

# Borough President Recommendation

**City Planning Commission**  
120 Broadway, New York, NY 10007  
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## INSTRUCTIONS

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

Application No.: **C 200052 ZMM, C200050 ZSM, N 200051 ZRM, 200054 ZSM, N 200053 ZAM**

### Docket Description:

**IN THE MATTER OF** a private application by Lenox Terrace Development Associates, an affiliate of the Olnick Organization, Inc. ("Applicant") pursuant to §§ 197-c and 200 of the New York City Charter, seeking approval of five land use actions to facilitate the development of 5 new 28-story mixed-use buildings and one 6-story building containing a total of approximately 1,533,389 zoning square feet located at the Lenox Terrace superblock (Block 1730, Lots 33, 36, 40, 45, 50, 52, 64, 68, and 75), Borough of Manhattan, Community District 10.

**IN THE MATTER OF** a private application by Lenox Terrace Development Associates, an affiliate of the Olnick Organization, Inc. ("Applicant") seeking approval of:

1. An amendment to Zoning Map 6a to rezone the Project Area from R7-2/C1-4, to a C6-2 zoning district
2. A Zoning Text Amendment to Appendix F of the Zoning Resolution of the City of New York to designate the Project Area as a Mandatory Inclusionary Housing Area
3. A Special Permit for a large scale general development pursuant to Zoning Resolution § 74-743(a)(2);
4. Special Permit to waive parking requirements pursuant to ZR § 74-533;
5. An authorization pursuant to Zoning Resolution § 25-631(f)(2) to modify curb cut requirements

To facilitate to facilitate the development of 5 new 28-story mixed-use buildings and one 6-story building containing a total of approximately 1,642 new dwelling units ("DU"), Borough of Manhattan, Community District 10.

COMMUNITY BOARD NO: 10

BOROUGH: Manhattan

## RECOMMENDATION

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

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

*John A. Brewer*

December 16, 2019

BOROUGH PRESIDENT

DATE



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

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**Gale A. Brewer, Borough President**

December 12, 2019

**Recommendation on ULURP Applications C 200052 ZMM, C200050 ZSM, N 200051 ZRM,  
200054 ZSM, N 200053 ZAM**

**PROPOSED ACTION**

This is a private application by Lenox Terrace Development Associates, an affiliate of the Olnick Organization, Inc. (“Applicant”) pursuant to §§ 197-c and 200 of the New York City Charter, seeking approval of five land use actions to facilitate the development of 5 new 28-story mixed-use buildings and one 6-story building containing a total of approximately 1,533,389 zoning square feet located at the Lenox Terrace superblock (Block 1730, Lots 33, 36, 40, 45, 50, 52, 64, 68, and 75) bounded by West 132nd and 135th streets and Lenox and Fifth avenues in the Borough of Manhattan, Community District 10 (“CD10”). When completed, the project is expected to comprise 1,387,350 zoning square feet of residential use, 131,435 zoning square feet of commercial use, and 14,603 zoning square feet of community facility use.

The land use actions are:

An amendment to Zoning Map 6a to rezone the Project Area from R7-2/C1-4, to a C6-2 zoning district

A Zoning Text Amendment to Appendix F of the Zoning Resolution of the City of New York to designate the Project Area as a Mandatory Inclusionary Housing Area

A Special Permit for a large scale general development at Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, 75 (“The Development Site”) pursuant to Zoning Resolution § 74-743(a)(2) to modify height and setback, and minimum distance between buildings requirements;

Special Permit to waive parking requirements pursuant to ZR § 74-533;

An authorization pursuant to Zoning Resolution § 25-631(f)(2) to modify curb cut requirements

The proposed actions would also include the recording of a Restrictive Declaration and (E) Designation<sup>1</sup> to commit future development of the site in accordance with approvals and any necessary mitigations.

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<sup>1</sup> A document a property owner records against title that binds current and future site owners to undertake any required testing and remediation as part of the proposed development of a building.

Pursuant to ZR § 74-743(a)(2), the City Planning Commission may permit modifications to the location of buildings without regard for the applicable yard, court, distance between buildings or height and setback regulations.

Where a proposed Project involves a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed large-scale general development; a phasing plan showing the distribution of bulk and open space; and, in the case of a site plan providing for common open space, common open areas or common parking areas; a maintenance plan for such space or areas; and guaranteed continued availability of such space or areas to the people they are intended to serve.

