

**A. INTRODUCTION**

This chapter assesses the potential for the proposed actions to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the land uses and development trends in the area that may be affected by the proposed actions and determines whether the proposed actions are compatible with those conditions or may otherwise affect them. This analysis also considers the proposed actions' compatibility with zoning regulations and other applicable public policies in the study area.

As described in Chapter 1, "Project Description," under the reasonable worst-case development scenario (RWCDS) the proposed actions would result in the development of approximately 1,711 new dwelling units (DUs) (an increase of approximately 1,642 DUs over the No Action Scenario), 135,500 gross square feet (gsf) of retail (an increase of approximately 39,845 gsf over the No Action scenario), and approximately 15,055 gsf of community facility space within the rezoning area.

**PRINCIPAL CONCLUSIONS**

The analysis presented in this chapter concludes that the proposed actions would not have a significant adverse impact on land use, zoning, or public policy. The proposed actions would not adversely affect surrounding land uses, nor would the proposed actions generate land uses that would be incompatible with land uses, zoning, or public policy within the ¼-mile study area.

The proposed actions would facilitate the construction of five new, predominantly residential buildings with ground-floor retail on the existing Lenox Terrace property. The proposed project would introduce a total of approximately 1,642 new DUs on the Lenox Terrace site, of which approximately 411 to 493 DUs would be permanently affordable under the Mandatory Inclusionary Housing (MIH) program. It would also introduce approximately 135,500 gsf of retail space (an increase of approximately 39,845 gsf over No Action scenario), and approximately 15,055 gsf of community facility space on the proposed development site. The proposed actions would facilitate development on one projected future development site (Block 1730, Lot 65), which could be developed with a mixed-use building containing up to approximately 69 new DUs and approximately 6,968 gsf of community facility use (replacement facility for existing church). The proposed and projected residential, commercial, and community facility uses would be comparable to existing and planned developments in Central Harlem, and would directly support several major City policies aimed at increasing the supply of affordable housing in New York City. The proposed actions would facilitate mixed-use development in an area well-served by mass transit.

The proposed zoning would increase the density of the proposed development site through the addition of buildings whose bulk is comparable to other buildings within the study area, in particular the Harlem Hospital Center across West 135th Street from the proposed development

site. The proposed actions would allow for the provision of increased affordable housing to the area.

The change in the proposed zoning and the modification in the site plan described in Chapter 1, “Project Description” and the Foreword to the FEIS and illustrated on Figure 1-5 would not alter the development program considered in the EIS. The proposed C1-5 commercial overlay would be more restrictive in terms of allowable use groups than the analyzed C6-2 district, and would not permit commercial uses above the ground floor when there would be residential use above; in this way, it would more closely reflect the local retail character of the surrounding area. Therefore, the change in the proposed zoning and the modification to the site plan would not result in any significant adverse impacts to land use, zoning or public policy.

## **B. METHODOLOGY**

Following the guidance of the *CEQR Technical Manual*, this analysis of land use, zoning, and public policy examines the area within ¼-mile of the rezoning area, which is the area within which the proposed actions could reasonably be expected to cause potential effects. The land use study area is generally bounded by West 140th Street to the north, Park Avenue to the east, West 127th Street to the south, and Adam Clayton Powell Jr. Boulevard to the west (see **Figure 2-1**). The rezoning area and the western portion of the surrounding study area are within Manhattan Community District 10; the eastern portion of the study area is located in Manhattan Community District 11.

The analysis begins by considering existing conditions in the study area in terms of land use, zoning, and public policy. The analysis then considers land use, zoning, and public policy in the future without the proposed project (the “No Action” scenario) in the 2023 and 2026 analysis years by identifying developments and potential policy changes expected to occur within that time frame. Potential impacts of the proposed actions are then evaluated by comparing conditions in the future with the proposed project (the “With Action” scenario) and with those conditions anticipated in the No Action scenario. Sources for this analysis include the New York City Department of City Planning (DCP), the New York City Department of Buildings (DOB) and recent Environmental Assessment Statements (EAS) and Environmental Impact Statements (EIS) for projects in the area.

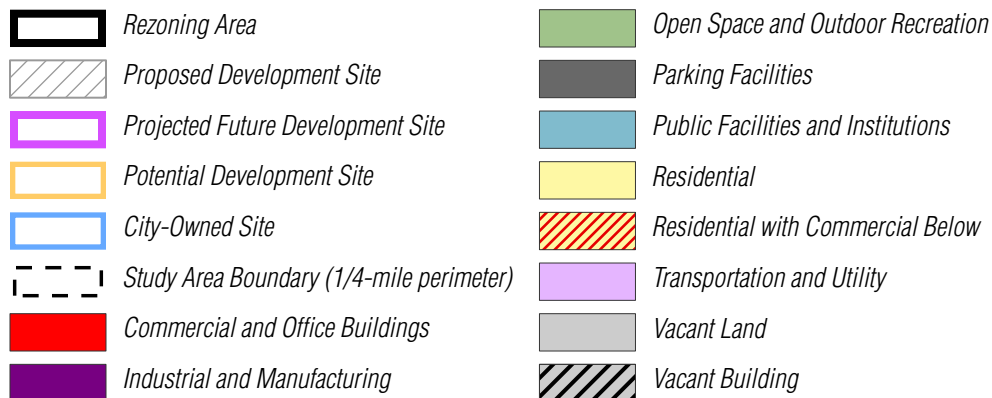
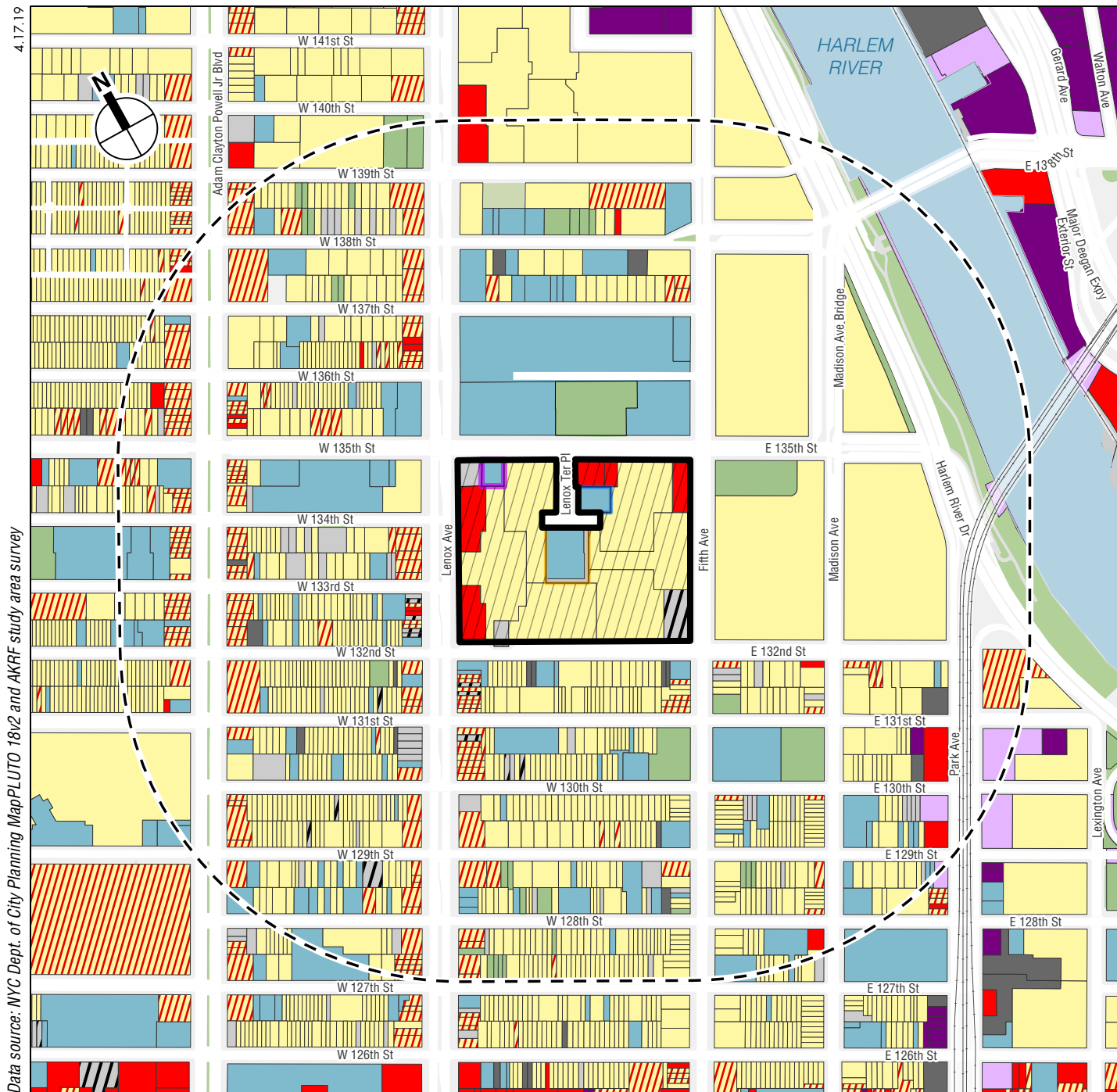
## **C. EXISTING CONDITIONS**

### **LAND USE**

#### *REZONING AREA*

The rezoning area consists of the entirety of Manhattan Block 1730 (Lots 1, 7, 9, 16, 19, 25, 33, 36, 40, 45, 50, 52, 55, 64, 65, 68, and 75), which is bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues (see **Figure 2-1**).

