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**IN THE MATTER OF** an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XII Chapter 3 for the purpose of establishing a Special Mixed Use District; and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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This application (N 190337 ZRX) for a zoning text amendment was filed by the New York City (NYC) Department of Correction and the Mayor’s Office of Criminal Justice on March 22, 2019. The proposed action, along with the related actions, would facilitate the development of four detention facilities that comprise the NYC borough-based jail system in Bronx Community District 1, Brooklyn Community District 2, Manhattan Community District 1 and Queens Community District 9.

**RELATED ACTIONS**

In addition to the zoning text amendment, which is the subject of this report (N 190337 ZRX), the following actions are also being considered concurrently with this application:

*System-wide*

C 190333 PSY            Site selection for four new borough-based jail facilities

N 190334 ZRY            Text amendment to create a new Special Permit in Zoning Resolution (ZR) Section 74-832 to allow for modifications to ground floor uses, bulk, floor area ratio, parking and loading for a borough-based jail system

*Bronx*

C 190335 ZSX            Special Permit pursuant to ZR Section 74-832

C 190336 ZMX            Zoning Map Amendment to rezone the western portion of Block 2574 from M1-3 to M1-4/R7-X

C 190338 HAX Designation of the mixed-use development site as an Urban Development Action Area (UDAA) and an Urban Development Action Area Project (UDAAP) Approval for the mixed-use development and the disposition of the mixed-use development site to facilitate a new mixed-use development

*Brooklyn*

C 190339 ZSK Special Permit pursuant to ZR Section 74-832

C 190116 MMK City map amendment to establish upper and lower limiting planes to State Street between Boerum Place and Smith Street

*Manhattan*

C 190340 ZSM Special Permit pursuant to ZR Section 74-832

C 190341 PQM Acquisition of a leasehold interest of retail space in Manhattan Detention Center (MDC) North held by Walker Street-Chung Pak Local Development Corporation (LDC), an area of approximately 6,300 square feet

C 190252 MMM City map amendment to demap White Street between Centre Street and Baxter Street and reestablish White Street with upper and lower limiting planes as well as narrow and realign the right-of-way

*Queens*

C 190342 ZSQ Special Permit pursuant to ZR Section 74-832

C 190117 MMQ City map amendment to demap 82nd Avenue between 126th Street and 132nd Street

**BACKGROUND**

A full background discussion and description of this application appear in the report for the related site selection action (C 190333 PSY).

**ENVIRONMENTAL REVIEW**

The subject application (N 190337 ZRX), in conjunction with the applications for related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, C 190338 HAX, C 190339 ZSK, C 190116 MMK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117

MMQ), was 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 18DOC001Y. The lead agency is the Department of Correction.

A summary of the environmental review appears in the report on the related application for a site selection (C 190333 PSY).

### **UNIFORM LAND USE REVIEW**

On March 25, 2019 this application (N 190337 ZRX), in conjunction with the applications for related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX and C 190338 HAX), was certified as complete by the Department of City Planning and duly referred to Bronx Community Board 1, Brooklyn Community Board 2, Manhattan Community Board 1, Queens Community Board 9, the Bronx Borough President, Brooklyn Borough President, Manhattan Borough President and Queens Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) and in accordance with the procedures for non-ULURP matters. Queens Community Board 8 also formally requested to review the application.

### **Community Board Public Hearing**

Bronx Community Board 1 held a public hearing on this application (N 190337 ZRX), in conjunction with the related actions, on May 23, 2019 and by a vote of 25 in favor, zero opposed and three abstaining, adopted a resolution recommending disapproval of the proposed application.

The Community Board's recommendation appears in the report for the related site selection action (C 190333 PSY).

### **Borough President Recommendation**

The Bronx Borough President considered this application (N 190337 ZRX), in conjunction with the related actions, and on July 2, 2019 issued a recommendation disapproval of the proposed application.

The Borough President's recommendation appears in the report for the related site selection action

(C 190333 PSY).

### **City Planning Commission Public Hearing**

On June 19, 2019 (Calendar No. 5) the CPC scheduled July 10, 2019 for a public hearing on this application (N 190337 ZRX). The hearing was duly held on July 10, 2019 (Calendar No. 12) in conjunction with the public hearing on the applications for the related actions (C 190333 PSY, N 190334 ZRY, C 190335 ZSX, C 190336 ZMX, C 190338 HAX, C 190339 ZSK, C 190116 MMK, C 190340 ZSM, C 190341 PQM, C 190252 MMM, C 190342 ZSQ and C 190117 MMQ).

There were a number of speakers, as described in the report for the related site selection action (C 190333 PSY), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning text amendment (N 190337 ZRX) is appropriate.

