

LAND USE COMMITTEE – MEETING MINUTES

November 4, 2015

Committee Members Present

Wayne Benjamin, Chair
Anita Barberis
James Berlin
Isaiah Bing
Osi Kaminer
Andrea Kornbluth
Steve Simon

Committee Members Absent

Jonathan Reyes

Board Members Present

Richard Lewis
Richard Allman
Elizabeth Lehmann

Public Member

Vivian Ducat

Public Member Absent

Staff: Deborah Blow

Guests: Martin Collins, Dana Hanchard, Alen Pepic, Cheryl Pahaham, (illegible), James Cataldi, Lucian Reynolds – MBPO, May Yu – EDC, Cecilia Kushner – EDC, Jennifer Fox, Rita Gorman, Katherine O’Sullivan, Eli Gewirtz, Sara Fisher, Aaron Simms, James Allen, Kevin Parris – HPD, Thomas Lewin, Ethel Collins – HPD, Anna Levin – CPC, Chris Hayner – DCP, Edwin Marshall – DCP.

1. The meeting of the Land Use Committee (“Land Use” or the “Committee”) was called to order at 7:05 PM. Land Use Chair Wayne Benjamin welcomed guests, and Committee members introduced themselves.
2. Consideration of the proposed new storefront design at 3771 Broadway – Audubon Park Historic District was postponed, as no project representatives were present.
3. Lucian Reynolds of the Manhattan Borough President’s Office (“MBPO”) provided follow-up information regarding questions that had been raised at the June, 2015 Land Use meeting concerning the possibility of a professional soccer stadium at Columbia University’s Baker Field. Mr. Reynolds explained that a large stadium (2,500+ seats) would require a special permit predicated on correct findings (i.e., that the site is an appropriate distance from residential areas, that it is situated on an arterial roadway to handle event traffic, etc.) and discretionary approvals. Mr. Reynolds further explained that a zoning map change would likely be required, and distributed a ULURP chart to explain the process and the various levels of public oversight involved, emphasizing that these mechanisms would protect the community from any surprise stadium construction. To his knowledge, no proposals for the construction of a stadium at Baker Field have been submitted.

With regard to the question of whether it was permissible for CU to rent its existing stadium space to a Red Bulls soccer team for 7-8 games last summer, Chair Benjamin noted that the team in question may have been a farm team, and not a professional team, and remarked that greater clarity is needed with regard to stadium use.

Mr. Reynolds encouraged community residents to express their stadium-related concerns at EDC’s November 10th Inwood Rezoning Meeting, stating that the MBP urges all stakeholders to be part of the rezoning process. Chair Benjamin clarified that Baker Field is not in the area being considered for rezoning, but it is part of the overall Inwood study area. Any stadium proposal would need to be reviewed separately from the rezoning initiative.

4. May Yu and Cecilia Kushner of the New York City Economic Development Corporation (“EDC”) presented an overview of the Inwood NYC Planning Initiative, having made an abbreviated version of

this presentation at CB12M's October 27th General Meeting. The presentation, which will be posted on the EDC website at <http://www.nycedc.com/project/inwood-nyc-neighborhood-study>, begins with a map of the study area, defined as the whole area north of Dyckman Street, from river to river. The area of the actual rezoning effort is not yet defined, and the study at this point will incorporate a holistic look at Inwood, including its overall needs with regard to capital investment, jobs, waterfront access, services and programming, etc. Some elected officials have discussed areas where they believe there are opportunities for development, such as the areas zoned for light manufacturing in the eastern part of the community, but the EDC hopes to build consensus with the community. Principles developed in previous studies, such as the 2003 – 2007 Dept. of City Planning Zoning Plan and the Sherman Creek Master Plan, will be reviewed and incorporated where appropriate.

The EDC has a variety of city agency partners for this project, and welcomes input regarding other agencies that should be included. Chair Benjamin stated that at the General Meeting, members of the public suggested that the Landmarks Preservation Commission ("LPC") be included, due to the minimal attention given to landmark designation in our district. Other potential partners suggested at the current meeting include NYCHA and the MTA.

The overarching goals of Inwood NYC are to support affordable and mixed-income housing through creation and preservation, to expand economic opportunities with quality jobs, small business support, and new commercial space, and to improve neighborhood livability with optimization of open space and waterfront access, attention to utilities, and cultural and youth programming. As described earlier in the year, a neighborhood plan will be developed on the basis of community input, garnered from public open house sessions, planning workshops, and meetings.

In response to Chair Benjamin's comment that community members found the Open House to be lacking in detail, Ms. Yu explained that the upcoming Public Planning Workshop phase would include more detailed discussions, and that community input would also be solicited through a survey, the EDC website, and email submissions.

In response to concerns expressed by community members regarding who will be able to live in newly constructed affordable housing and the fate of naturally-occurring affordable housing (i.e., existing rent stabilized housing), Ms. Yu stated that the goal is to keep the current community in place in quality affordable housing. Regarding new construction, the EDC will look to set a preference for local residents to the degree legally allowable. Preservation and code violation enforcement will continue to be key issues for rent stabilized apartments, to discourage speculation and incentivize the extension of rent stabilization.

It was noted that the fact that Con Ed has no plan to upgrade the district's severely outdated utilities until at least 2020 needs to be included in the discussion of the project – while developers will do the necessary utility work for new development, the existing utility system is not adequate for current residents.

Ms. Yu stated that the Dyckman Houses will be included in the study, and that the EDC has planned meetings there.

