - Require all R8 districts north of West 125th Street within Manhattan Community District 9 to be developed pursuant to the R8 Quality Housing Program.

Proposed Zoning Map Changes

R6A (From R8 and R7-2)

The R6A zoning district would replace R8 and R7-2 districts currently mapped on all or portions of 36 blocks generally bounded by West 138th Street between Riverside Drive and Broadway; the north side of West 142nd Street between Riverside Drive and Broadway; West 145th Street to West 148th streets between Riverside Drive and Broadway; West 142nd to West 143rd streets between Broadway and Hamilton Place; West 147th to West 150th streets between Broadway and Amsterdam Avenue; West 145th to West 150th streets between Amsterdam and St. Nicholas avenues; West 151st to West 154th streets between Amsterdam, Convent and St. Nicholas avenues; West 140th to West 145th streets between Amsterdam Avenue and Hamilton Terrace; and along the north side of West 152nd Street between Broadway and Amsterdam Avenue. R6A districts allow residential and community facility uses up to 3.0 FAR. The maximum contextual building envelope consists of a base height of 40 to 60 feet, after which a minimum setback is required (10 feet for wide streets and 15 feet for narrow streets) and maximum height limit of 70 feet. Parking is required for 50 percent of residential units, but may be waived if few spaces are required. The proposed R6A district, with lower bulk, height and street wall requirements would provide consistency between the existing built context of low-scale areas and its underlying zoning.

R7A (From R7-2 and C8-3)

This district would replace existing R7-2 districts currently mapped on all of portions of 57 blocks generally located along of St. Nicholas Place, Amsterdam, Convent and St. Nicholas avenues and on select mid-blocks between Broadway and St. Nicholas Avenue. R7A districts allow residential and community facility uses up to 4.0 FAR. The maximum contextual building envelope would be similar to the R7 Quality Housing form and would consist of a base height of 40 to 65 feet, after which a minimum setback is required (10 feet for wide streets and 15 feet for narrow streets) and maximum height limit of 80 feet. Parking is required for 50 percent of residential units, but may be waived or reduced depending on zoning lot size. The mid-blocks proposed for R7A are characterized by mid-rise multi-family buildings interspersed with low-rise residential buildings. The building form encouraged by R7A regulations would result in residential buildings that are consistent with the scale, streetwall and density of the existing mid-block buildings.

R8A (From R7-2)

West 145th Street between Broadway and Amsterdam Avenue

This district would replace the existing R7-2 district along portions of three blocks along West 145th Street between Broadway and Amsterdam Avenue. R8A districts typically allow a maximum residential FAR of 6.02, but the maximum residential FAR would be increased in order to provide a useful incentive to develop affordable housing and enhance future development opportunities. The Inclusionary Housing Program would be designated in connection with the proposed R8A district through zoning text amendments (described below).

In doing so, a base residential density of 5.4 FAR would be allowed; however, the allowable FAR may be increased up to 7.2 FAR, achievable through the Inclusionary Housing bonus subject to a maximum contextual building envelope. The maximum permitted building form would consist of a base height between 60 to 85 feet, after which a minimum setback of 10 feet is required and a maximum height limit of 120 feet. Parking is required for 50 percent of residential units but may be waived or reduced depending on zoning lot size. Community facilities would be allowed up to 6.5 FAR, as currently allowed under the existing R7-2 district regulations. The proposed R8A district combined with the Inclusionary Housing Program would support transit-oriented development while providing zoning incentives to encourage the development of affordable housing.

Edgecombe Avenue, West 155th Street and West 145th Street between St. Nicholas and Bradhurst avenues

This district would replace the existing R7-2 zoning districts along Edgecombe Avenue, West 155th Street and West 145th Street between St. Nicholas and Bradhurst avenues with the R8A zoning district in order to maintain the scale and street wall with the existing dense, mid-rise multi-family buildings within the area. R8A districts permit residential uses up to 6.02 FAR, community facility uses up to 6.5 FAR. The required building form would consist of a base height between 60 to 85 feet, after which a minimum setback of 10 feet is required and maximum height limit of 120 feet. Parking is required for 50 percent of residential units, but may be waived or reduced depending on zoning lot size.