The Commission may also prescribe additional conditions and safeguards to improve the quality of a large-scale general development, and to minimize adverse effects on the character of the surrounding area.

Pursuant to ZR § 74-533, the City Planning Commission (“CPC”) may permit waiver of, or a reduction in, the number of required accessory off-street parking spaces for dwelling units in a development or enlargement that includes at least 20 percent of all dwelling units as income-restricted housing units as defined in ZR § 12-10, provided that the CPC finds that such waiver or reduction:

- Will facilitate such development or enlargement. Such finding shall be made upon consultation with the Department of Housing Preservation and Development;
- Will not cause traffic congestion; and
- Will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable, including the availability of parking spaces for such uses.

Additionally, the CPC may impose appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

In evaluating these land use actions, the Office of the Manhattan Borough President must consider if the proposed language meets the underlying premise of the Zoning Resolution of promoting the general health, safety, and welfare of the neighborhood in which the project is being proposed, and whether the development would be appropriate to the neighborhood. Any changes to the Zoning Map should be evaluated for consistency and accuracy, and given the land use implications, appropriateness for the growth, improvement and development of the neighborhood and borough. In evaluating the text amendment, the Borough President’s Office must consider whether the amendment is appropriate and beneficial to the community and consistent with the goals of the MIH program.

## **BACKGROUND**

The Project Area is located in Harlem, the neighborhood globally known as the major cultural, residential, and economic center for the Black community. The Harlem Renaissance, recognized as the “golden age” of African American culture in the 20th Century, was concentrated in Central and West Harlem. It was a period of cultural, intellectual, social, and artistic innovation that produced a legacy inseparable from the area’s identity.

The Project Area is the location of the Lenox Terrace development, a superblock development comprising six 16-story residential towers, and five one-story commercial buildings. Parcels within the superblock are owned by varying parties, including one city-owned parcel (Lot 55), one parcel owned by Catholic Charities of the Archdiocese of New York (Lot 16), and one owned privately (Lot 65). The parcels comprising the Development Site are all owned by the Olnick Organization, Inc.

The Lenox Terrace superblock development was built in the late 1950s pursuant to the Harlem Urban Renewal Plan which was originally adopted by the City Planning Commission (“CPC”) and Board of Estimate on February 20, 1952. The Harlem Urban Renewal Plan expired in 1992. The Lenox Terrace development was one of the first developments built pursuant to Title I of the Housing Act of 1949. The development has been recognized for its cultural association with prominent African Americans in the Harlem community. Residents have included author Alex Haley, former Manhattan Borough President Percy E. Sutton, former New York State Secretary of State Basil A. Paterson, and musician Charles Mingus Jr.

### **Site Description**

The Project Area covers all of Block 1730, a superblock bounded by West 132nd Street to the south, Fifth Avenue to the east, West 135th Street to the north, and Lenox Avenue to the west. The proposed Development Site encompasses lots 1, 33, 40, 50, 52 and 68.

The Project Area is located within an R7-2 zoning district and C1-4 commercial overlays. R7-2 districts permit medium density residential buildings and community facility uses with a maximum residential FAR of 3.4 up to 4.0 for Quality Housing buildings, and a max FAR of 6.5 for community facility uses. The C1-4 commercial overlay is mapped at a depth of 100 feet west from Lenox Avenue, 100 feet south from West 135th Street, and 100 feet west from Fifth Avenue. It permits retail and office space with a maximum FAR of 2.0.

The Project Area is also within a Transit Zone and a FRESH Zone. Transit Zones require fewer accessory parking for various types of affordable housing. According to the DEIS the Lenox Terrace development is currently required to provide 387 parking spaces pursuant to a restrictive declaration. FRESH zones provide discretionary tax and zoning incentives through the New York City Industrial Development Agency. The incentives are intended to encourage the development and retention of affordable and locally owned stores that provide fresh foods.

According to the applicant, the Development Site contains a total lot area of 102,054 square feet. The lots currently contain low-rise commercial buildings. There is currently no plan to redevelop the remaining lots in the Project Area.

