

## SECTION 4

## 4.1 Introduction

The sixth goal established by the working group is to update the zoning in the district and to implement contextual zoning where appropriate. The study also seeks to reconcile zoning with existing land use and building form while encouraging development.

This section examines zoning and land use in CD12. The study of neighborhood land use reveals a variety of distinct social and physical environments. These distinctions identify architectural and urban features and to a lesser degree social characteristics that establish the economic fabric of CD12. The current residents also inherit the built legacy of this area's 230-year history. This section will begin with a review of the functions of zoning using a visual breakdown of the major designations currently found in CD12. This followed by an analysis of actual land-use patterns that make up the district.

Given the perceived pressures for increased development in CD12, this review is preliminary to an overall framework for evaluating locations within Washington Heights/Inwood where new development could or should occur and where preservation and contextual development could or should be preferred. In addition to the direct intention of the goal to "update", recent proposals within CD12 and elsewhere in the city have effects on other "public goods" well beyond the aspects directly governed by building form and use.

In this respect and in recent decades, zoning has offered incentives to encourage owners/developers of private property to produce public goods in the form of more attractive buildings, public waterfronts, transportation improvements, or affordable housing. Often these incentives include added bulk on a lot or permitting an otherwise prohibited mix of uses that make the project more lucrative.

Zoning is an indirect tool and is both driven by and subject to changing market forces. Nonetheless, it can encourage the production of public amenities as well as support a safety net for vulnerable households. Partnerships between the community, government, and private developers are essential to ensuring that zoning policies reflect the community's vision. They need to allow both flexibility and incentives for the private investment that is required to generate the desired benefits while at the same time maintaining the overall integrity of the area.

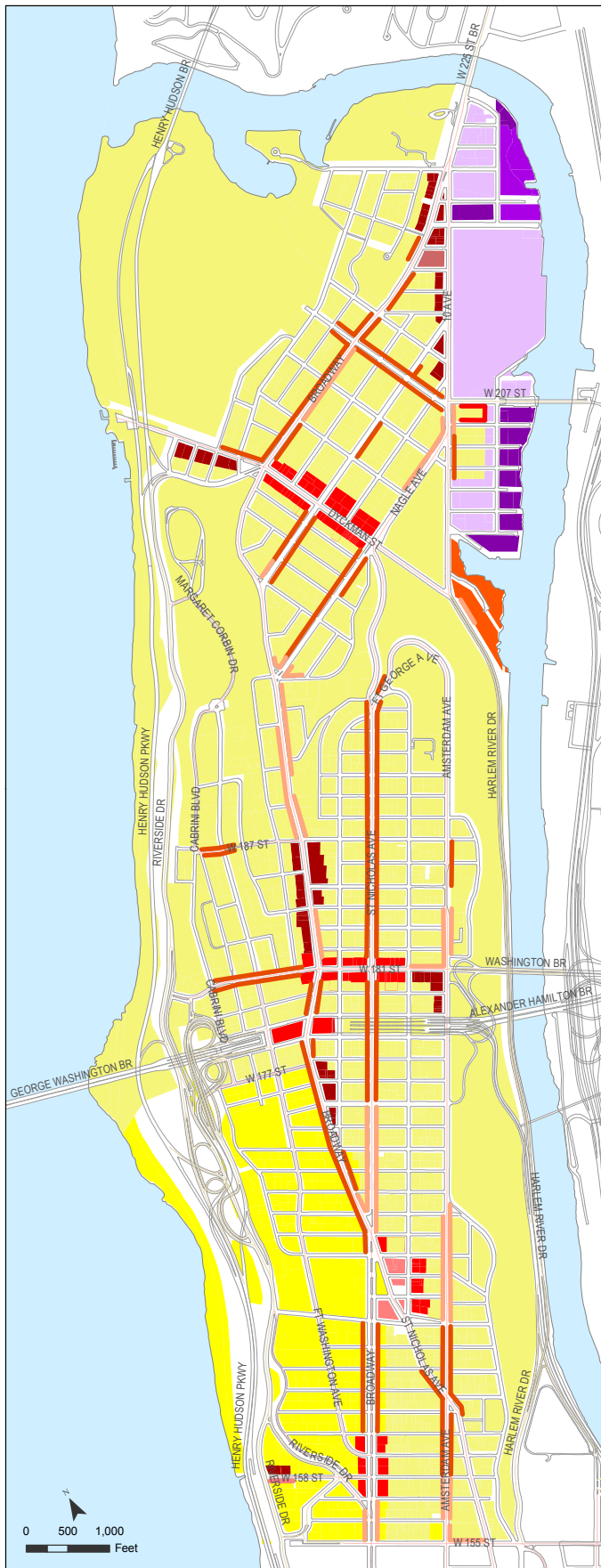
### 4.1.1 Zoning and Land Use in CD12

Studies of the physical features, patterns of use and history of Washington Heights/Inwood reveal a varied yet logical pattern of built and open-space environments. The district consists of distinct neighborhoods many of them formed by distinctive topographical features, parkland, riverfronts ("the end of the island"), as well as major transportation corridors (Broadway, I-95, Henry Hudson) and changes of "use" (hospital, rail yard). This combination of architecture and people helps define the community, creating boundaries that are both real and perceived, as well as establishing the collectors or hubs between residential enclaves and business centers.

Within the neighborhoods of CD12 there is a strong overall architectural character—well-built attractive buildings; consistent in design quality and historical development. Of the 73,000 units in the area 73, in 2000, 55,000 were built prior to 1949. Many of these buildings are notable and worthy of recognition and preservation.

Although it is largely a residential community, there are three Central Business Districts (CBD) within CD12.

COMMUNITY DISTRICT 12-M  
**ZONING**



- ZONING**
- C3 Waterfront Recreation
  - C4-4 General Commercial
  - C6-2 General Service
  - C8-3 General Service
  - C8-4 General Service
  - M1-1 Light Manufacturing
  - M2-1 Medium Manufacturing
  - M3-1 Heavy Manufacturing
  - R7-2 General Residential
  - R8 General Residential
- COMMERCIAL OVERLAY**
- C1-3
  - C1-4
  - C2-1
  - C2-4

Source: NYCmap, Community Cartography

Map 4.1.3 Zoning

1. The **Uptown Inwood CBD**. It is located along Broadway between Dyckman and 207th Street. Suggested zoning changes could provide an additional 2000 units over the next 10-15 years.
2. The **GW Bridge /St. Nicholas CBD**. This area is bisected by St. Nicholas /J-P Duarte. It includes the new 300,000 sq. foot retail center proposed for GWB Bus Terminal. There are a number of urban design, land-use traffic and transportation issues.
3. The **Health HUB CBD**. This is a neighborhood shopping district along Broadway in Lower Heights, and includes the Presbyterian Hospital complex. Although designated as a community facility by the zoning, the hospital is a major economic engine comparable to many cities' downtowns.