A full description of the Commission's consideration appears in the report for the related site selection action (C 190333 PSY).

### **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. 18DOC001Y), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

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

components related to the environment and mitigation measures that were identified as practicable.

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 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 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.

## **ARTICLE XII**

### **SPECIAL PURPOSE DISTRICTS**

\* \* \*

#### **Chapter 3**

##### **Special Mixed Use District**

\* \* \*

#### **123-63**

##### **Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts**

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

\* \* \*

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#
* * *	
MX 16 - Community Districts 5 and 16, Brooklyn	R6A R7A R7D R8A
<u>MX 18 - Community District 1, The Bronx</u>	<u>R7X</u>

\* \* \*

**123-90**

**SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:

\* \* \*

#Special Mixed Use District# - 17: (3/22/18)

Hunts Point, The Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 18: [date of adoption]

Mott Haven, The Bronx

The #Special Mixed Use District# - 18 is established in Mott Haven in The Bronx as indicated on the #zoning maps#.

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## **APPENDIX F**

### **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

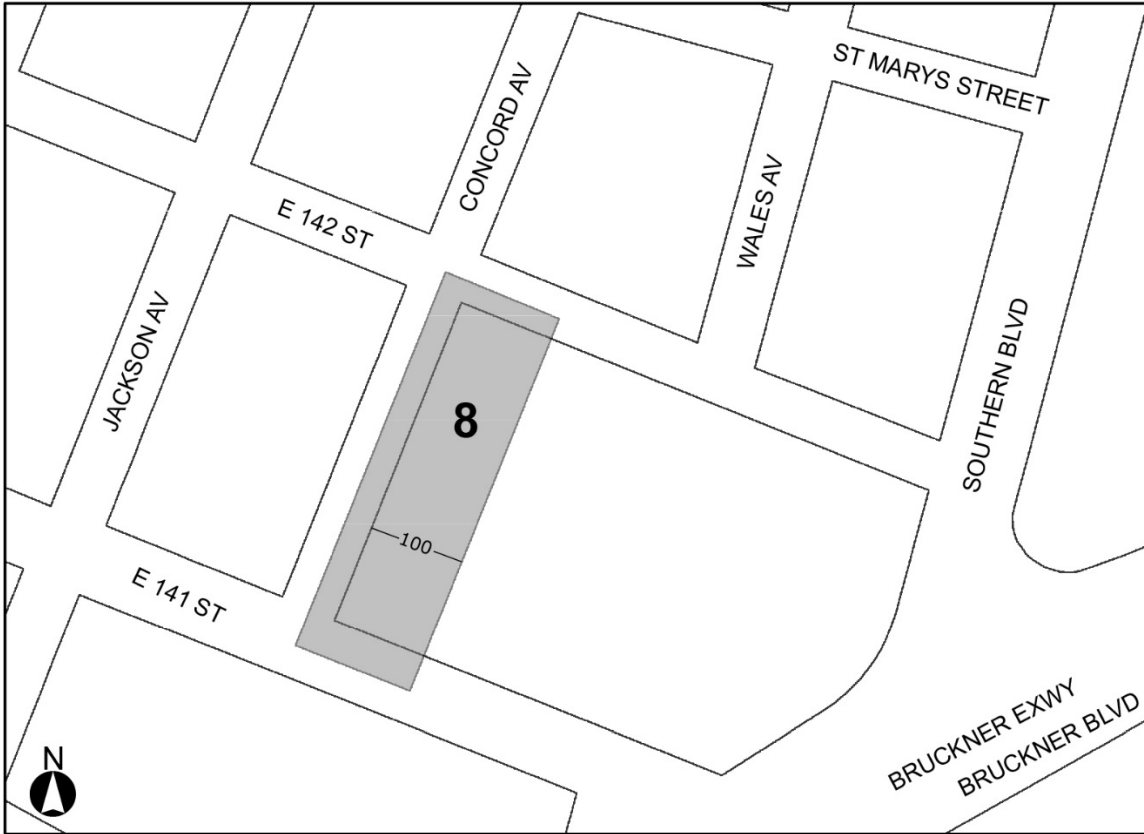
## **THE BRONX**

### **The Bronx Community District 1**

\* \* \*

Map 7 – [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)  
Area 8 — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 1, The Bronx

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The above resolution (N 190337 ZRX), duly adopted by the City Planning Commission on September 3, 2019 (Calendar No. 5) 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., JOSEPH DOUEK, RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN, LARISA ORTIZ**, *Commissioners*

**ALFRED C. CERULLO III, ORLANDO MARIN, RAJ RAMPERSHAD**,  
*Commissioners, Voting No*