### **Area Context**

#### *Land Use and Building Typology*

The area immediately surrounding the Project Area is characterized by a mix of residential-building types. The area west of the Lenox Terrace development is characterized predominantly by 5-story residential buildings. To the east there are several high-rise residential buildings. The Riverton, a residential complex constructed in the 1940s, is comprised of 7 13-story buildings bounded by Fifth Avenue to the west, West 135th Street to the south, West 138th Street to the north, and the Harlem River to the east. The Abraham Lincoln Houses, a New York City Housing Authority residential complex, sits directly across 5th Avenue, east of the Project Area. It consists of 14 residential buildings ranging from

6 to 14-stories, spanning the area between Fifth Avenue and Park Avenue, and West 132nd Street to West 135th Street.

The block to the south of the Project Area consists primarily of 3 ½-story row houses, and 5-story residential buildings.

Retail uses are concentrated along Fifth and Lenox Avenues, and along West 135th Street. These uses include: 12 retail businesses, 4 food service businesses, a Goodwill Store and Donation Center, a deli, a Chase bank, a dry cleaner, and an optometrist office.

The block to the north of the Project Area contains two community facility uses: the Harlem Hospital Center and the P.S. 197 John B. Russwurm School. The Schomburg Center for Research in Black Culture is located at the northwest corner of Lenox Avenue and West 135th Street.

#### *Open Space Assets*

According to the DEIS, the study area<sup>2</sup> has an overall open space ratio of 0.678 acres per 1,000 residents. This is lower than the City Environmental Quality Review (“CEQR”) guideline of 2.5 acres of combined active and passive open space per 1,000 residents. The closest open space resources are the Abraham Lincoln Playground (0.99 acres) located on Fifth Avenue and West 135th Street, Howard Bennett Playground (1.23 acres) located on West 135th Street between Fifth Avenue and Lenox Avenue, and the Hansborough Recreation Center (0.29 acres) located within the Project Area on Lenox Terrace Place. Amenities at these locations are both active and passive in nature.

#### *Zoning*

As previously noted, the Project Area is located on a block that contains a mix of zoning districts. The surrounding area is predominantly zoned R7-2, a medium density residential zoning district with a FAR of 4.0 and maximum building height of 80 feet if built to Quality Housing standards.

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 Project Area. C1-4 overlays are mapped within residential districts along streets that serve local needs. These districts allow ground- and first-floor retail uses in mixed-use residential buildings. In a C1-4 commercial overlay, commercial uses are permitted on the ground-floor or first-floor only, and they must always be located below residential uses. Typical retail uses within a C1-4 zoning district include neighborhood grocery stores, restaurants, and beauty parlors. The Maximum Floor Area Ratio (FAR) of a C1-4 commercial overlay mapped in a R7-2 zoning district is 2.0.

#### *Transportation Resources*

The Project Area is in close proximity to many transportation resources. It sits between two subway stations located on West 135th Street, four bus routes, several highways and inter-borough crossings. The West 135 Street Station on the 2 and 3 subway is located at the corner of Lenox Avenue and West 135 Street. The West 135th Street Station on the B and D lines is two blocks west from the Project Area

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<sup>2</sup> The study area for the purposes of analyzing potential impacts on open space is based on the distances that the respective users, workers and residents, are likely to walk to an open space. According to the CEQR Technical Manual, workers are assumed to walk approximately 10 minutes, or ¼-mile from their place of work to an open space, while residents are assumed to walk approximately 20 minutes, or ½-mile to an open space.

at West 135th Street and Saint Nicholas Avenue. The East 138th Street Station on the 4 and 5 lines in the Bronx is approximately the same distance, via the Madison Avenue Bridge, from the eastern portion of the Project Area as the aforementioned B and D lines West 135th Station.

There are also several bus lines nearby. The BX33, which provides bus service between Port Morris in the Bronx and Harlem in Manhattan, makes stops along West 135th Street between Park Avenue and St. Nicholas Avenue. The M1 provides service from Harlem to SoHo, traveling south down Fifth Avenue. The M102 and M7 both run north and south along Lenox Avenue on the west side of the Project Area, providing service between Harlem and downtown Manhattan.

The Project Area is in close proximity to the Harlem River Drive (“HRD”). The HRD runs along the west bank of the Harlem River from the Robert F. Kennedy Bridge to 10th Avenue in the Inwood neighborhood of Manhattan. Entrances to the HRD are located three blocks northeast of the Project Area at West 138th and 139th Streets.

