



IN THE MATTER OF an application submitted by Lenox Terrace Development Associates, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

An application for a zoning text amendment was filed by Lenox Terrace Development Associates on August 14, 2019. The requested zoning text amendment, along with the related actions, would facilitate the development of five mixed-use buildings containing residential, commercial, and community facility uses located within an existing development known as Lenox Terrace. The Development Site (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, 75) is bounded by Lenox Avenue (also known as Malcolm X. Boulevard) to the west, Fifth Avenue to the east, West 132nd Street to the south, and West 135th Street to the north in the Harlem neighborhood of Manhattan, Community District 10.

RELATED ACTIONS

In addition to the text amendment (N 200051 ZRM) that is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- C 200050 ZSM:** Special Permit pursuant to ZR Section 74-743 to modify certain height and setback regulations within a large scale general development.

- C 200052 ZMM** Zoning map amendment to change R7-2/C1-4 zoning districts of the project area to a R8/C1-5 zoning district

- C 200054 ZSM** Special permit pursuant to ZR Section 74-533 to reduce the number of

required parking spaces at the development site.

N 200053 ZAM Authorization pursuant to ZR Section 25-631(f)(2) to modify curb cut requirements at the development site.

BACKGROUND

A description of this application, the surrounding area, and the proposed project is included in the report for the related Special Permit action (C 200050 ZSM).

ENVIRONMENTAL REVIEW

The certified application (N 200051 ZRM) in conjunction with the applications for the related actions (C 200050 ZSM, C 200052 ZMM, C 200054 ZSM, N 200053 ZAM), were reviewed pursuant 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 (NYCRR), Section 617.00 *et seq.* and the New York City Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 18DCP084M. The lead agency is the City Planning Commission.

A summary of the environmental review appears in the report for the related Special Permit action (C 200050 ZSM).

PUBLIC REVIEW

The text amendment application (N 200051 ZRM), along with the related authorization action (N 200053 ZAM), was referred to Community Board 10 and the Manhattan Borough President for information and review in accordance with the procedures for non-ULURP matters, in conjunction with the related map amendment and special permit actions (C 200052 ZMM, C 200050 ZSM, C 200054 ZSM), which were certified as complete by the Department of City Planning on August 26, 2019, and were duly referred, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Review

Community Board 10 held two public hearings on the text amendment application (N 200051 ZRM) and the related applications on September 19, 2019 and October 17, 2019, and on November 6, 2019, by a vote of 20 in favor, 15 opposed, and with one abstention, adopted a resolution recommending disapproval of the application with conditions.

A summary of the Community Board's conditions and recommendations appears in the report for the related Special Permit (C 200050 ZSM).

Borough President Recommendation

The text amendment application (N 200051 ZRM), in conjunction with the related applications (C 200050 ZSM, C 200052 ZMM, C 200054 ZSM, N 200053 ZAM) were considered by the Manhattan Borough President. The Borough President held a hearing on November 18, 2019 and issued a recommendation on December 16, 2019 of denial of the application. The Borough President described further explanation of this recommendation in her letter dated on December 12, 2019 which is attached to this report.

City Planning Commission Public Hearing

On December 4, 2019 (Calendar No. 4), the City Planning Commission scheduled December 18, 2019, for a public hearing on the zoning text amendment application (N 200051 ZRM). The hearing was duly held on December 18, 2019 (Calendar No. 29), in conjunction with the public hearings on the applications for the related actions (C 200050 ZSM, C 200052 ZMM, C 200054 ZSM). Nine speakers testified in favor of the application and 28 in opposition.

A summary of the City Planning Commission Public Hearing appears in the report for the related special permit (C 200050 ZSM).

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 200051 ZRM), in conjunction with the related zoning special permits (C 200050 ZSM and C 200054 ZSM), zoning

map amendment (C 200052 ZMM) and authorization (N 200053 ZAM), as modified herein, is appropriate.

A full consideration and analysis of the issues and reasons for approving this application appear in the report for the related Special Permit action (C 200050 ZSM).