#### 4.1.2 Historical Perspective of Current Zoning Envelopes

Zoning is not retroactive and it has a limited effect on quality, choice, and affordability of the buildings produced. This is why non-conforming uses or building forms within a given zoning district are typically recognized. In addition to its role in guiding development, zoning is a *police power*<sup>a</sup> in that it is an enforceable set of laws design to protect the quality of life in a community. It governs the uses permitted on the land, and, in some cases, the form of improvements. More directly though, the design of buildings is governed by the building code. New York City's building and zoning codes were the first in the nation, as well as being currently the most complex and detailed. The City pioneered the land-use and building code regulation with its 1916 zoning law briefly described in the following pages.

Zoning governs the choice of land uses allowed in close proximity to one another. In serving this purpose it also contributes to defining a building's form by setting the maximum square footage of a building (its "bulk"), the placement of a building on its lot, and the height and setbacks in the vertical walls of a building to ensure that light is available to the street. This combination of use-based and form-based regulation has provided a means for promoting a compact and lively urban environment.

Map 4.1.3 illustrates zoning envelopes in CD12.

#### Pre-1961 Zoning

In 1916, New York City adopted its first zoning resolution. Since then planners have attempted to provide for the distinctive qualities of the city's neighborhoods. The 1916 zoning resolution did not regulate housing type in lower-density residential neighborhoods. Residents began to fear the onslaught of apartment housing and in the years between 1916 and 1960, a number of contextual zoning districts were established. During this period, neighborhood characteristics were recognized and codified. Examples include occupancy restrictions, lot coverage, and the ratio limiting the maximum floor area of a building to a multiple of the area lot the lot on which it sits, known as the Floor Area Ratio (FAR). New York City began to implement off-street parking requirements in 1950.<sup>b</sup>

By 1950, CD12's large number of 30-40 unit apartment buildings constructed with no associated off-street parking. This had resulted in a fairly densely built up area. By 1960, it was generally felt that the zoning text had provided for an excessive array of lower densities, but was not well enough crafted to prevent the development of large-scale apartment buildings in many lower density areas throughout the city.<sup>c</sup>

## **1961 Zoning**

The new zoning resolution adopted in 1961 addressed the issues outlined above. It greatly reduced maximum bulks and densities in most residential communities. The 1961 zoning did not attempt the extensive pre-1961 distinctions by building type, except for the lowest density districts (R1 and R2) which limited development to one or two-family detached or semi-detached houses. As an alternative R2, R4, and R5 districts set up overall bulk controls. The crucial product of the 1961 zoning was the delineation of large areas of the city with very dissimilar building types grouped within the same zone.

## **Infill Zoning**

The formation of Community Planning Boards in 1963 brought the public into the zoning arena. By the early 1970s, the city was beginning to deal with a growing crisis of disinvestments. This situation had highly complex causes and a devastating impact. Among its responses, the City adopted in 1973 the Infill Zoning amendment. This stimulated new low-rise construction within “predominantly build-up areas” in R4 and R5 districts by offering builders more floor area and related incentives. However, this amendment had little impact on CD12 since it did not meet these criteria.

## **1970s, 1980s, and 1990s**

By the mid-1970s, the city's housing recession was serious enough to threaten the stability of all New York City's private rental housing stock. Owners disinvested in their properties, and in many cases then abandoned these unprofitable buildings, forcing the city into a lengthy three-year foreclosure process. The passage of the “fast foreclosure” law in 1977 allowed foreclosure on most properties after one year of unpaid taxes. While it acquired properties quickly during the first two years, the rate slowed dramatically by 1985. The cost to the city of owning and managing these properties had by then approached \$100 million annually. The economic realities of rapid increases in energy costs, disruptions in building services, postponed repairs and widespread deterioration of living conditions required enormous efforts from all levels. Between 1988 and 1992, 140,000 apartments, involving 7,500 residential buildings were in serious tax arrears and/or undergoing mortgage foreclosure. This represented a 400% increase in just five years.

The economic conditions of 70s, 80s, and early 90s made substantial amounts of NYC's housing unprofitable. Operating costs continued to rise, while growing unemployment left many low-income working families unable to cover the rent. The cost-income gap of rental housing widened between cash outlays and rent receipts. Cash flow equity evaporated as refinancing against existing mortgage obligations reduced rehabilitation opportunities. Less recognized was the downside of the “80s housing boom”. Adjustable interest rates caused many owners to strain building equity with over-leveraged mortgages to cover rising costs on the assumption of market value appreciation. Many owners thus held extensive debt with high monthly payments that eliminated cash return. Lenders backed away from “higher risk” neighborhoods and the number of “bargain sales” or “fire sales” that legally terminated the original owner's liability increased.

It was not until the close of the New York City Recession in 1993 that the city's housing development and preservation efforts began to take a firm hold. New York City is one of the few

cities in the United States that directs its tax revenues to produce innovative combinations of incentive and subsidy for affordable housing preservation and new construction.

Even though the passage of the Clinton Special Purpose District (CL) occurred in 1974, it can serve as the guiding model of the zoning text for CD12<sup>d</sup>. Following a series of independent community initiatives, the Department of City Planning responded to community needs with a combination of zoning text revisions that lead to the protection of both residential and business based land uses. Since its passage, community groups and activists have formed a vigorous network to resist the displacement resulting from the efforts of large real estate interests, sometimes described as “keeping the kitchen in Hell's Kitchen”. Interestingly, it was during this same period that the Neighborhood Preservation Program (NPP) picked Washington Heights as a neighborhood to focus on for preservation and stabilization, which prevented a significant loss of buildings and residents to property abandonment.

Design guidelines within the New York City zoning ordinance and building code are not mandatory. The result can be a saw-tooth appearance that reflects a greater interest in market conditions than the quality of urban life. The Working Group of CD12 has expressed a desire to prevent this kind of occurrence by supporting the voluntary use of contextual zoning and to undertake the steps required to make it mandatory where it is deemed appropriate and timely.

#### **4.1.3 Zoning in Washington Heights and Inwood**

At its core, New York City's zoning represents a set of values about urban life and its economic potential. For this reason, zoning rules change and uses are modified through the Board of Standards and Appeals. The following pages introduce the patterns in the use of land and discuss the issues associated with each use. The major uses and letter designations are “R” for residential “C” for commercial and “M” for manufacturing and warehousing; Housing “R”, will mix with commercial office and retail businesses as “C overlay or as independent commercial area. Public and private institutions are found as of right in these “R” and “C” zones. Manufacturing and warehousing, the “M” zones, separate noxious uses from residential and commercial areas and, parks and recreation uses are considered “untouchable” land uses by policy, but generally designated to reflect adjacent “R” zones.