The proposed development site consists of Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75. The projected future development site is Lot 65; Lots 16 and 19 are occupied by the Joseph P. Kennedy Memorial Community Center and are considered to be a potential development site; and Lot 55 is a New York City Department of Parks and Recreation (NYC Parks)-owned site (see Figure 1-1 and **Table 2-1**). The applicant owns or controls all parcels of the proposed development site. The applicant does not own or control Lots 16, 19, 55, and 65.



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**LENOX TERRACE**

Existing Land Use  
**Figure 2-1**

**Table 2-1**  
**Lots within Rezoning Area**

Block	Lot	Lot Size (sf)	Address	Building Area (gsf)	Height (floors)	Existing Use	Parking (spaces)
Proposed Development Site							
1730	1	20,042	444 Lenox Avenue	20,189	1	Commercial	0
1730	7	4,495	N/A	N/A	N/A	Vacant	N/A
1730	9	68,198	45 West 132nd Street	249,397	16	Residential, surface parking	81
1730	25	71,537	25 West 132nd Street	248,994	16	Residential, surface parking	92
1730	33	19,800	2160 Fifth Avenue	17,820	1	Vacant single-story commercial	0
1730	36	65,339	2186 Fifth Avenue	249,209	16	Residential, surface parking	52
1730	40	14,000	2196 Fifth Avenue	23,800	1	Single-story commercial	0
1730	45	76,662	10 West 135th Street	249,276	16	Residential, surface parking	90
1730	50	4,996	20 West 135th Street	4,880	1	Single-story commercial	0
1730	52	10,991	24 West 135th Street	11,000	1	Single-story commercial	0
1730	64	66,899	40 West 135th Street	249,463	16	Residential, surface parking	63
1730	68	32,348	480 Lenox Avenue	17,966	1	Vacant, single-story commercial	0
1730	75	84,542	470 Lenox Avenue	248,935	16	Residential, surface parking	79
Projected Future Development Site							
1730	65	8,744	58 West 135th Street	6,968	2	Institution	0
Potential Development Site							
1730	16	29,775	34 West 134th Street	34,616	3	Community Facility (Joseph P. Kennedy Memorial Community Center)	21
1730	19	5,673		N/A	N/A		
City-Owned Site							
1730	55	12,490	35 West 134th Street	31,475	1	Community Facility	0

### *PROPOSED DEVELOPMENT SITE*

The proposed development site currently contains Lenox Terrace, a superblock development comprising six 16-story (144-foot-tall) residential towers with 1,716 DUs (approximately 1,447,500 gsf), five one-story buildings with approximately 95,655 gsf of local retail uses (of which approximately 17,820 gsf is currently vacant), and approximately 457 at-grade accessory parking spaces with small, tree-planted green spaces interspersed between the parking lots and buildings. A small play structure is also located on the rear of Lot 36, near the Kennedy Center site. Approximately 80 percent of the existing DUs (1,370) are currently subject to rent stabilization. The retail uses in the one-story buildings along West 135th Street include a supermarket and pharmacy, and the retail uses in the one-story buildings along Fifth Avenue include a bank, a deli/grocery, and a thrift store. The retail uses in the one-story buildings along Lenox Avenue include a supermarket, pharmacy, dry cleaners, and several restaurants, among other uses. One of the five one-story buildings, at the southeast corner of the proposed development site, is currently vacant. Two parcels of land at the northwest and southwest corners of the proposed development site are vacant and surrounded with chain-link fencing.

The proposed development site is approximately 539,885 sf, with an existing built floor area ratio (FAR) of approximately 2.92. Lenox Terrace Place provides access to the interior of the superblock from West 135th Street.

## Lenox Terrace

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### *PROJECTED FUTURE DEVELOPMENT SITE*

The projected future development site is occupied by the Metropolitan African Methodist Episcopal (AME) Church, operating on the site since the 1960s.

### *POTENTIAL DEVELOPMENT SITE*

The Joseph P. Kennedy Memorial Community Center, a community facility use, is located on Lots 16 and 19 under ownership by Catholic Charities of the Archdiocese of New York.

### *CITY-OWNED SITE*

The Hansborough Recreation Center, a community facility use, is located on Lot 55 under NYC Parks ownership.

### *STUDY AREA*

Similar to the rezoning area, the land uses of the surrounding study area are predominantly residential, but also include many commercial and community facility uses (see **Table 2-2**). The block immediately to the north of the rezoning area contains two large community facility uses, the Harlem Hospital Center and the P.S. 197 John B. Russwurm School, and an open space, the Howard Bennett Playground. The Harlem Hospital Center campus also incorporates the next block to the north, beyond which are two blocks containing predominantly six-story apartment buildings and several community facility and institutional uses, as well as public open space. The northernmost block located partially within the study area contains the seven 13-story buildings of the Savoy Park Apartments and a grocery store.

**Table 2-2**  
**Land Uses in the Study Area**

<b>Existing Land Use</b>	<b>Lots</b>	<b>Percentage of Lots</b>	<b>Building Area (sf)</b>	<b>Percentage of Building Area</b>
Commercial and Office	23	1.79	319,088	1.54
Industrial and Manufacturing	1	0.08	0	0.00
Open Space and Outdoor Recreation	36	2.80	33,813	0.16
Parking Facilities	15	1.17	24,123	0.12
Public Facilities and Institutions	116	9.03	4,578,159	22.10
Residential	840	65.37	12,537,677	60.82
Mixed-use (Residential with Commercial Below)	172	13.39	2,979,178	14.38
Transportation and Utility	8	0.62	121,572	0.59
Vacant Building	14	1.09	52,668	0.25
Vacant Land	60	4.67	7,765	0.04
<b>Totals</b>	<b>1,285</b>	<b>100</b>	<b>20,654,043</b>	<b>100</b>

**Sources:** DCP Zola Map; GIS Data, 2018

The two superblocks in the northeast corner of the study area contain the seven 13-story buildings of the Riverton Square residential development. To the north of these are additional residential towers located along the Harlem River. Directly east of the rezoning area across Fifth Avenue are two more superblocks that contains the fourteen 6- to 14-story buildings of the New York City Housing Authority's (NYCHA) Lincoln Houses as well as NYC Parks' Abraham Lincoln Playground. Adjacent to the Harlem River is the Harlem River Park Greenway, a public open space.

The blocks in the southeastern portion of the study area are composed mainly of residential row houses and tenement buildings, some containing ground-floor commercial uses. There are several commercial, transportation, and utility uses located along Park Avenue. The southeastern portion of the study area also contains several small parking facilities, vacant parcels, buildings under construction, community facility and institutional uses, and open spaces.

The blocks directly south of the rezoning area consist mainly of residential row houses and tenement buildings. Many of these buildings fronting Fifth and Lenox Avenues also contain ground-floor retail uses. These blocks also contain several small parking facilities, vacant buildings, parcels of vacant land, buildings under construction, community facility and institutional uses, and open spaces.

The western portion of the study area is composed of the 13 blocks to the west of Lenox Avenue between approximately West 127th and 140th Streets. These blocks are generally characterized by residential row houses and tenement buildings, with the majority of buildings fronting Lenox Avenue and Adam Clayton Powell Jr. Boulevard containing ground-floor retail uses. An exception to the walk-up nature of these blocks is the Clayton Apartments residential building fronting Lenox Avenue between West 134th and West 135th Streets, directly west of the rezoning area across Lenox Avenue. These blocks also contain many community facility and institutional uses such as the YMCA, Harlem Children's Zone Promise Charter School, and P.S. 175 Henry H. Garnet Public School located behind the Clayton Apartments between West 134th and West 135th Streets. Additionally there are parcels of vacant land, vacant buildings, small parking facilities, and open spaces located on these blocks. The Central Harlem-West 130th-132nd Streets Historic District, approved in May of 2018 by the Landmarks Preservation Commission (LPC) to protect a notably cohesive and intact collection of late-19th century row house architectural styles, is also located in this part of the study area covering the mid-block sections of West 130th, West 131st, and West 132nd Streets between Lenox Avenue and Adam Clayton Powell Jr. Boulevard.