A very brief summary of the Open House was given, and committee and community members raised a number of additional concerns and questions. It was recommended that the following be explored at Planning Workshops:

- New playgrounds for a growing population.
- Subway accessibility – several elevated stops on the 1 line have no elevators or escalators.
- Subway crowding – it is already difficult to get a seat below 181st Street at peak hours.
- Hazard/brownfield remediation.
- Planning relating to ground floor retail, which is not intended for quiet blocks, should also take into account the issue of commercial rents, as there are currently many vacant storefronts, and

the question of how to achieve a diverse mixture of retail stores and not just bars and restaurants.

- Where to find land to develop: will the section of the presentation's area map that is labeled 'Tip of Manhattan' and consists mainly of private property, including parking lots and car washes, etc., schools, and bus and sanitation facilities be an option?
- Preservation of commercial spaces that house critical local businesses, such as Dichter's Pharmacy, which is located on a soft site that could be further developed.
- Creation of economic opportunity for the area's artist population.
- Preservation of wildlife habitats, such as North Cove.
- Access to memorials and cultural sites, such as the burial ground under the MTA rail yards.

The next planning meeting, on the topic of Housing, will be held on November 10 at 6:30 PM, at P.S. 314.

5. Jamie Rojo of the NYC Department of City Planning ("DCP") made an updated presentation on the DCP's proposed citywide Mandatory Inclusionary Housing ("MIH") and Zoning for Quality and Affordability ("ZQA") text amendments (the "text amendments"), along with Edwin Marshall and Chris Hayner, also of DCP. The 60-day review period for both the Community Boards and the Borough Presidents began on September 21, 2015, and will end at the end of November. The Community Boards are therefore being asked to pass resolutions on these text amendments this month.

The presentations on MIH and ZQA, which are available on the DCP website at <http://www.nyc.gov/html/dcp/>, were largely the same as the earlier presentations made in June. Feedback and questions asked at that meeting were not incorporated into the presentations, and because the text amendments will cover the entire city, the presentations are generally not specific to the CB12M area.

MIH would provide for 25-30% affordable housing in all future development in rezoned areas. The affordability options, which would be applied by the City Planning Commission and City Council, would be as follows:

- 1) 25% of housing at an average of 60% AMI;
- 2) 30% of housing at an average of 80% AMI;
- 3) 30% of housing at an average of 120% AMI (the "Workforce Option", not available in Manhattan CDs 1-8). No affordable unit is to exceed 130% AMI.

The 100% AMI is currently \$77,000 for a 3-person household. Chair Benjamin and other committee members pointed out that the "at an average of" language will have a very different effect from "not to exceed", and given that the official AMI is already much higher than our local AMI, going to 120% or 130% will significantly reduce the amount of actual affordable housing in our area. Further, the rents anticipated for affordable units (i.e., \$2,350 for a 2BR unit under the Workforce Option) are well above current local market rates. Mr. Hayner stated that the use of the average AMI is intended to increase flexibility in building a diverse resident population, and that issues such as these should be raised during the present public comment period.

ZQA would provide zoning support for the creation of affordable senior housing and inclusionary housing, including FAR bonuses, increased ground floor height to facilitate retail, and reduced parking requirements.

In response to questions first raised in June regarding the inclusion of institutionalized housing such as nursing homes in this plan at a time when New York State seems to be interested in reducing the number of nursing home beds, Mr. Hayner explained that the industry is moving toward an integrated spectrum of living arrangements, ranging from independent living through assisted living and nursing care.

Committee members expressed concerns over whether the plan stigmatizes aging by segregating and ghettoizing the senior population, especially when many people prefer to age in place at home. Mr. Hayner explained that the plan is to incentivize facilities for the lowest income seniors who can't stay at home, because, for example, they live on high floors in walkup buildings.

For R7-2 districts, the FAR of 5.01 for senior housing already incorporates a bonus, and so ZQA will have no impact on FAR in these areas. In R8 districts there will be no FAR bonus added, but senior housing and new MIH structures will be allowed an additional 1-2 stories.

Concern was expressed over whether ZQA would allow areas that currently have structures that are smaller than their zoning allows (e.g., brownstone blocks) to be developed with large, out-of-scale structures. CB12 would like to have the sort of patchwork zoning arrangement that was crafted in CB9, rather than a one-size-fits-all designation.

Regarding ZQA's reduced parking requirements, committee and community members took issue with the idea that lower income residents are less likely to own cars. The experience of area residents is that street parking is becoming increasingly difficult. The DCP has information that NYCHA residents sublet their spots rather than using them, and takes the position that public subsidies should go toward building housing units rather than parking spots.

Following the 60-day Community Board/Borough President review period, there will be a 60-day City Planning Commission review, followed by a 50-day City Council review. It was agreed that the timeline and the rush to put these measures in place citywide in time for the planned East New York zoning are not optimal, especially as no feedback was provided in response to questions raised in June. The DCP representatives and Anna Levin of the City Planning Commission ("CPC") strongly encouraged concerned parties to provide input at CPC hearings.

After further discussion a motion was moved by Steve Simon and seconded by Jim Berlin to withhold support for the text amendments pending modifications. The resolution passed based on the following votes: Committee Members - 7 For, 0 Against, 0 Abstain; Other Board Members present voted - 2 For, 0 Against, 0 Abstain; Members of the Public - 7 For, 0 Against, 0 Abstain.

The meeting was adjourned at 9:57 PM.

Submitted by: Andrea Kornbluth