#### **Changes in Use and Zoning**

The paragraphs below provide a more detailed description of the zoning of CD12.

Nearly all of land zoned for housing in CD12 is zoned R7-2 except for an area west of Broadway and south of 177<sup>th</sup> Street that is zoned R8.

The major commercial Districts are C3, C4-4, C6-2, C8-3 and C4-4 and are shown in various shades of red on the accompanying map. These districts link commercial overlay districts along the main north/south corridors, namely Broadway, St. Nicholas, and Amsterdam (below 170<sup>th</sup> Street).

As you enter Washington Heights, New Amsterdam and St. Nicholas are both commercial streets while Broadway maintains its residential character until it reaches the 165<sup>th</sup> Street in the New York Presbyterian Hospital area. The commercial overlay along Broadway ends at the southern entrance to Inwood. Nagle Avenue and Sherman provide the overlay to Dyckman (C4-4). Broadway picks up the overlay again north of Dyckman centering on

COMMUNITY DISTRICT 12-M  
ZONING: COMMERCIAL DISTRICTS



Source: NYCmap, Community Cartography

**COMMERCIAL DISTRICTS**

- C3 Waterfront Recreation
- C4-4 General Commercial
- C6-2 General Service

COMMUNITY DISTRICT 12-M  
ZONING: COMMERCIAL DISTRICTS



Source: NYCmap, Community Cartography

**COMMERCIAL DISTRICTS**

- C8-3 General Service
- C8-4 General Service

207<sup>th</sup> Street running northwest toward Inwood Hill Park and southeast into the Sherman Creek industrial area to 10<sup>th</sup> Avenue. Sherman Creek is zoned M1-1 for the most part with a small area zoned M3-1 east of 9<sup>th</sup> Avenue.

Land uses are shown on Map 4.1.6. They enable a comparison with the zoning. Each of the major land uses is isolated and reviewed to illustrate the pattern of uses. Three “case studies” illustrate the zoning calculations that were used to produce theoretical models of the architectural bulk that can be permitted on each lot under various zoning scenarios.<sup>e</sup>

### **Issues Changing Zoning and Land Use**

- The study’s scan of vacant sites for the development of new housing or mixed uses reveals limited opportunity. Three representative sites were selected as “massing case studies” to illustrate “as of right” development within the existing zoning envelopes of R7-2 and R8 in which the Quality Housing Program options are optional. Also known as voluntary contextual zoning, it became available in the mid-1980s. The cases also review height and bulk using alternative zoning.
- Establishing mandatory quality housing (contextual zoning) regulations requires a zoning map change with the letters “A”, “B” or “X” following R7 or R8. With this letter, development is required to be contextual, but this points to the future only, it will not produce the financial resources to preserve the existing stock.
- A majority of the buildings in the community currently provide more floor area than the 1961 zoning will require for new construction. For this reason, little has changed. Contextual zoning proposals can include incentives for neighborhood-based community facilities such as childcare and resident after school care centers.
- In the other zones, the choices involve rezoning M to R (Sherman Creek) and the possibility of changing some C-8 zones to C-4 so as to encourage a mix of commercial and residential uses. The proposed C-4 locations include the Dyckman Commercial Corridor in Inwood, the transportation hub that is formed by the I-95 corridor and the GWB Bus Station and the hub formed by the New York Presbyterian Hospital and the intersection of two subway lines (A and #1). These three “hubs” are highly complex urban centers with intensive economic activity, and they offer opportunities for the substantial additional growth and development needed to produce resources for preservation and neighborhood revitalization.

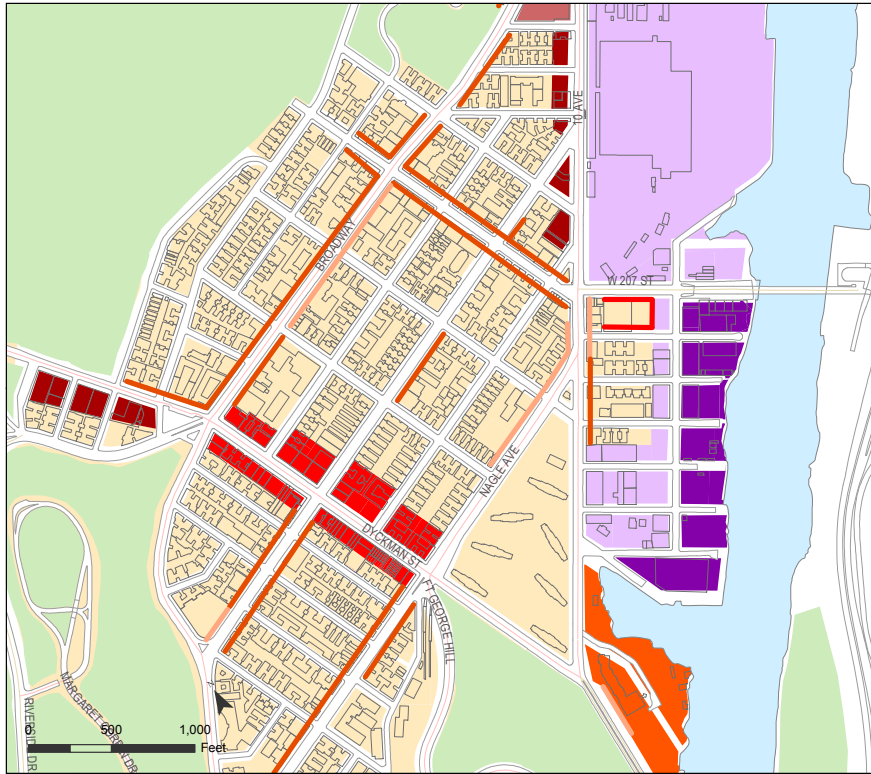
#### **4.1.4 CD12’s Current Zones**

Residential, Commercial and Manufacturing Districts

New York City’s Zoning Resolution contains ten major residential zones – R1- through R10. Low-rise development is as-of-right through R5, mid- and high-rise buildings occur in zones R6 and above. In 1987, the FAR ratios in R6 through R8 zones increased in a range of 17 percent to 23 percent. The selection within this range determines a subsequent reduction in the parking requirement based on the availability of mass transportation. A brief review of the major zones now governing the land use of CD12 follows:



# EXISTING ZONING & PROPOSED SHERMAN CREEK ZONING

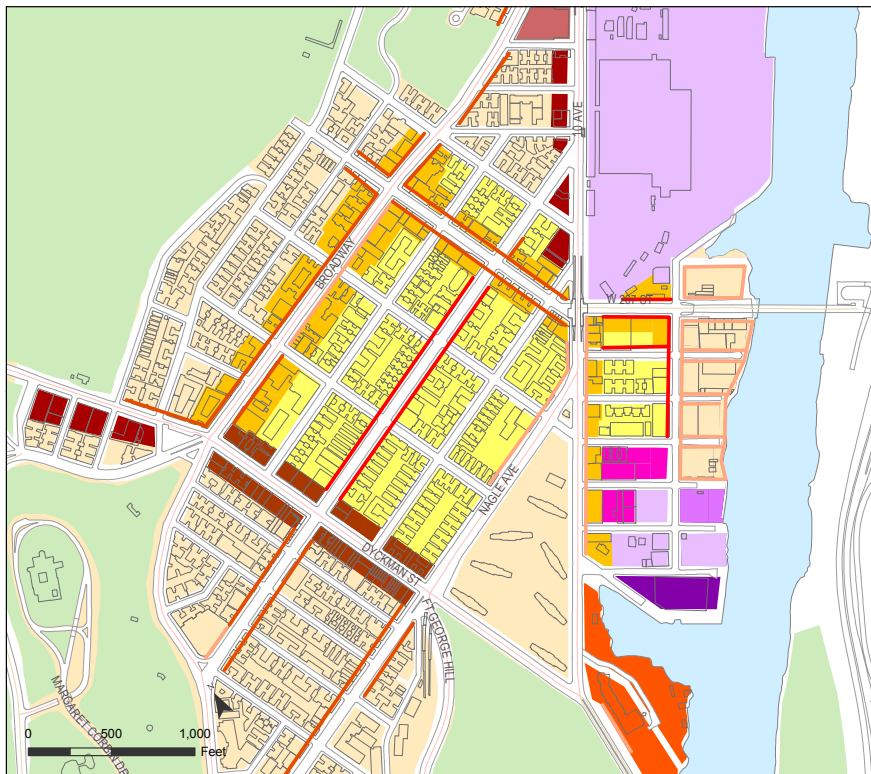


**ZONING: EXISTING**

- C3 Waterfront Recreation
- C4-4 General Commercial
- C8-3 General Service
- M1-1 Light Manufacturing
- M3-1 Heavy Manufacturing
- R7-2 General Residential
- R8 General Residential

**COMMERCIAL OVERLAY**

- C1-3
- C1-4
- C2-1
- C2-4



**ZONING: PROPOSED**

- C3 Waterfront Rec
- C4-4D General Comn
- C8-3 General Servic
- M1-1 Light Manufact
- M1-1/R7-2 Mixed District
- M1-1/R7A Mixed District
- M3-1 Heavy Manufa
- R7-2 General Reside
- R7A General Reside
- R8A General Reside

**COMMERCIAL OVERLAY**

- C1-4
- C2-4

## **Residential Districts: R7-2 and R8**

R7-2 is a medium density apartment house district found in much of the Bronx and northern Manhattan. Density<sup>i</sup> is between 208 and 226 dwelling units per acre; FAR ranges from 0.87 to 3.44. While there is no height limit, the higher FAR typically produces 14-story buildings with low lot coverage that are set back from the street. The parking requirement is 50% of units in CD12 reflecting good access to public transportation. The Quality Housing Program is optional.

R8 is the widely mapped in Manhattan. The FAR in R8 districts is 0.94 to 6.02. The higher FAR produces taller buildings with low lot coverage that are set back from the street. It produces a density of 295 to 387 dwelling units per acre. The parking requirement is 50% of units in CD12 reflecting good access to public transportation. The Quality Housing Program is optional.

## **Commercial Overlay: C1-3, C2-3, and C2-4**

C1 districts accommodate the retail and personal service shops needed in residential neighborhoods throughout the city that meet the daily needs of consumers. In CD12, C1-3 districts are found in the R7-2 and R8 districts (including contextual districts with suffix A, B or X), and have maximum commercial FAR of 2.0. The regulations of the surrounding residential district govern the commercial district.

C2 districts accommodate establishments intended for larger market areas such as a funeral home or small trade schools, bowling alleys, and other businesses. Regulations limit commercial use to one or two floors. C2-3 and C2-4 districts are mapped R7 to R10 districts (including the contextual districts) the maximum commercial FAR is 2.0.

Residential bulk in these commercial districts is governed by the regulations of the surrounding residential district.

## **Commercial Districts: C8**

C8 Zones do not permit housing. They are intended use for automotive and other heavy commercial services and expected to “form a bridge” between commercial and manufacturing uses. In addition, the use groups allowed are not labor intensive but require a large land area. CD12 has four relatively large C8 districts. Two are on Broadway, one on the western end of Dyckman and the largest is on the west side of 10<sup>th</sup> Avenue. The floor area ratio for the C8-3 zones of CD12 is 2.0 and requires substantial parking.

The C8 zones cover large portions of CD12 and require examination in much more detail. The initial impression suggests that the existing C8 districts are not successful zones and might be changed to a more appropriate designation to accurately reflect the existing commercial and residential areas of CD12. The following summary of C6 to C3 zones represents choices for consideration. These choices more accurately reflect development results stimulated by the New York Presbyterian Hospital and areas along 181<sup>st</sup> Street.

## **C3 to C6 Districts**

The C6 zones of CD12 provide for high bulk commercial uses such as corporate headquar-

COMMUNITY DISTRICT 12-M  
**VACANT LAND UNDER R7 AND R8 ZONING**



Source: NYMap, Community Cartography

- LAND USE**
- Vacant Land
  - R8
  - R7-2

COMMUNITY DISTRICT 12-M  
**ZONING: COMMERCIAL OVERLAY**



Source: NYMap, Community Cartography

- COMMERCIAL OVERLAY**
- C1-3
  - C1-4
  - C2-1
  - C2-4

ters, large hotels, entertainment facilities, retail stores and some residential development in mixed buildings. In CD12, the C6-2 zone reflects the needs of the New York Presbyterian Hospital from 160<sup>th</sup> to 170<sup>th</sup> Street. A contextual commercial district is the equivalent of an R8A contextual district currently recommended for Dyckman in Inwood. Other areas in Manhattan with C6 zoning include Greenwich Village, and near Union Square.

The C4 zones are major commercial centers for department stores, theaters and other commercial uses that serve a large market area. C4 contextual districts encourage higher coverage buildings. The commercial and residential bulk and density regulations in these districts differ somewhat from corresponding non-contextual districts.

The C3 zones permit waterfront recreation and uses related to boating and fishing. Typical development includes marinas, boat repair shops and public or private beaches (with dressing rooms and refreshment stands). The commercial FAR permitted in C3 districts is 0.5.