The Madison Avenue Bridge, one block east of the Project Area at Madison Avenue, carries vehicular and pedestrian traffic between Harlem and the Mott Haven section of the Bronx.

## **PROJECT DESCRIPTION**

The Proposed Project would result in the development of five mixed-use buildings and a mid-rise podium on the perimeter of the existing Lenox Terrace complex. The new buildings would be constructed on portions of the property that are currently vacant or contain one-story retail buildings. Five single-story retail buildings located on the perimeter of the Lenox Terrace superblock would be demolished to facilitate the development. The new buildings would contain approximately 1,430,258 gross square feet of new residential use, approximately 135,500 gross square feet of commercial space, and 15,055 gross square feet of community facility space.

According to the Applicant and the analysis contained within the Draft Environmental Impact Statement (“DEIS”), the Proposed Project will result in an increased FAR of 2.61<sup>3</sup>. The residential portion of the Proposed Development is expected to contain a total of approximately 1,642 new dwelling units (“DU”). A minimum of 25 percent of the residential floor area will contain permanently affordable housing pursuant to Mandatory Inclusionary Housing. The result would be between 411 and 493 DUs designated permanently affordable.

The Proposed Project is intended to be completed in phases. Phase 1 is expected to be completed by 2023. It would consist of the construction of the northwest and southwest buildings, their connecting podium, and the northeast building located midblock fronting West 135th Street. Phase 2, expected to be completed by 2026, would consist of construction of the north and southeast buildings. Below is a table illustrating the expected uses of each building in the Proposed Project:

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<sup>3</sup> As per the DEIS, the current Lenox Terrace superblock development comprises a total 3.0 FAR. The Applicant intends to enter into a Restrictive Declaration that would cap development at 5.61 FAR.

Table 1. Program for Proposed Project

	Dwelling Units (Affordable)	Retail gsf	Community Facility gsf
Building NW	326 (82-98)	24,593	0
Building SW	77 (19-23)	25,211	0
Mid-rise Podium	410 (103 - 123)	25,728	0
Building NE	280 (70 - 84)	19,779	4,966
Total, Phase 1	1,094 (274 - 328)	95,311	4,966
Building N	245 (61 - 74)	16,877	4,236
Building SE	303 (76 - 91)	23,312	5,853
Total, Phase 2	548 (137 - 164)	40,189	10,089

**COMMUNITY BOARD RECOMMENDATION**

On September 19 and October 17, 2019, Community Board 10’s (“CB10”) Land Use Committee held public hearings on this application. During the hearings, the Applicant was given the opportunity to present the Proposed Project, and address any outstanding concerns. The Lenox Terrace Tenants Association, known as LT-ACT, was also given an opportunity to present their position in opposition to the current application.

At its November 6, 2019 CB10 General Board Meeting, CB10 passed a resolution declining to support the current land use application. The vote tally was 20 in favor, 15 opposed, and 1 abstention.

On November 8, 2019, CB10 issued its official recommendation on the current application. The recommendation contains several concerns serving as the basis for their decision to disapprove the application. One concern was the fear that the restrictive declaration would do nothing to prevent out-of-scale development at the sites not owned by the Olnick organization. Another concern was the overall effect the development would have on the community district’s demographic character. CB10 takes the position that the creation of 1,700 dwelling units, 80-percent of them market-rate, would introduce a significant increase in residents from racial and income groups that would diminish the area’s Black American political base. The third concern expressed in CB10’s recommendation is the record of stewardship of Lenox Terrace by the Applicant. Residents and members of the Harlem community have developed mistrust of the Applicant, and therefore remain skeptical of their ability to fulfill any commitments connected to this application. CB10 also expressed dissatisfaction with the proposed affordable housing component.

The recommendation by CB10 to reject this application incorporates the Board's recommendation on the City's 2016 Mandatory Inclusionary Housing program. In the 2016 recommendation, CB10 also expressed a desire to see income-restricted housing programs that specifically match the median incomes of existing Harlem residents. This application recommends an income-restricted housing program that dedicates 50-percent of the residential floor area to market-rate housing, 30-percent to moderate income, and 20-percent to low-income households. Another concern expressed by CB10 is the detrimental effect the size and bulk of the new buildings would have on the existing Lenox Terrace buildings.