The study area also captures a portion of the blocks to the west of Adam Clayton Powell Jr. Boulevard between 129th and 138th Streets. These blocks are similar to those described above, except for the superblock between 129th and 131st Streets, which contains seven towers of NYCHA's Saint Nicholas complex, as well as a church and charter school.

## **ZONING**

### *REZONING AREA*

The rezoning area is located in an R7-2 residential zoning district with C1-4 commercial overlays mapped along Lenox and Fifth Avenues and West 135th Street (see **Figure 2-2**). R7-2 residential zoning districts are medium-density apartment house districts that can be developed under two different sets of bulk regulations. Height Factor regulations encourage shorter apartment buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage; new buildings are to have an open space ratio requirement of 15.5 to 25.5. There are no height limits on buildings within this zoning district under Height Factor regulations; street wall heights and setbacks are governed either by sky exposure planes or through tower regulations. The maximum residential FAR in an R7-2 district under Height Factor regulations is 3.44. Quality Housing regulations encourage the development of lower buildings with high lot coverage (a maximum of 80 percent lot coverage for corner lots and 60 percent lot coverage for interior lots) set at or near the street. Height limits are 75 feet on a narrow street or 80 feet on a wide street. The maximum residential FAR in an R7-2 district under Quality Housing regulations is 4.0 within 100 feet of a wide street



Data source: NYC Dept. of City Planning GIS Zoning Features, July 2018

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|--|--|--|----------------------------------|
|  | Rezoning Area                            |  | Park Boundary                    |
|  | Study Area Boundary (1/4-mile perimeter) |  | C1-2 Commercial Overlay District |
|  | Zoning District Boundaries               |  | C1-4 Commercial Overlay District |
|  | East Harlem Rezoning Area                |  | C2-4 Commercial Overlay District |
|  | Special Purpose District                 |  | C2-5 Commercial Overlay District |

## Lenox Terrace

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outside of the Manhattan Core<sup>1</sup> and 3.44 elsewhere. Community facilities (Use Groups 3 and 4) are allowed as of right within this zoning district up to an FAR of 6.5 and are not required to provide open space. R7-2 districts require parking for 50 percent of DUs under both Height Factor and Quality Housing regulations.

C1-4 commercial overlays are mapped to a depth of 100 feet along the Lenox Avenue, Fifth Avenue, and West 135th Street frontages of the rezoning area, extending to depths of approximately 315 feet from Fifth Avenue and 240 feet from 135th Street at the northeast corner of the block. C1-4 commercial overlays are mapped within residential districts along streets that serve local needs. These districts preserve the underlying residential zoning regulations while allowing for ground- and first-floor retail uses in mixed-use residential buildings. In a C1-4 commercial overlay commercial uses are limited to the ground- and first-floors of a building and must always be located below residential uses. Typical retail uses within C1-4 commercial overlays include neighborhood grocery stores, restaurants, and beauty parlors, as well as a wider range of uses such as funeral homes and automotive repair services (Use Groups 1 through 6 are permitted as of right). When mapped in R6 through R10 districts, the maximum commercial FAR is 2.0, and commercial buildings are subject to commercial bulk rules.

### *STUDY AREA*

The study area surrounding the rezoning area is mostly located within the same R7-2 district as the rezoning area. This R7-2 district is mapped approximately from 155th Street in the north to 126th Street in the south, covering much of the area between the Harlem River to the east and St. Nicholas and Jackie Robinson Parks to the west. Generally streets running east-west within this area are considered to be narrow streets (less than 75 feet wide) for the purposes of zoning and the north-south avenues are considered wide streets<sup>2</sup> (75 feet or more). Additional C1-4 overlays are also present, fronting Lenox Avenue and West 135th Street in the northwest corner of the study area.

In addition to the R7-2 and C1-4 districts described above, the study area contains eight additional types of zoning districts and one special purpose district. These are R8, R8A, R7A, and R7B residential zoning districts, C1-2, C2-4, and C2-5 commercial overlays, an M1-2 light manufacturing district, an M1-6/R9 mixed-use district, and the Special East Harlem Corridors District.<sup>3</sup>

An R7A residential zoning district is mapped along Madison Avenue in the southeastern portion of the study area. R7A districts are medium density apartment house districts, but have mandatory contextual Quality Housing bulk regulations as opposed to Height Factor regulations. These regulations limit height and generally produce seven- to nine-story apartment buildings with high lot coverage (a maximum lot coverage of 65 percent on an interior lot and 100 percent on a corner lot). Base height before setback must be between 40 and 75 feet, with a maximum building height of 85 feet. The maximum residential FAR in an R7A district is 4.0 FAR, and community facility uses in Use Groups 3 and 4 are also permitted as of right up to an FAR of 4.0. R7A districts have

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<sup>1</sup> The Manhattan Core extends from the southern tip of Manhattan at The Battery to West 110th Street on the West Side and East 96th Street on the East Side.

<sup>2</sup> Most wide street bulk regulations are also applicable to buildings on intersecting streets within 100 feet of a wide street.

<sup>3</sup> On November 30, 2017, the City Council adopted the East Harlem Rezoning Proposal, which rezoned portions of the study area.



no open space requirements and off-street parking is required for at least 50 percent of dwelling units. R7B residential zoning districts are also mapped in the southeastern portion of the study area, covering the midblock portions between Fifth and Madison Avenues and Madison and Park Avenues. R7B districts are also medium-density apartment house districts with contextual Quality Housing regulations, but encourage slightly smaller buildings than R7A districts. R7B districts generally produce six- to seven-story apartment buildings with high lot coverage (a maximum lot coverage of 65 percent on an interior lot and 100 percent on a corner lot). Base height before setback must be between 40 and 65 feet, with a maximum building height of 75 feet. The maximum residential FAR in an R7B district is 3.0, and community facilities in Use Groups 3 and 4 are permitted as of right up to an FAR of 3.0. R7B districts have no open space requirements and off-street parking is required for at least 50 percent of dwelling units.

R8 residential zoning districts are mapped in three locations within the study area: a small R8 district covering one zoning lot fronting Adam Clayton Powell Jr. Boulevard between 136th and 137th Streets in the northwestern portion, an R8 district covering Blocks 1763 and 1764 adjacent to the Harlem River in the northeastern portion, and an R8 district covering Block 1780 in the eastern portion. R8 residential zoning districts are high-density districts in which buildings can be developed under either Height Factor or Quality Housing bulk regulations. As discussed above, Height Factor regulations encourage lower buildings on smaller zoning lots and, on larger lots, taller buildings with less lot coverage. Under Height Factor regulations, there are no height limits on buildings within this zoning district; street wall heights and setbacks are governed by sky exposure planes. The maximum residential FAR in an R8 district is 6.02. Quality Housing regulations encourage lower buildings with high lot coverage set at or near the street. Height limits are 105 feet on a narrow street or 120 feet on a wide street. The maximum residential FAR in an R8 district under Quality Housing regulations is 7.20 within 100 feet of a wide street outside of the Manhattan Core and 6.02 elsewhere. Community facilities uses in Use Groups 3 and 4 are permitted as of right up to an FAR of 6.5 in R8 districts under both Height Factor and Quality Housing bulk regulations. Parking is required in R8 districts under both sets of bulk regulations for at least 40 percent of dwelling units, and buildings developed under Height Factor bulk regulations have an open space ratio requirement of 5.9 to 11.9.

One R8A residential zoning district is also present in the study area adjacent to Lenox Avenue between 130th and 131st Streets. Like R8 districts, R8A districts are high-density districts, but must be developed under contextual Quality Housing regulations, similar to R7B districts, but with higher FAR and height limits. These bulk regulations generally produce 11- to 12-story apartment buildings with high lot coverage. Base height before setback must be between 60 to 85 feet, with a maximum building height of 120 feet. The maximum residential FAR in an R8A district is 6.02. Community facility uses in Use Groups 3 and 4 are permitted as of right up to an FAR of 6.5 in R8A districts. There are no open space ratio requirements for R8A districts, however they must provide parking for at least 40 percent of dwelling units and may cover up to 70 percent of an interior lot or 100 percent of a corner lot.