### **Manufacturing District: M1-1, M1-1 and M3-1**

The M1 district is an “industrial buffer” to residential or commercial districts. For this reason, the performance standards are strict. Given that compliance with this standard is set in the Zoning Resolution, nearly all industrial uses can locate in M1. This opens room for a discussion of “performance and/or form-based zoning. Retail, office uses and community facilities such as churches or ambulatory health care centers may require a special permit in these districts.

M2 districts occupy a middle ground with lower performance standards except when they border on a residential district. Industrial activities not entirely enclosed have M2 designation.

M3-1 district designates a heavy industry that generates noise, traffic, and pollutants. Typical uses include power plants and foundries. The districts are usually located near the waterfront and buffered from residential areas. Even in M3 areas, certain uses with nuisance effects are required to conform to minimum performance standards.

In summary, there are three broad categories: residential, commercial, and manufacturing define the zoning districts of New York City. The zoning code also authorizes the establishment of Special Purpose Districts. To achieve specific planning and urban design objectives for a particular neighborhood, the special district option is an important vehicle to deploy.

## **4.1.5 Zoning Innovations & Trends**

### **Contextual Zoning**

The concept of Quality Housing regulation or “contextual zoning” became part of the zoning text in the early 1990s to address community concern with the lack of sensitivity to the existing built environment on the part of developers. It permits added lot coverage to yield more floor area based on the width of the street (narrow or wide), conformance with design guidelines and acceptance of a height limit. The zoning designation (A, B or X) signify differences that address local context issues and that conformance with the quality housing regulations is mandatory. The city planning website glossary defines Contextual Zoning as follows:

*“Contextual zoning districts regulate the height and bulk of new buildings, their setback from*

*the street line, and their width along the street frontage, to produce buildings that are consistent with existing neighborhood character. Medium- and higher-density residential and commercial districts with an A, B, or X suffix are contextual districts."*

Housing advocates are seeking methods to make combinations of commercial and/or unsubsidized development contribute resources to the city's affordable housing needs. For this reason, a bonus through a developer's acceptance of inclusionary zoning regulations offers a 33% increase in floor area in trade for setting aside 20% of the apartments as permanently affordable housing. The choices in CD12 are essentially:

**Residential Districts: R7A, R7B and R7X**

R7A, R7B and R7X districts provide greater lot coverage and lower height and setback regulations than R7 districts. Typical buildings are six- to eight-story apartment buildings that are compatible with existing buildings found in older neighborhoods. Woodhaven Boulevard and sections of Rockaway Park in Queens have R7A districts. Quality housing regulations are mandatory.

**Residential Districts: R8A, R8B and R8X**

R8A districts differ from R8 districts primarily in greater lot coverage, and modified height and setback regulations designed to be compatible with existing older neighborhoods. Typical buildings are 11-12 story apartment buildings. A commercial equivalent of R8A districts is mapped along the mid-blocks west of Union Square in Manhattan. Quality housing regulations are mandatory.

**Inclusionary Zoning**

The major innovation is the provision of additional floor area above the limit set by zoning if the developer agrees to include affordable housing. These innovations are currently voluntary for all new development sites in the current zones of CD12 and have been available to developers since 1985<sup>9</sup>

The Inclusionary Housing Program's increase in the floor area of residential developments in exchange for the provision of below-market-rate housing (known as affordable housing) for low-, moderate- and middle-income households is mandatory in R10 and R10-equivalent commercial districts. More recently, other medium- and high-density districts, such as portions of Greenpoint-Williamsburg in Brooklyn have been added. Proposals to extend this requirement to a much larger area of the city have been put forward by the Mayor's 421a Task Force, including citywide proposals from the New York City Council.

*Since this writing of the city planning glossary, the Sherman Creek/Inwood proposal has been proposed for discussion by DCP and the Chelsea Highline Special District was put into the NYC Zoning Resolution. This includes inclusionary housing bonus options. The impact of "inclusionary housing" in CD12 is examined in the section on Sherman Creek and Inwood.*

## **Special District Zoning**

There are two approaches worthy of additional investigation for relevance to the development needs of CD12 along its transit corridors. These are based on the principles and general purposes set forth in the Special Land Use Transit District (TA) and the availability of floor area bonuses associated with special districts such as the Lincoln Square Special District and others.

Created in 1974 the transit district supported the planning of the Second Avenue Subway. It provides for pedestrian flows, light, and air to underground transit facilities and encourages development within the district to conserve the value of land and buildings. The Special Lincoln Square District offers floor area bonuses by special permit for new development that includes subway improvements, and affordable housing as set forth in the provisions of Inclusionary Housing regulations.

Consideration of the special district option for portions of the Sherman Creek and Inwood zoning proposals would aid in evaluating alternatives. Added incentives along the Dyckman corridor for a waterborne/light rail transfer from river to river may prove to be a useful investigation. Added incentives to produce mass transit based bonuses along the elevated sections in Inwood is another opportunity to stimulate development.

## **Proposed Changes of M zones to Residential**

The proposal for changes to CD12's M zones is discussed in the section on Sherman Creek. CD12's C8 zones offer possible conversion to C-4 to allow greater development (bulk) by encouraging a mix of commercial and residential uses. In other cases, the approach may be to up-zone from R-7 or R-8 with commercial overlay, thus allowing development that is more flexible such as C4-D.

To achieve specific urban forms, many communities are turning to form-based building code regulations. Innovations in the area of form-based zoning are occurring with increased frequency in cities throughout the United States, much of this is built on innovations established in New York City that have been proven to be "lawsuit proof" and within the purview of government in land use regulation. The use of the building code to control physical form prior to land use suggests a greater sensitivity to existing context and to the expectation and enforcement of high level performance standards. The contextual zoning regulations in New York City address the relationship of building facades based on the scale and types of streets and blocks. Form-based approaches are not design guidelines. They are regulatory, not advisory. The regulations and standards of traditional zoning primarily involve segregating land-use types based on use-groups. A form-based code is a tool for evaluating change. Ultimately, the quality of development outcome is dependent on the objectives of the community plan that a code implements.<sup>h</sup>

## **Hubs & CBDs**

Other areas where up zoning could produce affordable housing exactions are most likely to be considered at waterfront sites near CD12's major commercial or institutional hubs. In CD12, these are the Dyckman Commercial Corridor in Inwood, the Bridge Hub, formed by the I-95 corridor and the GWB Bus Station and the hub formed by the New York Presbyterian Hospital. These are complex urban centers with intensive economic activity, but they offer

the resource potential to fund preservation through development. Many parts of CD12 are neighborhoods where we believe the conversion from the R-7 or R-8 height-factor zone to contextual zoning would be relatively easy and should face little opposition. The section on a framework for land use policy discusses these areas in more detail.

