

Application #: **C 190235 ZMM**

Project Name: **East Harlem Neighborhood Rezoning**

CEQR Number: 17DCP048M

Borough(s): **Manhattan**

Community District Number(s): **11**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. 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, 120 Broadway, 31st Floor, New York, NY 10271
 - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. 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 NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b by eliminating a Special East Harlem Corridors District (EHC) bounded by a line midway between East 115th Street and East 116th Street-Luis Munoz Marin Boulevard, a line 100 feet westerly of Lexington Avenue, East 115th Street, and a line 100 feet easterly of Park Avenue, Borough of Manhattan, Community District 11, as shown on a diagram (for illustrative purposes only) dated December 17, 2018.

<p>Applicant(s): Edith Hsu-Chen, Director New York City Department of City Planning, Manhattan Office 120 Broadway, 31st Floor New York, NY 10271-0001</p>	<p>Applicant's Representative: Edith Hsu-Chen, Director New York City Department of City Planning, Manhattan Office 120 Broadway, 31st Floor New York, NY 10271-0001</p>	
<p>Recommendation submitted by: Manhattan Community Board 11</p>		
<p>Date of public hearing: February 6, 2019</p>	<p>Location: Bonifacio Senior Center, 7 East 116th Street, NY NY</p>	
<p>Was a quorum present? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p><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></p>		
<p>Date of Vote: February 19, 2019</p>	<p>Location: Henry J. Cantor Specialty Hospital 1752 Park Ave, NY NY</p>	
<p>RECOMMENDATION</p> <p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions</p> <p>Please attach any further explanation of the recommendation on additional sheets, as necessary.</p>		
<p>Voting</p> <p># In Favor: 32 # Against: 0 # Abstaining: 1 Total members appointed to the board: 46</p>		
<p>Name of CB/BB officer completing this form</p> <p>Angel Mescaia</p>	<p>Title</p> <p>District Manager</p>	<p>Date</p> <p>2/20/19</p>



COMMUNITY BOARD ELEVEN

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Nilsa Orama
Chair

Angel D. Mescaín
District Manager

February 19, 2019

Marisa Lago
Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: Recommendation on Application No. C 190235 ZMM

Dear Director Lago,

On February 6, 2019, Community Board 11 (CB11) held a public hearing and voted on land use application C 190235 ZMM submitted by the Department of City Planning (“the applicant”) with respect to *East Harlem Rezoning Follow-Up Actions* project which includes a zoning map amendment and zoning text amendments to the Special East Harlem Corridors (EHC) District. The proposed text amendments are follow-up actions that respond to concerns expressed throughout the public review process by the public and elected officials regarding building heights along portions of Park Avenue and subway access at the intersection of Lexington Avenue and East 116th Street. The proposed zoning map amendment is a corrective action to a portion of the special district.

The requested actions would affect development along portions of Park Avenue, East 116th Street and Lexington Avenue and a portion of East 115th Street between Park and Lexington avenues. Following the approval of the East Harlem Neighborhood rezoning by City Planning Commission, the City Council approved the rezoning with modifications. However, to address the City Council level modifications, the department needed to reconcile maximum permitted heights with the districts that were finally mapped. There were also concerns raised during and after the public review process about establishing a maximum permitted height in an area initially mapped to be a height factor tower district. These concerns were memorialized, along with other commitments under various agencies, into a Points of Agreement document. The East Harlem Points of Agreement outlined the zoning and non-zoning related issues and concerns raised by the community and elected officials and created a schedule for when the various agencies would address these commitments.

Actions Necessary to Facilitate the Project

Zoning Text Amendments

Park Avenue

The proposed zoning text amendments would establish and reduce the allowed maximum building heights in the C6-4, R8A, and R7D districts mapped along portions of Park Avenue as described below.

The C6-4 District along the western block-fronts of Park Avenue between East 122nd and East 124th Street, subject to this text amendment, was mapped as a tower district with no maximum permitted height. This segment of Park Avenue is mainly characterized by a number of parking lots and institutions with a few residential uses. The sites that would be affected by the zoning text amendment are currently used as accessory parking lots to the buildings fronting on Madison Avenue. The proposed text amendment would establish a maximum permitted height of 275 feet. This proposed maximum height is consistent with the maximum permitted heights in the zoning districts mapped immediately south of this area in the R10 District and to the west, in the M1-6/R10 District.