A single R9A residential zoning district is mapped on the west side of Park Avenue between East 131st and 132nd Streets. R9A zoning districts are R9 districts with the use of Quality Housing bulk regulations made mandatory. In an R9A district the maximum residential FAR is 7.52. Height limits are 135 feet on a narrow street or 145 feet on a wide street. Community facility uses in Use Groups 3 and 4 are permitted as of right up to an FAR of 7.5 in R9A districts. There are no open space ratio requirements for R9A districts, however they must provide parking for at least 40 percent of dwelling units and may cover up to 70 percent of an interior lot or 100 percent of a corner lot.

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A C1-2 commercial overlay is mapped at the southeastern end of the study area. C1-2 commercial overlays are similar to the C1-4 commercial overlays described above, but require less parking. In addition to the C1-4 overlays mapped within the rezoning area, C1-4 overlays are extensively mapped along Adam Clayton Powell Jr. Boulevard, Lenox Avenue north of 135th Street, and along Madison Avenue. C2-4 commercial overlays are similar to C1-2 and C1-4 overlays, and are mapped along streets that serve local retail needs within residential districts. C2-4 overlays also have a commercial FAR of 2.0 when mapped in an R7-2 district, but permit a slightly wider range of uses than C1-4 overlays; C1-4 overlays permit uses in Use Groups 1-6, while C2-4 overlays permit these uses as well as those in Use Groups 7-9 and 14. C2-4 overlays are mapped in the study area along the west side of Lenox Avenue south of 135th Street, and within the R8 district at the eastern end of the study area on the east side of Park Avenue. C2-5 commercial overlays are similar to C2-4 overlays, but lack any parking requirements. A C2-5 overlay is mapped concurrent with the previously mentioned R9A residential district at the eastern end of the study area.

An M1-2 light manufacturing district is mapped along the eastern edge of Park Avenue in the southeastern portion of the study area. M1-2 districts typically include light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities. Industrial uses are allowed in M1 districts provided they meet the stringent M1 performance standards. Office, hotel, and most retail uses are also permitted. In December 2018, the City Council approved a zoning text amendment to establish a new special permit under the jurisdiction of the ~~(the City is currently considering a text amendment mandating hotel builders receive special permits in light manufacturing districts. The M1 Hotel Special Permit Text Amendment [CEQR No. 18DCP042Y], a City-sponsored initiative currently in the ULURP process and receiving New York City Planning Commission (CPC) Approval in October of 2018, proposes to establish a zoning special permit for new hotels, motels, tourist cabins, and boatels uses in M1 districts citywide).~~ M1-2 districts have a maximum FAR of 2.0 with heights governed by a sky exposure plane.

A single M1-6/R9 light manufacturing/residential district is mapped along Park Avenue in the southeastern portion of the study area. M1-6/R9 districts are high-density districts that permit light manufacturing, commercial, community facility, or residential uses and typically produce large buildings. Heights are governed by the sky exposure plane or tower rules. The maximum permitted manufacturing FAR is 10.0 while the maximum permitted residential FAR is 7.52. Portions of a Special Purpose District, one of the Special East Harlem Corridors Districts, are also located in the southeastern portion of the study area along Park Avenue. This Special Purpose District promotes active non-residential ground-floor uses to facilitate a better pedestrian experience by activating the streetscape, thereby creating a more active and safe environment along Park Avenue. Urban controls included in the Special Purpose District regulate street wall conditions, minimum and maximum base heights, parking requirements, and eliminate the plaza bonus.

The R7A, R7B, R7-2, R8, M1-2, M1-6/R9, C1-2, C1-4, C2-4, R9A/C2-5 and Special East Harlem Corridor districts described above that are located in the southeastern portion of the land use study area (approximately the area south of 132nd Street and east of Fifth Avenue) were created as a result of the East Harlem Rezoning (see **Table 2-3**). This rezoning (composed of a series of land use actions that included zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan) was completed by the City in 2017. It is intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes within the East Harlem neighborhood.

**Table 2-3**  
**Zoning Districts in the Study Area**

Zoning District	Maximum FAR <sup>1</sup>	Uses/Zone Type
R7A	4.0 Residential	Medium-density residential district
R7B	3.0 Residential	Medium-density residential district
R7-2	0.87–3.44, 4.0 Residential <sup>3</sup>	Medium-density residential district
R8	0.92-7.20 Residential	High-density residential district
R8A	6.02 Residential	High-density residential district
R9A	7.52 Residential	High-density residential district
C1-2 <sup>2</sup>	2.0 Commercial	Commercial overlay in residential districts
C1-4 <sup>2</sup>	2.0 Commercial	Commercial overlay in residential districts
C2-4 <sup>2</sup>	2.0 Commercial	Commercial overlay in residential districts
C2-5 <sup>2</sup>	2.0 Commercial	Commercial overlay in residential districts
M1-2	2.0 Manufacturing	Light manufacturing district
M1-6/R9	10.0 Manufacturing, 7.52 Residential	High-density light manufacturing district / High-density residential district

**Notes:**  
<sup>1</sup> FAR is a measure of density establishing the amount of development allowed in proportion to the lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf.  
<sup>2</sup> In mixed-use buildings, commercial uses must always be located beneath residential uses.  
<sup>3</sup> Under Quality Housing regulations.  
**Source:** *New York City Zoning Resolution*

## PUBLIC POLICY

The public policy initiatives applicable to the rezoning area and surrounding study area are described below. The rezoning area was previously covered by the Harlem Plan Urban Renewal Area adopted in 1952 and subsequently expired in 1992.

### *EAST HARLEM NEIGHBORHOOD PLAN*

The East Harlem Neighborhood Plan is a community based plan for the future of East Harlem, initiated after East Harlem was identified by the City as an area to rezone (a rezoning was subsequently adopted in 2017). The plan does not cover the rezoning area but does include the study area east of Fifth Avenue. The plan includes 61 objectives and 232 recommendations addressing a broad range of concerns and priorities sourced from the community. These objectives include preserving the unique cultural history of East Harlem, ensuring public open space meets the needs of East Harlem residents now and in the future, protecting rent stabilized units, protecting and enhancing the viability of East Harlem's small businesses, increasing quality employment opportunities for East Harlem residents, allowing for increased density in select places to create more affordable housing and spaces for jobs, preserving important East Harlem buildings and reinforcing neighborhood character, improving East Harlem's energy resiliency and independence, and improving access to healthy, affordable, quality food amongst many other objectives. The plan helped to inform the East Harlem Rezoning, and a steering committee continues to work with the City to implement recommendations and to guide and monitor the implementation of mitigation measure related to the East Harlem Rezoning.

### *HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR HOUSING PLAN*

In May 2014, the de Blasio administration released *Housing New York: A Five-Borough, Ten-Year Housing Plan* (Housing New York)—a plan to build or preserve 200,000 affordable DUs. To achieve this goal, the plan aims to double the capital budget of the New York City Department

of Housing Preservation and Development (HPD), target vacant and underused land for new development, protect tenants in rent-regulated apartments, streamline rules and processes to unlock new development opportunities, contain costs, and accelerate affordable construction. The plan details the key policies and programs for implementation, including developing affordable housing on underused public and private sites.

### *ONENYC*

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City* (OneNYC) was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. OneNYC builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well-served by transit, affordable housing, retail, and City services).

### *FRESH PROGRAM*

The rezoning area and study area are located within the Food Retail Expansion to Support Health (FRESH) zoning and tax incentive area. This special zoning designation provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in underserved communities throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. Zoning and tax incentives are discretionary and assessed on a per-case basis.