### **Waterfront Access Plans (WAPs)**

The NYC Zoning Resolution also governs the five hundred plus miles of the New York City waterfront. A waterfront access plan defines bulk regulations and establishes public access requirements specific to the conditions of a particular waterfront. Development of individual waterfront parcels governed by the plan triggers a requirement to build and maintain public access areas in accordance with the WAP. The stimulating interest of a developer is helpful but, a community-based organization can implement a WAP under the auspices of a community district board at any time. A related issue may be in determining when resources associated with the Brownfield Opportunity Area (BOA) resources become available.

### **Scenic Views and Hill Districting**

A scenic view is an outstanding or unique view from a mapped public park or an esplanade protected by the regulations of Chapter 2 Article X of the New York City Zoning Resolution. Scenic views are considered major assets of the community that require added protections.

An outstanding or unique view is characterized in New York City as a landscape of scenic grandeur with natural features such as hills, palisades or similar features. Outstanding views are those of lakes, harbors, waterfalls, other marine features, or a panoramic view of the waterfront profile of the skyline formed by built and natural elements. The minimum horizontal distance between the "scenic view" and a view reference line is required to be at least 1,500 feet and not contain distractions that would reduce the quality of the view. The view plane is an imagined volume of space. No obstruction of a view within a height or a width formed a district may be established. The view reference line is a line within the park that establishes the width of the district.



One interest use of this approach is the "hill districting" concept that was created to solve a land use issue in Staten Island. The "hill district" is analogous to a similar condition in CD12 where large rock outcrops outline much of the green "outer ring" of the district, as well as defining much of its topography throughout the area. In Staten Island, residents sought to reduce impacts on relatively "soft earth" hills of that borough. The "H" overlay in this borough places added restrictions on development. These restrictions help to preserve hilly terrain and unique natural features. The zoning concept reduces building coverage on steep grades while the permissible floor area remains the same. The result is marginally taller buildings at upper elevations.

The steep rocky hillsides in CD12 should undergo a similar rigorous review. This review should include the option of preventing development, including trading of development rights to nearby or adjacent land parcels.

#### 4.1.5 As of Right Development & Alternatives

##### Three Case Studies

Although there is only limited opportunity for extensive new housing construction as noted above, three representative sites were selected and evaluated as case studies for comparison purposes. Each site offers a direct approach to evaluating development choices that may come before the community. One site is in Inwood, and two are in the northern and southern parts of Washington Heights. These case studies review alternatives to existing height and bulk by using the contextual zoning framework designated by the letters “A”, “B:” or “X” (In CD12 these could be R7A, R7B, R7X and R8A, R8B and R8X).

Each case study is a bulk analysis rather than a design study. It compares existing zoning regulations with changes associated with the community facility option and the selection of the contextual zoning option. These case studies do not explore inclusionary zoning bonuses. These sites are not proposals for development. However the availability of sites such as these is rare in CD12. Therefore, it is suggested that regardless of various ownership and site control issues, the board should encourage the community at large, private developers and the city and state agencies to discuss and promote best uses that are in the interest of private owners and the public at large.<sup>i</sup>

### HOUSING BULK STUDY - EXISTING RESIDENTIAL BUILDING COMMUNITY DISTRICT 12-M

#### EXISTING CONDITIONS

##### 37-39 OVERLOOK TERRACE

Block 2180 Lot 60

Zoning District	R7:General Residential District
Sub District	R7-2
Floor Area (sf)	49,849
Actual FAR	4.58
Required Parking (Off-Street Parking)	N/A
Current OSR	5.0
Height (ft.)	6 Stories With Basement



PHOTO



EXISTING CONDITIONS - MASSING STUDY

#### EXISTING ZONING

#### CONTEXTUAL ZONING

##### OPTION 1

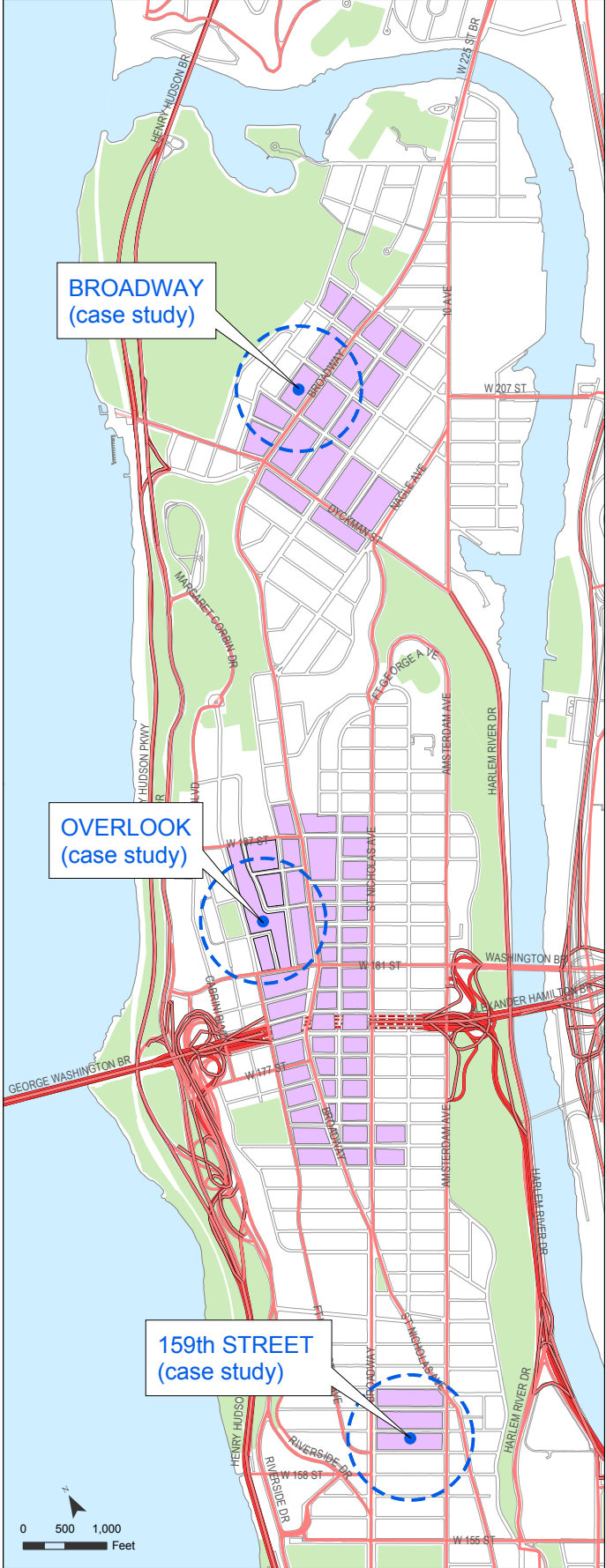
Zoning District	R7:General Residential District
Sub District	R7-2
Floor Area (sf)	37,358
FAR	3.44
OSR (minimum)	15.5 - 22.0
Height (ft.)	4Stories