In the southern portion of Park Avenue, within the R8A District, on the western block fronts from midway between East 116th and East 117th streets to East 118th Street, and on the eastern block-fronts of Park Avenue between East 117th and East 118th streets, the maximum permitted height of 215 feet was put into scope and approved in 2017. The proposed text amendment would reduce the maximum permitted height as allowed under the underlying zoning district mapped. In R8A Districts, mapped within a Mandatory Inclusionary Housing Area (MIHA), there is a maximum base height of 105 feet and a maximum building height of 145 feet (or 14 stories) with Qualifying Ground Floor.

In the southern portion of Park Avenue, within the R7D Districts, on the eastern block fronts from midway between East 116th and East 117th streets and on both the eastern and western block-fronts from a line midway between East 115th Street and East 116th Street, maximum permitted height of 215 feet was put into scope and approved in 2017. The proposed text amendment would reduce the maximum permitted height to 125 feet. The proposed height would allow for reasonable building envelopes adjacent to the Park Avenue Viaduct where the minimum base height has been lowered to 40 feet. The R7D Districts mapped on other streets within a Mandatory Inclusionary Housing Area (MIHA) there is a minimum base height of 60 feet, a maximum base height of 95 feet and a maximum building height of 115 feet (or 11 stories) with Qualifying Ground Floor.

Lexington Avenue and East 116th Street

Within the Special East Harlem Corridors (EHC) District, at the intersection of Lexington Avenue and East 116th Street, the proposed text amendment would require any development or enlargement at this location to relocate a subway entrance or entrances from the street onto the zoning lot. As part of the East Harlem Neighborhood Rezoning, this intersection was mapped with an R9 District that has a maximum FAR of 8.5 for community facility and residential uses under the Inclusionary Housing program. Pursuant to the special bulk provisions of the EHC, a development would have contextual Quality Housing and Quality Housing tower bulk options. For the Quality Housing option, at this intersection, the maximum base height would be 125 feet and the maximum building height would be 205 feet after the required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depending on the size of the zoning lot. The maximum commercial and community facility tower lot coverage would be 50 percent. The proposed text amendment would require, pursuant to Section 37-40, any development or enlargement constructed on a zoning lot of 5,000 square feet or more of lot area that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station at this intersection, to relocate the subway entrance from the street onto the zoning lot.

Zoning Map Amendment

In addition to the proposed text amendments, there is also a zoning map amendment to remove the special district designation from an existing R7B. The midblock fronting on the northern portion of East 115th Street between Park Avenue and Lexington Avenue was included in the Special East Harlem Corridors District in error. The special bulk, ground floor design and parking regulations were not intended for the medium density R7B districts mapped as a part of the preservation efforts of the East Harlem Neighborhood Rezoning. The proposed zoning map amendment will correct this error by removing this area from the special district and allowing development in this area pursuant to the underlying zoning.

The Proposed Actions are a part of the Administration's commitment to ensure the East Harlem Neighborhood Rezoning continues to meet the needs of the residents of East Harlem. The proposed actions specifically addresses concerns related to the allowed maximum heights along portions of Park Avenue, appropriately adjusts special district boundaries and provide opportunities to improve the pedestrian circulation at the intersection of East 116th Street and Lexington Avenue by potentially moving the subway from the street into any new development's building envelope.

Conclusion

As proposed, the East Harlem Follow-Up Actions project address many of the concerns expressed by our board and community during the rezoning discussion. We are pleased that the Department of City Planning has kept this commitment.

We look forward to continuing dialogue with the department and administration ensure that each of the commitments codified in the East Harlem Rezoning Points of Agreement are achieved.

Community Board Recommendation

Community Board 11 (CB11) recommends approval of Application Nos. C 190235 ZMM.

Full Board Vote: 31 in favor; 1 abstained

If you have any questions regarding our recommendation, please contact Angel Mescaín, District Manager, at 212-831-8929 or amescain@cb11m.org.

Sincerely,



Nilsa Orama
Chair
Community Board 11

cc: Hon. Diana Ayala, New York City Council

Hon. Bill Perkins, New York City Council
Hon. Gale A. Brewer, Manhattan Borough President (via email)
Hon. Brian Benjamin, New York State Senate (via email)
Hon. Jose M. Serrano, New York State Senate (via email)
Hon. Robert J. Rodriguez, New York State Assembly (via email)
Steven Villanueva, Community Board 11 (via email)
Judith Febbraro, Community Board 11 (via email)