### *FEDERAL EMPOWERMENT ZONE*

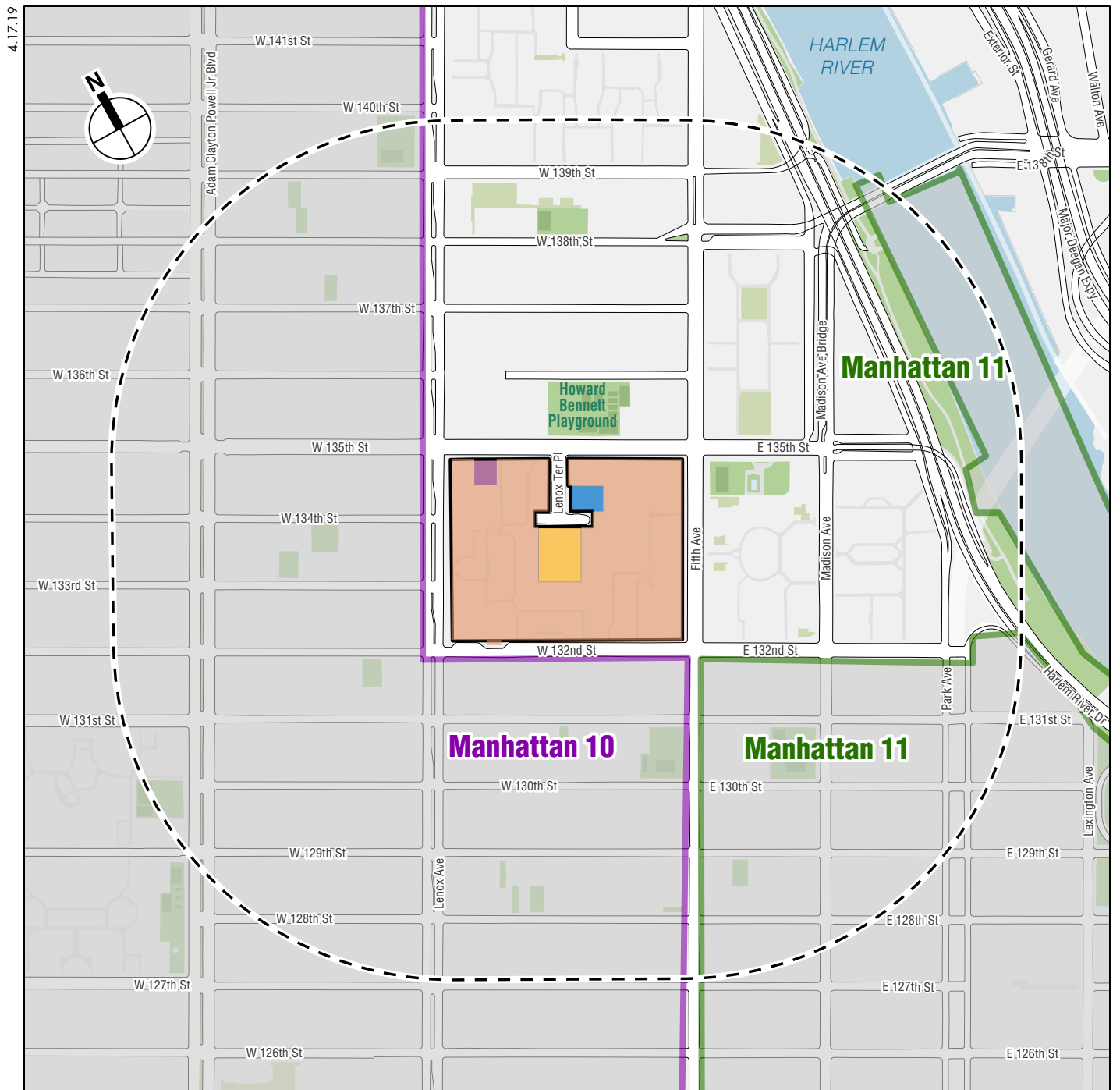
The portions of the study area to the south of West 132nd Street and to the west of Lenox Avenue, shown in **Figure 2-3**, are located within a federally designated Empowerment Zone administered by the Upper Manhattan Empowerment Zone Development Corporation (UMEZ). UMEZ conducts numerous programs with a focus on job creation and community development, including small business loans, support for artistic and cultural organizations, and workforce training.









### *WATERFRONT REVITALIZATION PROGRAM*

The New York City Waterfront Revitalization Program (WRP) establishes the City's policies for waterfront planning, preservation, and development projects to ensure consistency over the long term. The program and policies of the WRP apply when a site is located within the City's Coastal Zone. **Figure 2-4** shows that while portions of the study area are located within the Coastal Zone, the rezoning area is not; therefore, no further analysis related to the WRP is warranted for the proposed actions.

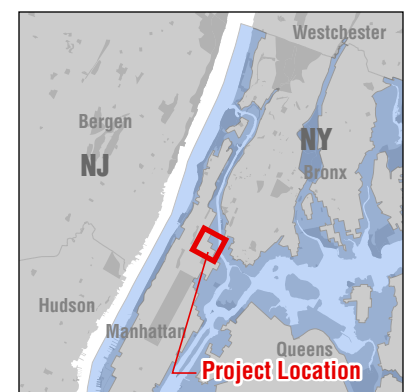
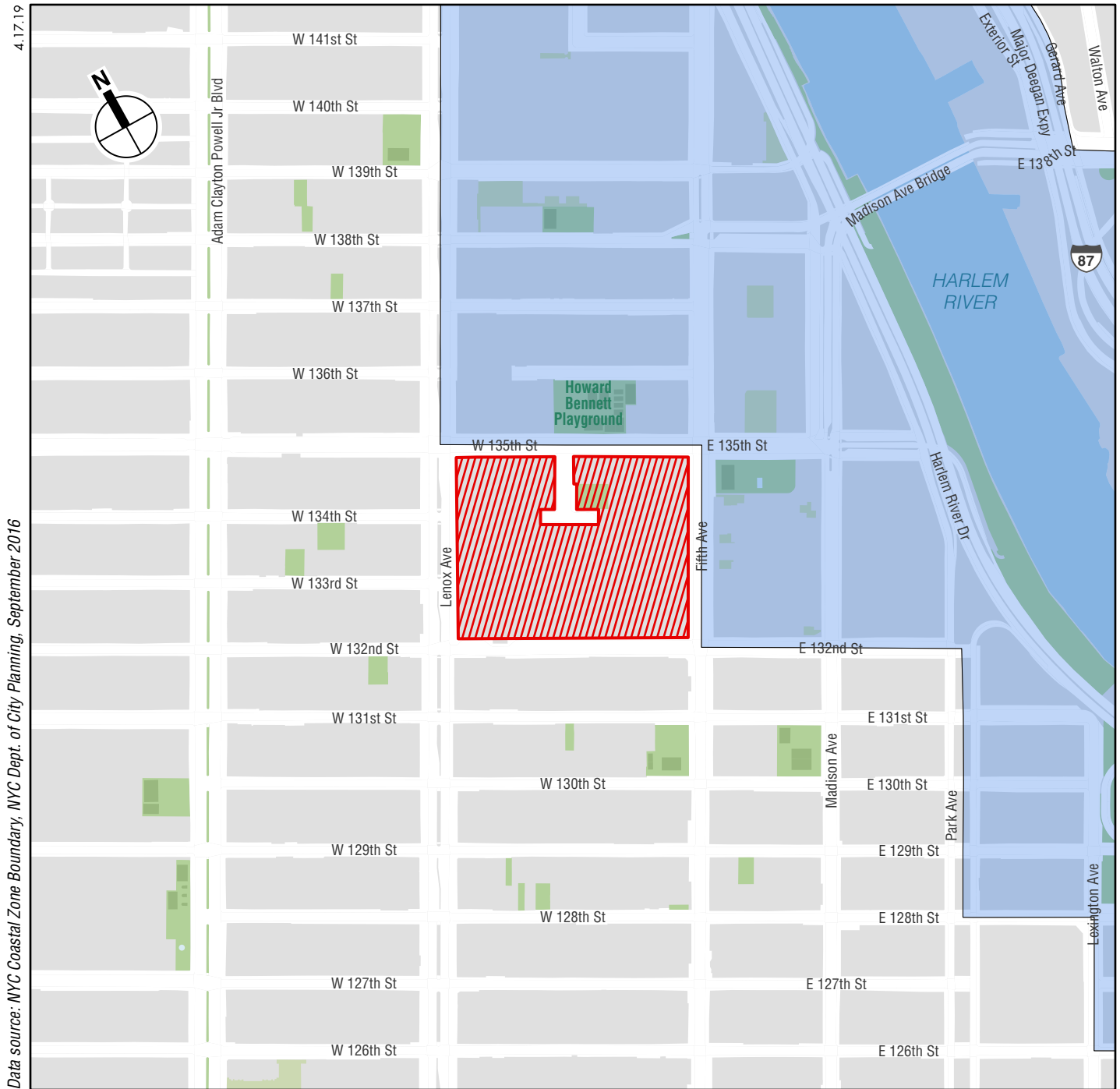
## **D. FUTURE WITHOUT THE PROPOSED PROJECT**

This section considers land use, zoning, and public policy conditions for the No Action scenario in 2023 and 2026. These conditions are projected by considering changes that are likely or expected to occur in the rezoning and study areas within that time frame.