##### OPTION 2

Zoning District	R7:General Residential District
Sub District	R7-A
Floor Area (sf)	43,400
FAR	4
OSR (minimum)	22.0
Height (ft.)	5 Stories



COMMUNITY DISTRICT 12-M  
**CCAC SURVEY AREAS**



**INWOOD**

---

18 Blocks  
 244 Lots

**WASHINGTON HEIGHTS**

---

48 Blocks  
 374 Lots

**TEST SAMPLE**

---

3 Blocks  
 110 Lots

Source: City College Architecture Center  
 NYCmap, Community Cartography

**HOUSING BULK STUDY - LOWER WASHINGTON HEIGHTS**  
COMMUNITY DISTRICT 12-M

**EXISTING CONDITIONS**

**W159th Street to W160th Street**  
**Broadway To Amsterdam Avenue**  
Block 2118 Lot 52



PHOTO

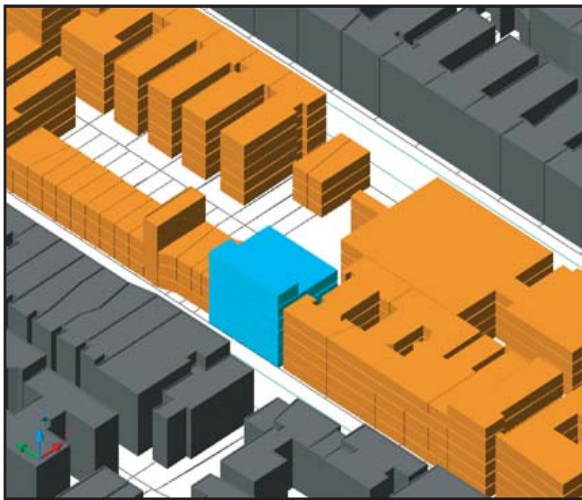


EXISTING CONDITIONS - MASSING STUDY

Zoning District	R7-General Residential District
Sub-District	R7-2
Current Use	Abandoned Site (Church, House, Garage)
Site BBL	1-02118-0052
Site Area (sf)	7,494
Current FAR (Residential Buildings)	3.44
Floor Area (sf)	25,479

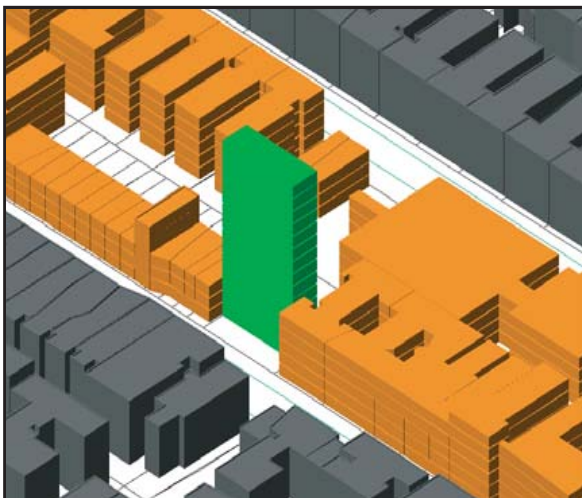
**EXISTING ZONING**

**OPTION 1**  
**QUALITY HOUSING**



<b>Zoning District</b>		<b>R7:General Residential District</b>	
		<b>R7-2</b>	
<b>Use</b>	Medium Density Apartment Houses		
<b>Remarks</b>	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Quality Housing		
<b>Maximum FAR (Residential Buildings)</b>	<b>3.44</b>		
<b>Floor Area (sf)</b>	25,779		
<b>Required Parking (Off-Street Parking)</b>	50% of total dwelling units		
<b>OSR (minimum)</b>	15.5 - 22.0		
<b>Yard Requirements (ft.)</b>	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
<b>Setbacks (ft.)</b>	After 60 feet	None	
<b>Height (ft.)</b>	6 stories		

**OPTION 2**  
**MAX FAR, MAX HF, MAX OSR**



<b>Zoning District</b>		<b>R7:General Residential District</b>	
		<b>R7-2</b>	
<b>Use</b>	Medium Density Apartment Houses		
<b>Remarks</b>	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Minimum Open Space Ratio		
<b>Maximum FAR (Residential Buildings)</b>	<b>3.44</b>		
<b>Floor Area (sf)</b>	25,779		
<b>Required Parking (Off-Street Parking)</b>	50% of total dwelling units		
<b>OSR (minimum)</b>	22.0		
<b>Yard Requirements (ft.)</b>	Front yard:	0 Required; 20' Actual	
	Side yard:	None	
	Rear yard:	30 Required; 55' Actual	
<b>Setbacks (ft.)</b>	After 60 feet	None	
<b>Height (ft.)</b>	14 stories		

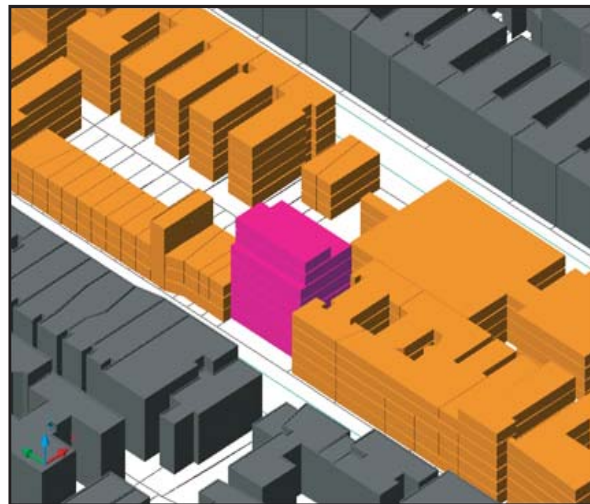
**OPTION 3**  
COMMUNITY FACILITIES



Zoning District		R7:General Residential District	
		<b>R7-2</b>	
Use	Medium Density Community Facility		
Remarks	Maximum Community Facility Floor Area		
	Maximum Lot Coverage		
Maximum FAR (Community Facility)	<b>6.5</b>		
Floor Area (sf)	48,711		
Required Parking (Off-Street Parking)			
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	12 stories		

**CONTEXTUAL ZONING**

**OPTION 4**  
R7A RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7A</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Mandatory Quality Housing		
Maximum FAR	<b>4</b>		
Floor Area (sf)	25,976		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	None		
Yard Requirements (ft.)	Front yard:	15	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	8 stories		

**OPTION 5**  
R7B RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7B</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Mandatory Quality Housing		
Maximum FAR	<b>3</b>		
Floor Area (sf)	22,482		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	None		
Yard Requirements (ft.)	Front yard:	5	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	None	
Height (ft.)	6 stories		