## **BOROUGH PRESIDENT'S HEARING**

On Monday, November 18, 2019, the Manhattan Borough President conducted a public hearing on this application at the Lt. Joseph P. Kennedy Community Center, a site within the Project Area. Approximately 200 people attended and approximately 70 people presented testimony. Prior to the public hearing, the Borough President's Office mailed a postcard to every resident and to every commercial postal address in the area immediately surrounding the Project Area with information regarding date and time of the hearing. Members of the public were also given the opportunity to submit written testimony if they chose not to deliver testimony at the public hearing.

The overwhelming majority of those who testified spoke in opposition to the rezoning plan. Most speakers called for a wholesale rejection of the proposed development. Much of what was said mirrored the concerns expressed in the Community Board 10 recommendation. Many speakers expressed great distrust in the Applicant. Other speakers stressed a fear that the plan would hasten gentrification and displacement of current Harlem residents. Many addressed the proposed income levels for residents of the affordable housing to be built under the MIH program and they expressed concern that the income levels would be too high to provide housing for the average Harlem family. The NYC Public Advocate, Jumaane Williams, delivered testimony. He requested a moratorium on all neighborhood rezonings, and sought support for a pending City Council bill that would require a "racial impact analysis" whenever an environmental impact statement ("EIS") is prepared by an applicant whose project is subject to City Planning Commission review.<sup>4</sup>

## **BOROUGH PRESIDENT'S COMMENTS**

There are few instances where a development the scale of the one proposed in this application can be viewed as responsible. The Proposed Project lacks the public and private investments necessary to make it a prudent exercise of planning for future growth. At its proposed scale, it promises to change the physical and socioeconomic character of Central Harlem. According to the construction timeline, the population of the Project Area, which is equivalent to three square city blocks, is expected to double within seven years. 42 other development projects within 1/2 mile of the Project Area are expected to be built during the same time period. As a result, the Proposed Project has generated enormous concern among area residents.

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<sup>4</sup> See Int 1572-2019 at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3963886&GUID=D2C9A25B-0036-416E-87CD-C3AED208AE1B&Options=ID%7cText%7c&Search=racial+impact>

The community's concerns are not unreasonable or unfounded. 1,200 of the proposed 1,700 dwelling units will be market-rate. This would result in a significant shift in the area's demographic composition; new residents will have much higher income levels. For a century, Harlem has been the epicenter of Black culture in America, but recent real estate trends have resulted in gentrification and led to a decrease in the area's Black population.

While no plan can insulate a community from market pressures leading to displacement, a project as large as the proposed project should include a plan that is equitable. An equitable plan would: 1) create significantly more affordable housing; 2) further preserve the current affordable housing stock; 3) provide support to local entrepreneurs and small businesses; 4) improve public transportation resources; and 5) create and improve open space.

The current proposal fails to meet these criteria. For the reasons stated below, I am recommending disapproval of Land Use Application Nos. C 200050 ZSM, N 200051 ZRM, 200054 ZSM, N 200053 ZAM.

#### *Size and Scale of the Proposed Project*

In order to achieve an equitable result, a project the size and scale of the one proposed here requires extensive efforts from the private and public sector. The Proposed Project is expected to take place on a single development site. It is expected to create 1,700 DUs, a population increase of approximately 4,000. That is nearly half the amount of the East Harlem Rezoning (3,500 DUs) to the south of the Project Area, and 40% of the size of the Inwood Rezoning (4,908 DUs) to the north. However, the East Harlem rezoning covered 69 square blocks; Inwood covered 62. By comparison, the increase in housing units and population expected at this site will occupy just 3 square blocks, and cause a disproportionate impact on local residents, infrastructure, economy, and educational resources.

For a plan like the one proposed in this application to provide equitable solutions it must also contain commitments proportional to the ones in the rezonings cited above. Both the East Harlem and Inwood rezonings led to commitments from the City in the amount of approximately \$300 to \$500 million for investments in infrastructure, housing preservation, open space, schools, and other elements essential to a neighborhood's high quality of life.

One area in need of attention is public transit. Substantial improvements to the area's public transit resources must be made to ensure an equitable result. According to the DEIS's line-haul analysis, the 2 and 3 lines are currently operating beyond capacity. With 85% of the public transit usage generated by the Proposed Development forecasted to utilize the West 135th Street Station on the 2 and 3 lines, serious overcrowding is foreseeable.