-  Rezoning Area
-  Proposed Development Site
-  Projected Future Development Site
-  Potential Development Site
-  City-Owned Site
-  Study Area Boundary (1/4-mile perimeter)
-  Manhattan 10 Empowerment Zone
-  Manhattan 11 Empowerment Zone

0 500 FEET



NYC Coastal Zone Boundary  
Figure 2-4

## LAND USE

### *REZONING AREA*

#### *Proposed Development Site*

While current zoning regulations would permit additional development on the proposed development site, for the purposes of a conservative analysis the No Action scenario assumes that the proposed development site would continue in its current condition in both 2023 and 2026, with the exception that currently vacant retail space would likely be re-tenanted with neighborhood-serving retail uses depending upon market conditions.

#### *Projected Future Development Site*

In the No Action scenario, it is assumed that the projected future development site would continue in its current condition in both 2023 and 2026. While it has been reported that the Metropolitan AME Church could be redeveloped independent of the proposed actions, for the purposes of a conservative analysis, the No Action scenario assumes that the site will continue in its current condition.

#### *Potential Development Sites*

It is assumed that the Kennedy Center would continue in its current function in the No Action scenario (2023 and 2026).

#### *City-Owned Site*

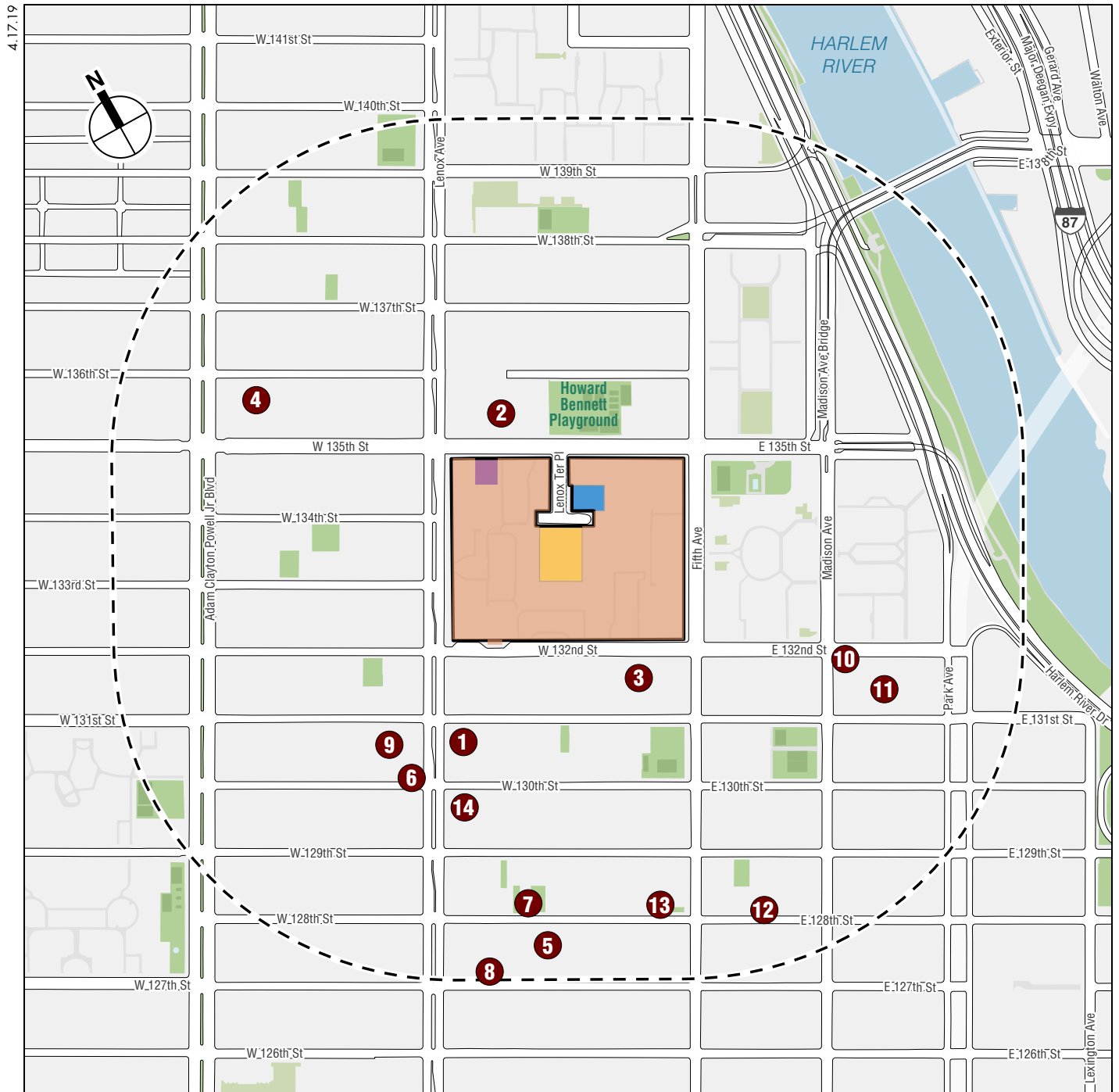
It is assumed that the Hansborough Recreation Center would continue in their current function in the No Action scenario (2023 and 2026).

### *STUDY AREA*

Current trends and conditions within the study area are expected to continue in the No Action scenario. Thirteen development projects are expected to be completed by the 2023 analysis year within the land use study area (see **Table 2-4**, **Figure 2-5**, and **Appendix A**). In total, these projects will add approximately 224 new DUs, 11,343 sf of retail space, and 18,181 sf of community facility space. By the 2026 analysis year, one additional development project is anticipated within the study area introducing an additional 230,000 sf of community facility space (a public health laboratory at Harlem Hospital).

## ZONING AND PUBLIC POLICY

At this time, there are no notable changes to zoning or public policy expected within the rezoning area, or in the study area by 2023 or 2026 in the No Action scenario. Additional development within the study area is expected to occur as a result of the recently completed East Harlem Rezoning. As described above, the East Harlem Rezoning was completed in 2017 and is intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes within the East Harlem neighborhood.



- Rezoning Area
- Proposed Development Site
- Projected Future Development Site
- Potential Development Site
- City-Owned Site
- Study Area (1/4-mile perimeter)
- 1 No Build Project

0 500 FEET



**Table 2-4**  
**No Build Projects within Land Use Study Area**

Map ID#	Block	Lot(s)	Project Name/ Address	DUs	Commercial (sf)	Comm. Fac. (sf)	Industrial (sf)	Hotel (rooms)	Open Space (sf)	Parking Spaces	Build Year
1	1728	70	416 Lenox Avenue	12	8,105						2023 <sup>1</sup>
2	1733/ 1734	N/A	506 Lenox Avenue (Harlem Hospital)			230,000 (Public Health Lab)					2025
3	1729	43	10 West 132nd Street	10							2019
4	1920	158	168 West 136th Street	29		3,010					2023 <sup>1</sup>
5	1725	57	44 West 128th Street	8							2023 <sup>1</sup>
6	1915	32	407 Lenox Avenue	79	2,518						2019
7	1726	13	59 West 128th Street	8							2019
8	1725	7	75 West 127th Street			400					2018
9	1915	37	102 West 131st Street	2							2023 <sup>1</sup>
10	1756	48	42 East 132nd Street	12		1,873					2019
11	1756	47	44 East 132nd Street	12	1,906	2,280					2019
12	1753	108	13 East 128th Street	6							2018
13	1726	132	3 West 128th Street	20							2019
14	1727	69	400 Lenox Avenue	26	1,939	8,100					2020
<b>¼-Mile Study Area Totals</b>				<b>224</b>	<b>11,343</b>	<b>248,181</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Notes:</b> See <b>Figure 2-5</b> for a map of No Build projects. <sup>1</sup> Projects for which no build year is available are assumed to be completed and operational by the completion of Phase I of Lenox Terrace in 2023. <b>Sources:</b> DOB; DCP; AKRF, Inc. field survey, February 2018; New York YIMBY ( <a href="http://newyorktimby.com">http://newyorktimby.com</a> ); East Harlem Rezoning FEIS (2017)											

## E. FUTURE WITH THE PROPOSED PROJECT

The change in the proposed zoning and the modification in the site plan described in Chapter 1, “Project Description” and the Foreword to the FEIS and illustrated on Figure 1-5 would not alter the development program considered in the EIS. The proposed C1-5 commercial overlay would be more restrictive in terms of allowable use groups than the analyzed C6-2 district, and would not permit commercial uses above the ground floor when there would be residential use above; therefore, it would more closely reflect the local retail character of the surrounding area. Therefore, the change in the proposed zoning and the modification to the site plan would not result in any significant adverse impacts to land use, zoning or public policy.