C6-3X (From R8)

The C6-3X zoning district (R9X residential district equivalent) would be mapped at the intersection of West 145th Street and Broadway on the four corners to a depth of 100 feet (see Figure 1-5), an area currently zoned R8/C1-4. C6 districts permit a wide range commercial uses requiring a central location well-served by mass transit, such as office, hotels and entertainment facilities. C6 districts also allow residential and community facility uses. Commercial uses would be allowed up to 6.0 FAR and could be located above the ground floor in mixed residential/commercial buildings. Community facility uses would be allowed up to 9.0 FAR. The proposed district would allow residential uses up to 7.3 FAR, bonusable to 9.7 FAR through the Inclusionary Housing bonus made applicable by a proposed text amendment (described below). The required building form would consist of a base height between 105 to 120 feet, after which a minimum setback of 10 feet is required and maximum height limit of 170 feet. Parking is typically required for 40 percent of residential units, but may be waived or reduced depending on zoning lot size. The proposed C6-3X zoning district expands future development opportunity at the West 145th Street/Broadway intersection, which is well-served by mass transit. Additionally, the associated Inclusionary Housing Program designation would provide a useful incentive to encourage the development of affordable housing.

Special Mixed Use District – MX 15 (From M1-1)

The Proposed Action would rezone the existing manufacturing area located on portions of four blocks generally bounded by West 126th and West 129th streets, and Amsterdam and Convent avenues, zoned M1-1, to MX 15, denoting the Special Mixed Use District 15 (established through a proposed zoning text amendment). The Special Mixed Use District is a special zoning district that is mapped in several locations throughout the city and allow for new residential uses and non-residential uses to be permitted as-of-right. Designated on zoning maps as 'MX' with a numerical suffix, the special zoning district contains a M1 manufacturing district that is paired with an R3 to R9 residential district. The proposed MX district would pair a M1-5 manufacturing district (allows commercial, light manufacturing uses) with a R7-2 residential district (allows community facility and residential uses) thereby expanding opportunity for mixed-use development.

The proposed MX 15 would allow retail, commercial and light manufacturing uses up to 5.0 FAR and community facility uses up to 6.5 FAR. The applicable R7-2 residential density of 3.44 FAR is proposed in order to retain the predominately non-residential character of the area (3.44 is the lowest of the permitted densities within the proposed district). Retail and commercial may be placed above the ground floor, commercial uses, such as supermarkets are limited to 10,000 square feet of floor area per establishment. Residential density Residential development may be permitted up to 4.0 FAR under the Quality Housing option, which is available on wide streets outside the Manhattan Core.

The permitted maximum building form would consist of a base height between 60 to 85 feet, after which a minimum setback is required (10 feet on wide streets and 15 feet on narrow streets) and maximum height limit of 135 feet. Buildings may exceed the maximum building height up to a height of 175 feet through the use of a provision that requires any stories constructed above a height of 135 feet to contain 20% less area than the

story below it ('penthouse rule'). The proposed street wall provisions would be applicable through a proposed text amendment (as described below).

Since the proposed rezoning area is strongly built-out, the existing M1-1 district is one of few places that could provide an opportunity for additional commercial and light manufacturing development, especially supporting activities that complement arts production and exhibition. Ultimately, while the market determines whether development would occur, the MX district provides the increased flexibility intended to incentivize the development of new businesses and better support the expansion of existing businesses. Additionally, the proposed MX district would complement and support the City's renewed efforts to redevelop the former Taystee Bakery complex.

C1-4 and C2-4 Commercial Overlays

C1-4 and C2-4 overlays are proposed to be mapped along portions of the south side of West 155th Street adjacent to St. Nicholas Place (C2-4); on both sides of the West 145th Street mid-block between Riverside Drive and Broadway; both sides of the West 145th Street mid-block between Amsterdam and St. Nicholas avenues (C2-4), and portions of Hamilton Place between West 138th and West 140th streets and West 141st and West 142nd streets (C1-4). C1 and C2 commercial overlays are mapped on streets within residential districts that serve the local retail needs of the surrounding residential neighborhood. Typical retail uses include grocery stores, restaurants and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. The proposed commercial overlays would be mapped within R6A, R7A and R8A districts and would bring existing ground floor commercial uses into conformance. They would also support future ground floor commercial uses to serve the neighborhood.