#### *Open Space*

The DEIS study area has an overall open space ratio of 0.678 acres per 1,000 residents. This is significantly lower than the CEQR guideline of 2.5 acres of combined active and passive open space per 1,000 residents. The DEIS concludes that the open space expected to be created in connection with the Proposed Project would offset an anticipated loss of existing open space.

However, the open space created will be exclusive to residents of the Lenox Terrace complex. This proposal creates a disparity in access and in the amount of open space available to area residents and those of the new development.

#### *Trust*

One of the recurring themes in the testimony delivered at the CB10 and Borough President hearings is skepticism about the Applicant's ability to follow through on the commitments they have made in connection with this proposal. Many people have cited the long-term vacancy of the single-story commercial building at Fifth Avenue and West 132nd Street as an example. The planning process which led to the decision to keep over 17,000 square feet of commercial space vacant indicates indifference toward the local economy, and a lack of investment in the neighborhood's commercial vitality.

According to the Applicant and residents, there are upgrades and improvements that are needed at all six buildings in the Lenox Terrace complex. The Applicant insists that the proposed development is required to generate revenue necessary to perform these improvements. Many of the complaints by residents appear to involve conditions that the property owner is required by law to address, including brown water in their bathroom and kitchen faucets, lead contaminated water, inadequate electricity, rodents and other vermin, broken floor tiles, and similar conditions that have persisted for years. According to the New York City Department of Housing Preservation and Development (HPD)<sup>5</sup>, in the last 12 months the residents of the existing residential buildings have logged 149 complaints, which include the lack of heat and hot water throughout the buildings, bed bugs, roaches, and failed electrical outlets. The Applicant has recently held town hall meetings with residents, and they have taken steps to improve communication between the building management and residents.

Based on past performance, the current proposal will not resolve the challenges faced at Lenox Terrace. The following steps will be required to win the confidence of Lenox Terrace residents, as well as the Harlem community, and to win approval of a project of this magnitude.

1. A long-term commitment to housing affordability, and in concert with public agencies, greater investments in infrastructure, open space, and schools
  - a. 80% of current units are rent stabilized, but that does not ensure future affordability. I recommend that the Applicant work with city and state agencies to create a preservation package for the existing units, and increase the number of affordable units that will better balance the mix of affordable and market-rate units in the new buildings
  - b. The City Council should require the Deep Affordability Option pursuant to MIH
  - c. NYCT should work with the Applicant to develop a plan to alleviate the overcrowding at the West 135th Street Station on the 2 and 3 line by increasing and improving alternative transportation options
  - d. In anticipation of a major increase in population, the Applicant should provide funds to improve the Howard Bennett and Lincoln Playgrounds, the Hansborough Recreation Center, and the Lt. Joseph Kennedy Center
  - e. Prior to demolition, the single-story vacant commercial building on Fifth Avenue and West 132nd Street should be renovated and marketed to local businesses, arts and cultural organizations, church groups, and local community-based organizations at an affordable cost
2. Pursuant to the Large Scale General Development (LSGD):
  - a. CPC should limit commercial spaces to 10,000 sq. feet unless it is a space occupied by a qualifying FRESH food store
  - b. The height of the proposed buildings should be renegotiated
  - c. The improvements committed to by the Applicant should be tied to the Temporary Certificates of Occupancy obtained for the new buildings

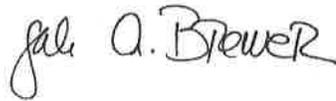
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<sup>5</sup> [https://hpdonline.hpdnyc.org/Hpdonline/select\\_application.aspx](https://hpdonline.hpdnyc.org/Hpdonline/select_application.aspx)

3. Building elements should be contextual in substance. This means that the exteriors should consist of materials similar to those found in the existing Lenox Terrace buildings.

### **BOROUGH PRESIDENT'S RECOMMENDATION**

**Therefore, the Manhattan Borough President recommends Disapproval of ULURP Application No. C 200052 ZMM, C 200050 ZSM, N 200051 ZRM, 200054 ZSM, N200053 ZAM - Lenox Terrace.**



Gale A. Brewer  
Manhattan Borough President