### LAND USE

#### REZONING AREA

##### *Proposed Development Site*

The proposed actions would result in additional development to expand the Lenox Terrace complex on the proposed development site. The proposed actions would provide for five new predominantly residential buildings with ground-floor retail on the perimeter of the proposed development site, replacing existing single-story retail structures. As detailed in Table 1-2 in Chapter 1, “Project Description,” the new buildings would include approximately 1,430,258 gsf of new residential use (approximately 1,642 new DUs, of which between 411 and 493 DUs are assumed to be designated as permanently affordable pursuant to the MIH program), approximately 135,500 gsf of commercial space (an increase of approximately 39,845 gsf over No Action scenario), and approximately 15,055 gsf of community facility space.

The EIS assumes that either 25 or 30 percent of the new DUs would be designated as affordable, in compliance with the recently enacted MIH. Per ZR Section 23-952, an MIH development in an ~~R8-equivalent~~ district may be developed under either the alternate height and setback regulations applicable to Quality Housing Buildings or the basic height and setback regulations applicable within R8 districts. For the proposed project, the buildings would be developed under the basic height and setback regulations applicable within R8 districts, with requested special permit modifications to initial setbacks and sky exposure planes.

The proposed commercial use is anticipated to include a mix of local and destination retail tenants. For the purposes of this EIS, it is currently anticipated that the retail mix could be split evenly between the two types of retail. Tenants for the proposed community facility space have not yet been identified; however, given the adjacency of Harlem Hospital Center across West 135th Street and the anticipated needs of the new (as well as existing) residential population on the proposed development site, the With Action scenario assumes that half of the community facility space could be utilized as medical office space, and the other half as a community center. Overall, the development on the site would increase from a built FAR of approximately 2.92 (existing conditions) to a built FAR of approximately 5.61 (With Action scenario). The maximum allowable FAR under the proposed zoning is 7.2 for residential use, 6.5 for community facility use, and 26.0 for commercial use; in comparison, under the site's existing zoning, the maximum allowable FAR is 3.44 for a height factor residential development, or 6.5 for community facility use, and 2.0 for commercial use within the existing C1-4 overlay.

With the proposed project, a portion of the former surface parking area on the proposed development site would be redeveloped, reducing at-grade parking to 34 spaces. The proposed project would include between 491 and 626 accessory parking spaces within parking garages below the new buildings. The total number of required parking spaces on the proposed development site would be between 847 and 880 (387 spaces for existing units, and between 460 and 493 spaces for proposed units). Therefore, the applicant is requesting a waiver for a minimum of 187 spaces and a maximum of 355 spaces. The proposed garages would have access/egress points on West 132nd and West 135th Streets. The proposed project would require three new curb cuts on West 135th Street, two new curb cuts on Lenox Avenue, two new curb cuts on the west side and one on the east side of Lenox Terrace Place, and two-four new curb cuts on West 132nd Street to service loading docks and surface parking areas (three of which would represent shifted locations and/or dimensions of existing curb cuts). One existing curb cut ~~on Lenox Avenue, two on West 135th Street, and one on West 132nd Street~~ would be removed. No changes to the curb cuts on Fifth Avenue, or to the street geometry, are proposed.

As noted below, a minimum amount of open space as defined in the Zoning Resolution would be required on the proposed development site (an open space ratio of 5.9 to 11.9 percent of the zoning lot's total residential floor area is required in an R8 district under Height Factor bulk regulations, ~~the residential equivalent of the proposed C6-2 zoning~~). Under the proposed zoning 299,793 square feet of open space would be required to meet zoning open space ratios; the proposed project would provide approximately 319,736 square feet of open space and would have an open space ratio of 10.4 (based on a height factor of 16). The applicant currently intends to use this open space to serve primarily passive recreational needs of residents at Lenox Terrace, with some portion of the space also suitable for active recreation. The areas in between the surface parking are expected to be landscaped with new trees interlaced with existing mature specimen trees. New pedestrian pathways are envisioned between low walls, creating paths between buildings. The remaining open areas are expected to be enhanced with a variety of functions, including both recreational and passive settings for quiet relaxation.

## **Lenox Terrace**

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### *Projected Future Development Site*

For the purposes of a conservative analysis, it is assumed that by the 2026 analysis year the proposed actions could induce new development on Lot 65. If such development fully utilized the maximum FAR and heights allowable under the proposed zoning, this site could be developed with approximately 69 new DUs and a 6,968-gsf replacement community facility/institutional use for the existing church as well as 19 accessory parking spaces. It is assumed that up to 30 percent of these DUs (21 units) could be designated as affordable pursuant to MIH.

### *Potential Development Site*

Development of this site under the rezoning is unlikely in the foreseeable future. For the purposes of a conservative analysis for site-specific impacts, however, it is assumed that the proposed actions could result in new development on Lots 16 and 19. If such development fully utilized the maximum FAR allowable under the proposed zoning, a new building on this site could be up to 215 feet in height, or approximately 153 feet taller than the existing structure. In comparison to the existing buildings on this site, the potential new structure is assumed to occupy the majority of its lot and to be built to the lot line on Lenox Terrace Place.

### *City-Owned Site*

The existing use on Lot 55—the Hansborough Recreational Center—is assumed to remain in the With Action scenario.

The potential residential and replacement community facility/institutional uses that could be developed within the rezoning area would be compatible with existing uses within the rezoning area, and the potential building is assumed to be built consistent with the proposed zoning and thus would not be substantially larger than the existing residential towers in the interior of the rezoning area and would be consistent with the size of the proposed project. The proposed actions would allow for higher density use of the rezoning area, and facilitate development in an area well-served by mass transit. The proposed actions would create permanently affordable DUs.

### *STUDY AREA*

The proposed project would not result in any land use changes in the study area. The study area would continue to have a mix of predominantly residential, commercial, community facility, and institutional uses, and the residential, retail, and community facility uses that could be developed within the rezoning area by 2023 or 2026 in the With Action scenario would be compatible with those uses. The proposed project would continue the existing study area trends toward increased residential density and mixed-use development as seen in **Table 2-4**. Six of the projects within the study area that are expected to be completed by the 2023 or 2026 build years are mixed-use developments, with the remainder including six stand-alone residential units and two community facility developments. In total, 224 new DUs, 11,343 sf of commercial space, and 248,181 sf of community facility space will be added to the study area by the time the proposed project is completed.

Overall, the proposed project would be compatible with and in support of land uses in the surrounding area and would not result in significant adverse land use impacts.

## ZONING

### REZONING AREA

As described in Chapter 1, “Project Description,” the proposed actions include a zoning map amendment to rezone the entire project block (Block 1730) from R7-2 with C1-4 overlays along Lenox and Fifth Avenues and West 135th Streets to ~~C6-2 (an R8 and R8 with a C1-5 commercial overlay equivalent)~~, along with a large scale special permit for the proposed development site to modify height and setback regulations and control the type, size, and distribution of uses on the zoning lot, as discussed further below. As detailed above, R8 residential zoning districts are high-density districts in which buildings can be developed under either Height Factor or Quality Housing bulk regulations. The maximum residential FAR in an R8 district under Height Factor regulations is 6.02; under Quality Housing regulations, the maximum residential FAR is 7.20 within 100 feet of a wide street outside of the Manhattan Core and 6.02 elsewhere. Community facilities uses in Use Groups 3 and 4 are permitted as of right up to an FAR of 6.5 in R8 districts under both Height Factor and Quality Housing bulk regulations. The proposed C1-5 commercial overlay along Lenox and Fifth Avenues and West 135th Street would allow commercial use to a maximum FAR of 2.0. The proposed C1-5 commercial overlay would be more restrictive in terms of allowable use groups than the previously analyzed C6-2 district, and would not permit commercial uses above the ground floor when there would be residential use above; in this way, it would more closely reflect the local retail character of the surrounding area. ~~C6 zoning districts are high-density zoning districts that are mapped in areas well-served by mass transit. They typically permit a wide range of uses (Use Groups 1-12 are permitted as of right). Typical uses include residences, offices, hotels, retail establishments, and entertainment facilities in high-rise mixed-use buildings.<sup>4</sup> The special permit will limit the uses permitted on the proposed development site, as discussed further below, and, C6-2 districts are typically mapped in areas outside of central business cores and have a commercial FAR of 6.0,<sup>5</sup> a residential FAR of 0.94 to 6.02 under Height Factor bulk regulations and 7.2 FAR on wide streets outside Manhattan Core under Quality Housing bulk regulations and pursuant to the Mandatory Inclusionary Housing Program, and a community facility FAR of 6.5. However the Special Permit will limit the maximum FAR on the proposed development site to 5.61,<sup>6</sup> as discussed further below. Residential buildings developed in C6-2 districts are subject to R8 Height Factor bulk regulations, which typically produce apartment buildings ranging from mid-sized eight- to ten-story buildings to much taller buildings set back from the street on large zoning lots. There are no height limits on buildings, but street wall heights and setbacks are governed by sky exposure planes, which begins at a height of 85 feet before sloping inward over the zoning lot. R8 Height Factor bulk regulations have open space ratio requirements of 5.9 to 11.9 percent of the residential floor area on the zoning lot, do not have lot coverage requirements, and must provide parking for at least 40 percent of market-rate dwelling units.~~

The proposed actions would facilitate the proposed project by increasing the permitted density of the rezoning area and allowing a higher density of residential and commercial uses. Rezoning from

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<sup>4</sup> The Restrictive Declaration will further limit uses permitted on the proposed development site to the proposed residential uses with ground- and second-floor retail and community facilities.