Within the proposed R6A, R7A and R8A districts, ground floor retail uses would be allowed up to 1.0 FAR in mixed residential/commercial buildings. Buildings without residential uses would also be allowed 2.0 FAR of commercial uses. New developments would be subject to the density and bulk requirements of the proposed underlying R6A, R7A and R8A districts.

Proposed Zoning Text Amendments

In addition to the aforementioned zoning map amendments, the Proposed Action includes the zoning text amendments described below.

Inclusionary Housing Program

As part of the City's ongoing effort to provide new housing opportunities in West Harlem, the Proposed Action identifies areas that are appropriate for the Inclusionary Housing designation. The Inclusionary Housing designation, which can be applied in areas being rezoned to allow medium- and high-density residential development, combines a zoning floor area bonus with a variety of housing subsidy programs to create powerful incentives for the development and preservation of affordable housing.

The proposed zoning text amendment would make the Inclusionary Housing Program (IHP) zoning regulations applicable in the C6-3X zoning district (R9X residential zoning district equivalent) and the R8A district along West 145th Street between Broadway and Amsterdam Avenue. In the areas where the IHP would be applicable, new residential developments that provide on- or off- site housing that will remain permanently affordable for low- and moderate-income families would receive increased floor area. The IHP provides 33% bonus in exchange for 20% of floor area set aside as affordable units. The additional floor area must be accommodated within the bulk regulations of the underlying zoning districts. Affordable units could be financed through city, state, and federal affordable housing subsidy programs. Within the proposed rezoning area, portions of approximately five blocks would be subject to the IHP.

The affordable housing requirement of the Inclusionary Housing zoning bonus could be met through the development of affordable units, on-site, or off-site either through new construction or preservation of existing affordable units. Off-site affordable units must be located within the same community district, within a half-mile of the bonused development or anywhere within Community District 9. The availability of on-site and off-site options provides maximum flexibility to ensure the broadest possible utilization of the program under various market conditions.

