

## LAND USE COMMITTEE - MEETING MINUTES

June 6, 2018

### Committee Members Present

Wayne Benjamin, Chair  
Chris Ventura  
Jim Berlin  
Steve Simon  
Osi Kaminer

### Committee Members Absent

Andrea Kornbluth (Excused)  
Jay Mazur (Excused)  
Angelina Ramirez  
Jonathan Reyes

### Board Members Present

Curtis D. Young  
Richard Allman  
Richard Lewis

### Public Member Present

Vivian Ducat

### Public Member Absent

Staff: Ely Silvestre

Guest: Paul Hintersteiner, Nancy Piesta[?], J.W. Dell – Holy Trinity, Sade Ali Kully – City Limits, Sara Elmore – DCP, Shawn Rickenbacker – CCNY Bond Center, Cheramine Mondesire, Rosanne Valencia, Tom Bertsch, Orlando Rodriguez – MBPO, Laurie Tobias – Office of Congressman Espailat, Marshall Vanderpool, Kevin Kunkel – Holy Trinity Church, Andrew P. [cannot make out last name], Charlie Samboy - EDC

1. The Meeting began absent a quorum at 7:10 PM (quorum was established at 7:30 PM). Land Use Committee (“Land Use” or the “Committee”) Chair Wayne Benjamin began the meeting by welcoming committee members and guests. Committee members introduced themselves as did new Board member Curtis Young. Chair Benjamin acknowledged the recent passing of Assemblyman Herman “Denny” Farrell and the passing of former Community Board 12- Manhattan (“CB12M”) staffer, Debra Blow, who died earlier this year but about the death of whom CB12M was only recently informed.
2. Chair Benjamin stated that on May 30<sup>th</sup> CB12M received a ULURP application that was certified by the Department of City Planning (“DCP”) on May 21<sup>st</sup>; CB12M has until July 30<sup>th</sup> to provide comments. The ULURP application was submitted by the Department of Citywide Administrative Services and the Administration for Children’s Services to acquire the property located at 474 West 159<sup>th</sup> Street to facilitate its continued use as a child-care center. A child-care facility has operated at the site since the 1970s. Since Land Use had insufficient notice to add this application to the agenda for its June meeting and CB12M will be in recess during July and August, the application will be referred to the Executive Committee to host a public hearing to obtain public comment at its June 19<sup>th</sup> meeting.
3. Chair Benjamin introduced Shawn Rickenbacker, Director of the City College J. Max Bond Center for Urban Futures (the “Bond Center”). He stated that about 10 years ago when CB12M undertook its District-wide Neighborhood Planning and Land Use Study it partnered with the Bond Center, then the City College Architecture Center, and that moving forward there is an opportunity for CB12M and the Bond Center to reengage. Mr. Rickenbacker stated that he is fairly new to the position at the Bond Center; he is an architect and is interested in the use and analysis of data to arrive at more objective reasoning and decision making in the course of reviewing proposed zoning, development and related plans. Shawn stated that Councilman Rodriguez asked City College to review, compare and comment on the Inwood Rezoning. The Bond Center is taking the lead on this; it has reviewed CB12M’s resolution as well as the work undertaken by other stakeholders and is working on a 30-page report that should be helpful in informing any potential amendments to the proposed rezoning. The report is expected to be ready for release in July. The ULURP for the Inwood Rezoning concludes in August.
4. Rev. Jake Dell and Kevin Kunkel, a church warden who is an architect, provided an update on the status of the development plans under consideration by Holy Trinity Church Inwood for the church property.

Rev. Dell stated that in early 2018 Denham Wolf, a real estate services firm that specializes in working with nonprofit clients, to market the development opportunity of Holy Trinity Church property through a request for proposal (“RFP”). A broad range of proposals for mixed-use development were received, all include some percentage of affordable housing in addition to church-facility uses. Some proposals include a mixture of new development and renovation, while others include all new development. The developers will be interviewed; negotiations are expected to occur over the summer. The RFP requested options under the current R7-2 zoning and the R7A zoning proposed in the Inwood Rezoning. Rev. Dell requested the assistance of CB12M concerning the proposed rezoning to R7A, noting that given the site conditions, particularly the extensive rock outcroppings, the existing R7-2 zoning offers greater flexibility than the proposed R7A zoning. Chair Benjamin stated that CB12M’s resolution on the Inwood Rezoning acknowledges that R7A constrains the church’s development plans and suggests dialogue between the City and Holy Trinity Church to arrive at a more appropriate zoning designation. Orlando Rodriguez of the Manhattan Borough President’s Office (“MBPO”) stated that Holy Trinity Church should schedule a meeting with the MBPO to further discuss the issues, the development proposals, and the range of affordability which is envisioned for the affordable housing component. He further stated that at this juncture, removing the site from the rezoning might be the most appropriate solution. Chair Benjamin stated that Holy Trinity Church should feel free to call upon the Committee as a resource.