RESOLUTION

Therefore, the City Planning Commission, deeming the actions described herein to be appropriate, adopts the following resolution:

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on August 23, 2019, with respect to this application (CEQR No. 18DCP084M), 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, adopted herein is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable;
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, pursuant to the Restrictive Declaration marked as Exhibit A,
3. No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as Exhibit A, as same may be modified with any necessary administrative or technical changes, all as acceptable to Counsel to the Department of City Planning, is executed by Lenox Terrace Development Associates or its successor, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

The report of the City Planning Commission, together with the FEIS, constitutes 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, by the City Planning Commission, pursuant to Section 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 modified, is further amended as follows:

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

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APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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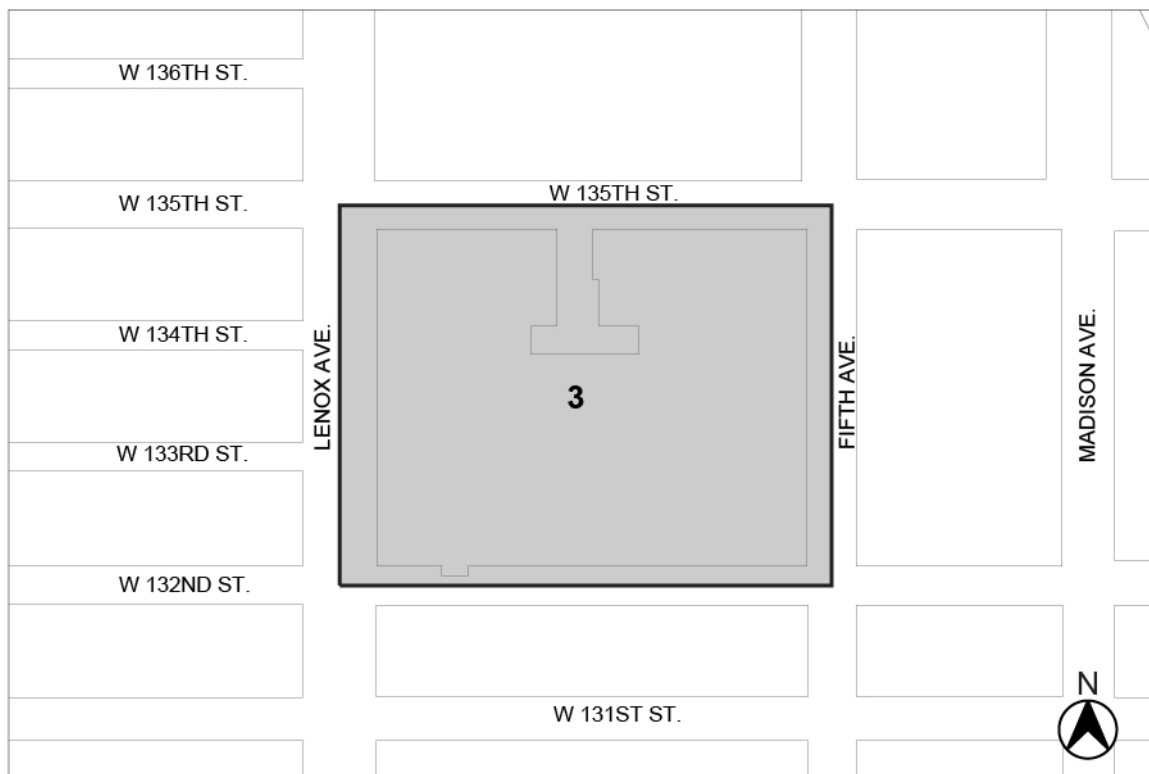
MANHATTAN


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Manhattan Community District 10

Map 2 - [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Area. see Section 23-154 (d)(3)
Area 3 - [date of adoption] - MIH Program Option 1 and Option 2

Portion of Community District 10, Manhattan

The above resolution (N 200051 ZRM), duly adopted by the City Planning Commission on February 3, 2020 (Calendar No. 2), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

DAVID BURNEY, ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO III,

JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT,

ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*

ANNA HAYES LEVIN, *Commissioner*; ABSTAINING

MICHELLE DE LA UZ, *Commissioner*; VOTING NO