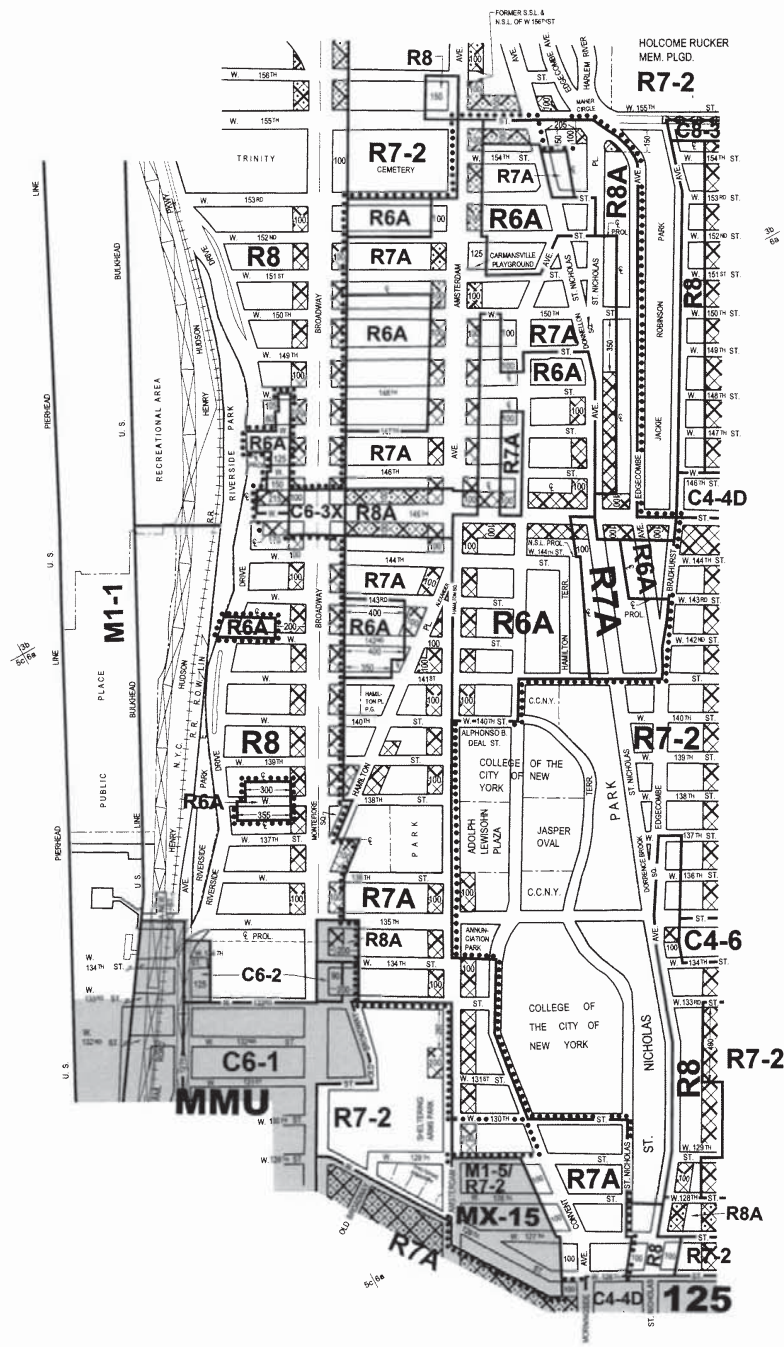
Special Mixed Use District – MX 15

The Proposed Action would establish Special Mixed Use District - MX 15 in West Harlem, thereby making the existing Special Mixed Use District's general provisions applicable. The proposed street wall provisions will

ensure that new development retains the existing strong street wall character in the area. The Proposed Action would amend the existing base height requirements by adding a new minimum base height provision and street wall location provision, since none exist today for R7-2-paired MX districts. The proposed text would require a minimum base height of 60 feet and street wall provision to require that 70% of the aggregate building walls of new developments be located on the street line, with the remaining 30% to be located within 8 feet of the street line. As stated earlier, the proposed MX district is intended to support and enhance existing commercial and light industrial uses while encouraging the redevelopment and underutilized land.

Mandatory Quality Housing for R8 Districts within West Harlem

The Proposed Action would make mandatory the current provisions of the Quality Housing Program for R8 districts in the West Harlem Rezoning area. The proposed text amendment would encourage building forms that are consistent with the existing scale and character of the 6- to 8-story apartment buildings generally found within existing R8 districts located from West 135th Street to West 153rd Street between Riverside Drive and Broadway and along the west side of St. Nicholas Avenue and the east side of St. Nicholas Terrace between West 126th Street to West 128th Street. The Quality Housing Program for R8 districts (applicable to Manhattan Community Districts 9-12) allows a maximum residential density of 6.02 FAR on narrow streets and a maximum of 7.2 FAR for wide streets. Community facility FAR may be developed up to 6.5 FAR. For sites on narrow streets, the required building envelope would provide for a street wall of 60 to 85 feet in height, with a maximum building height of 105 feet. For sites on wide streets, the street wall must rise between 60 to 85 feet in height with a maximum allowable building height of 120 feet.



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED

ZONING CHANGE
ON SECTIONAL MAP
3b & 6a
BOROUGH OF
MANHATTAN

J. Miraglia
J. Miraglia, Director
Technical Review Division

New York, Certification Date
MAY 07, 2012
Modified by CPC
SEPTEMBER 05, 2012

SCALE IN FEET
0 200 400

NOTE

- Indicates Zoning District Boundary.
- The area enclosed by the dotted line is proposed to be rezoned by eliminating a C1-4 District from within an existing R8 District, by changing R7-2, R8, C6-3 and M1-1 Districts to R6A, R7A, R8A, C6-3X and M1-5/R7-2 Districts, by establishing C1-4 and C2-4 Districts within existing and proposed R6A, R7A, R8 and R8A Districts, and by establishing a Special Mixed Use District (MX-15).
- ⊗ Indicates a C1-4 District.
- ⊗ Indicates a C2-4 District.
- 125 Indicates a Special 125th Street District.
- MMU Indicates a Special Manhattanville Mixed Use District.
- MX-15 Indicates a Special Mixed Use District (MX-15).