<sup>5</sup> Up to a 20 percent increase for a public plaza bonus.

<sup>6</sup> Development pursuant to the underlying zoning at greater than the proposed maximum FAR and building heights approved as part of the large-scale special permit would be restricted by the Restrictive Declaration and would require CPC approval.

R7-2 to R8 and R8 with a C1-5 overlay~~C6-2~~ would increase the permitted residential FAR within the rezoning area from 3.44 to 6.02 and would maintain the commercial FAR within the rezoning area at~~from~~ 2.0 (limited to within the ~~existing commercial overlay areas~~); ~~to 6.0~~ (however, the special permit will limit the amount of permitted commercial development on the proposed development site, as discussed further below). The higher permitted residential FAR would allow for use of the rezoning area at a higher density and facilitate mixed-use development in an area well-served by mass transit. The scale of the development permitted under the proposed R8C6-2 zoning would be compatible with existing buildings within the rezoning area, and would be similar to an R8A district located in the southwest portion of the study area. However, under the proposed large-scale special permit, not all of this permissible FAR would be utilized by the proposed project, which would be limited to an FAR of approximately 5.61, and the maximum height of the proposed buildings would not exceed a height of 284 feet, reflective of the Harlem Hospital Center across West 135th Street from the site.

The applicant is also seeking a large-scale general development (LSGD) special permit, a special permit for parking, and a zoning text amendment. The LSGD special permit would be pursuant to ZR Section 74-743, and would modify height and, setback, ~~and minimum distance between buildings~~ regulations (ZR Sections 35-61, 35-63, 23-952, and 23-641, ~~and 23-711~~). The large-scale special permit would allow for a more efficient siting and design of the proposed project with the rezoning area, creating a better and more integrated design while limiting the size, shape, height, and location of permitted new buildings, as well as the distribution of uses and the maximum amount of residential and commercial/community facility use. The special permit for parking would be pursuant to ZR Section 74-533 and would reduce the number of required parking spaces provided on site (ZR Sections 36-33 and 25-23). The proposed modification of accessory parking requirements through a special permit pursuant to ZR Section 74-533 is necessary to facilitate the proposed project, which would provide between approximately 525 and 660 spaces on the proposed development site (less than the 847–880 spaces required for existing and proposed units).

The proposed zoning text amendment to Appendix F of the ZR would establish an MIH area at the rezoning area. Under MIH, when new housing capacity is approved through land use actions, CPC and the New York City Council would apply one or both of these two requirements to each MIH area:

- MIH Option 1: At least 25 percent of the residential floor area must be for affordable housing units for residents with incomes average 60 percent AMI (\$46,620 per year for a family of three), or, with at least 10 percent of the residential floor area affordable at an average of 40 percent of the AMI.
- MIH Option 2: At least 30 percent of the residential floor area must be for affordable housing units for residents with incomes averaging 80 percent AMI (\$62,150 per year for a family of three).

In addition to one or both of the options above, the City Council and CPC could decide to apply the Deep Affordability and/or Workforce Options. Designating the rezoning area as an MIH area would facilitate the proposed and projected development of affordable housing and ensure that approximately 411 to 493 DUs of affordable housing on the proposed development site (as well as approximately 21 DUs of affordable housing on the projected future development site, if developed) would be permanently affordable housing.

### *STUDY AREA*

No changes in zoning other than those proposed for the rezoning area are anticipated within the study area. Therefore, the proposed actions would not result in any significant adverse zoning impacts.

### **PUBLIC POLICY**

The proposed actions would be compatible and consistent with the public policies that currently apply to the rezoning area and the surrounding study area, and would not alter them.

### *EAST HARLEM NEIGHBORHOOD PLAN*

As stated, the East Harlem Neighborhood Plan, which covers property east of the rezoning area, contains 61 objectives and 232 recommendations addressing a broad range of concerns and priorities in the neighborhood sourced from the community. The proposed project would advance several of these objectives. It would include new open spaces on the proposed development site for existing and new residents. The proposed project's new retail spaces would provide space for businesses to grow and thrive in East Harlem over the long term. These new retail spaces would also provide for an increase in quality employment opportunities within the rezoning area, with an additional 251 projected workers with the proposed project. Finally, the purpose and need of the proposed project, to increase the permitted density within the rezoning area to increase the amount of housing and retail space that can be provided within the area, is fully consistent with the East Harlem Neighborhood Plan's objective to allow for increased density in select places to create more affordable housing and spaces for jobs. The proposed actions would result in up to 514 new affordable housing units within the rezoning area, and the increase in market-rate units within the rezoning area would also decrease price pressure on existing market-rate housing stock in the neighborhood. As the 1,370 units of rent-stabilized housing on the proposed development site would remain in the With Action condition, the proposed project also would contribute to the goal of preserving existing affordable housing.

The proposed project would also preserve neighborhood character, as it is located on a block with existing high-rise residential development that is adjacent to both high-rise, tower-in-the-park type developments and three- to five- story rowhouses and tenement buildings. The majority of new construction would take the place of existing one-story commercial buildings, allowing for the conversion of surface parking areas to open space. The proposed residential, retail, and community facility uses would be compatible with the predominant land uses in the study area.

### *HOUSING NEW YORK: A FIVE-BOROUGH, TEN-YEAR HOUSING PLAN*

As described above, *Housing New York* is a plan released by the de Blasio administration in 2014 to build or preserve 200,000 affordable DUs. In October of 2017, the City announced a new goal of preserving and/or creating 300,000 affordable DUs by 2026. The proposed project would contribute to the goals of the plan by providing approximately 411 to 493 permanently affordable DUs on the proposed development site, as well as potentially an additional 21 permanently affordable DUs on the projected future development site. As the 1,370 units of rent-stabilized housing on the proposed development site would remain in the With Action condition, the proposed project would also contribute to the goal of preserving existing affordable housing.

### *ONENYC*

The proposed actions would be consistent with the goals of the OneNYC plan through several of its planned components. These include the affordable housing to be provided by the proposed project; the additional retail space that will draw new employees and shoppers to the area; and the

new community facility that would be built by the proposed project, which would contribute to ensuring that Central Harlem is a thriving neighborhood well-served by City services.

### *FRESH PROGRAM*

Two potentially displaced businesses on the proposed development site—an Associated Food and Fine Fare—are medium-format local grocery stores within the boundaries of the City’s FRESH Program. The FRESH Program provides zoning and/or financial incentives as a way to promote the establishment and retention of neighborhood grocery stores. As local grocery stores within the boundaries of the FRESH Program, the Associated Food and Fine Fare are the subject of plans or programs to preserve, enhance, or protect them; however, neither of the stores utilize the tax or zoning benefits available to them through the FRESH Program,<sup>7</sup> and there are numerous additional sources of healthy fresh produce and food products located within close proximity of the rezoning area. The effect of the proposed actions on these specific businesses is analyzed in Chapter 3, “Socioeconomic Conditions.” The proposed actions would not preclude the establishment of grocery stores within the rezoning area. Therefore the proposed project would be consistent with the FRESH program.

### *FEDERAL EMPOWERMENT ZONE*

The proposed project would have no effect on the UMEZ in which the rezoning area is located. The potential exists for the UMEZ to apply some of its programs in connection with the newly created retail spaces envisioned by the proposed project, for example through funding a small business in one of these spaces.

### *WATERFRONT REVITALIZATION PROGRAM*

As the rezoning area is not located within the Coastal Zone (see **Figure 2-4**), the proposed project would not be subject to the Waterfront Revitalization Program and therefore would have no impact on it. Furthermore, the proposed actions would not have any effect on the application of the Waterfront Revitalization Program within the study area.

Overall, the proposed project would not result in any significant adverse impacts to public policy. \*

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<sup>7</sup> Source: NYC EDC FRESH Impact Report, 2015, page 5.  
<https://www.nycedc.com/system/files/files/program/FRESH%20Impact%20Report.pdf>