5. Sarah Elmore, Planner for the Manhattan Office of the Department of City Planning (“DCP”) presented the proposed M-1 Hotel Text Amendment (the “Text Amendment”). The Text Amendment was referred out for public review in April 2018 and would introduce a new Special Permit (the “Special Permit”) under DCP’s jurisdiction for new hotels, motels, tourist cabins and boatels in Light Manufacturing, i.e.: M-1, zoning districts citywide in order to ensure a balanced mix of uses in neighborhoods as well as sufficient opportunities to support industrial uses and growth in the City. Ms. Elmore stated that an increase in tourism is driving an increased demand for hotels and hotel development citywide; there are 24,000 hotel rooms in the development pipeline, 30% of which are located in M-1 zoning districts – 13% of all existing hotel rooms are in M-1 districts. Since 2010 there has been a rapid increase in the development of hotels in M-1 districts, particularly on sites near transit. Hotels are currently permitted as-of-right in M-1 districts and because of the rapid growth of tourism and hotel demand, hotel development has a competitive advantage over other uses permitted as-of-right in light industrial districts. This competitive advantage may directly or indirectly detract from the development of others uses required to fulfill neighborhood development needs and objectives and/or may accelerate neighborhood change. The proposed Special Permit would require a full ULURP to examine developments on a case-by-case, site-specific basis to ensure that hotel development occurs only on appropriate sites, and will consider a balanced mix of uses, jobs and other opportunities for siting future light industrial and other permitted uses. The ULURP requirement would give community boards greater oversight of hotel development in M-1 districts. Sara stated that there are limited M-1 sites in Washington Heights and Inwood. Those that do exist are primarily at the tip of Manhattan and in Sherman Creek and that the Inwood Rezoning proposal already includes provisions to balance and control hotel development. After further discussion a motion was made (Steve Simon) and seconded (Jim Berlin) supporting the M-1 Hotel Text Amendment. The Resolution passed based on the following votes:

Committee: 6-0-0; Board Members: 1-0-0; Member of the Public: 2-0-0

6. Orlando Rodriguez, MBPO and Charlie Samboy, NYC Economic Development Corporation (“EDC”) provided an overview of the amendment filed by EDC to its Inwood Rezoning ULURP application. Mr. Rodriguez stated Mr. Samboy will first briefly discuss the amendments to the ULURP and then he will highlight the MBPO’s comments. Mr. Samboy presented a document summarizing the 10 changes included in the amendment. A copy of this document is attached to these minutes. He noted that changes allow for greater flexibility in the degree to which FAR is deployed but do not increase FAR, commercial and mix-use buildings to rise to the same height (under the original application the height limit of

commercial buildings was 10 feet less than that of mixed-use buildings), and for the continued commercial use of 5030 Broadway. The amendments also allow for the relocation of wholesale and manufacturing business to a section of Sherman Creek originally designated only for residential use, mandate the widening of sidewalks at the waterfront, and allow for flexibility in the transfer of bulk between R8A and R9A to better facilitate building design at the waterfront. They mandate that 50% of ground floor spaces of new buildings on Dyckman Street and 207<sup>th</sup> Street be dedicated to retail use and limits the street frontage for bank use to 25 feet and allow for potential changes to building scale and FAR to be in the scope of the application. Mr. Rodriguez stated that the MBPO was pleased to see change allowing for the relocation of wholesale and manufacturing businesses and gave significant thought to whether in the long term, it is more beneficial to limit the ability to create diverse commercial buildings and the possibility for new businesses to find space, ultimately determining that limiting an already tight market for commercial space was not prudent. He also stated that the MBPO questioned the benefit of the proposed rezoning on Dyckman Street west of Broadway. Chair Benjamin noted that CB12M also questioned this and recommended rezoning that allows for a greater range of uses of the existing buildings. The discussion also covered questions on the reasons for allowing commercial buildings to match the height of mixed-use buildings, if the amendments might encourage big-box retail, what constitutes big-box retail, and examples of successful and unsuccessful multi-level retail development in New York City.

7. Old Business: Committee Member Simon inquired as to the status of the BSA application for 4452 Broadway. Chair Benjamin stated that he did not have an update and suggested District Manager Ebenezer Smith be asked to follow up. Subsequent to the conclusion of the meeting, Chair Benjamin learned from BSA and shared with the Committee that the applicant, HAP Properties, has requested that the application be withdrawn from consideration. Committee member Kaminer inquired about beginning the process of reviewing the CEQR Technical Manual and recommending changes. Committee Member Simon noted that there is a taskforce that has already reviewed the CEQR Technical Manual and suggested that it would be advantageous to review its report.
8. The Meeting adjourned at 9:25 PM.

Respectfully submitted by Wayne Benjamin