**HOUSING BULK STUDY - OVERLOOK TERRACE**  
COMMUNITY DISTRICT 12-M

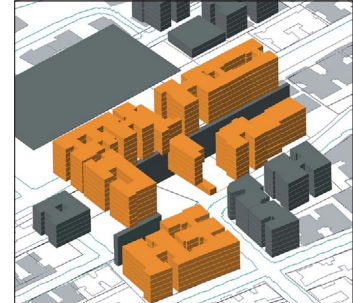
**EXISTING CONDITIONS**

**W184TH STREET & OVERLOOK TERRACE**  
Block 2180 Lot 62, 64, & 27

Zoning District	R7:General Residential District	
Sub-District	R7-2	
Current Use	Vacant land, Religious Facility, MTA Subway Entry	
Site BBL	1-02180-0062, 1-02180-0064, 1-02180-0027	
Site Area (sf)	Lot 62	4,752
	Lot 64	24,500
	Lot 27	12,150
	Total	41,402
Current FAR	Lot 62	3.44
	Lot 64	3.44
	Lot 27	6.5
Floor Area (sf)	Lot 62	16,156
	Lot 64	83,300
	Lot 27	25,496
	Unzoned Residential	27,254
	Total Available (Pres.)	127,430



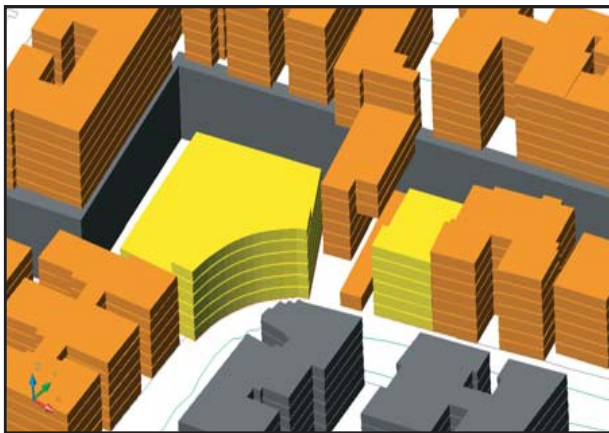
PHOTO



EXISTING CONDITIONS - MASSING STUDY

**EXISTING ZONING**

**OPTION 1**  
**QUALITY HOUSING**



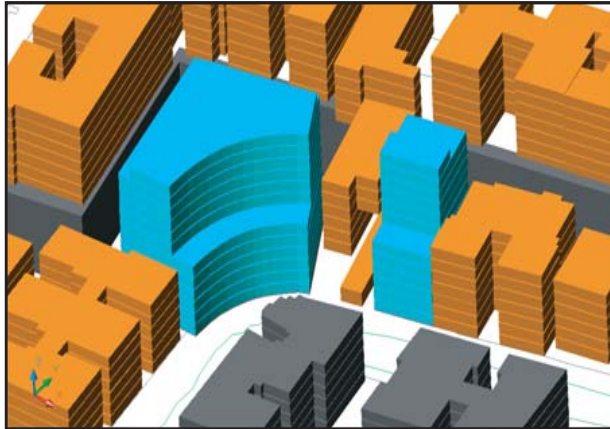
Zoning District	R7:General Residential District	
	<b>R7-2</b>	
Use	Medium Density Apartment Houses	
Remarks	Maximum Residential Floor Area	
	Maximum Lot Coverage	
	Quality Housing	
Maximum FAR (Residential Buildings)	<b>3.44</b>	
Floor Area (sf)	127,430	
Required Parking (Off-Street Parking)	50% of total dwelling units	
OSR (minimum)	15.5 - 22.0	
Yard Requirements (ft.)	Front yard:	None
	Side yard:	None
	Rear yard:	30
Setbacks (ft.)	After 60 feet	20
	Height (ft.)	6 stories

**OPTION 2**  
**MAX FAR, MAX HF, MAX OSR**



Zoning District	R7:General Residential District	
	<b>R7-2</b>	
Use	Medium Density Apartment Houses	
Remarks	Maximum Residential Floor Area	
	Maximum Lot Coverage	
	Quality Housing	
Maximum FAR (Residential Buildings)	<b>3.44</b>	
Floor Area (sf)	127,430	
Required Parking (Off-Street Parking)	50% of total dwelling units	
OSR (minimum)	15.5 - 22.0	
Yard Requirements (ft.)	Front yard:	None
	Side yard:	None
	Rear yard:	30
Setbacks (ft.)	After 60 feet	20
	Height (ft.)	16 stories

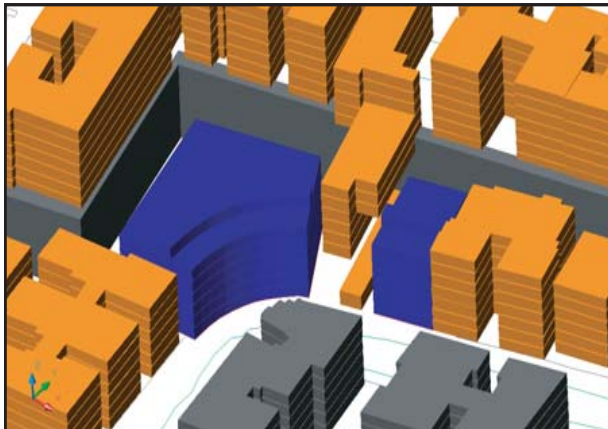
**OPTION 3**  
COMMUNITY FACILITIES



Zoning District		R7:General Residential District	
		<b>R7-2</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Minimum Open Space Ratio		
Maximum FAR (Residential Buildings)	<b>6.5</b>		
Floor Area (sf)	127,430		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	12 stories		

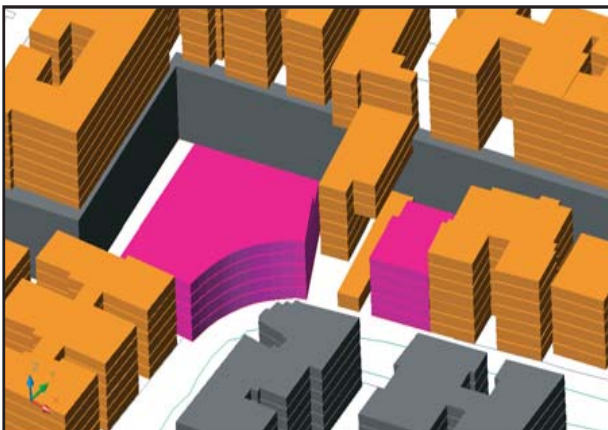
**CONTEXTUAL ZONING**

**OPTION 4**  
R7A RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7-2</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Minimum Open Space Ratio		
Maximum FAR (Residential Buildings)	<b>4</b>		
Floor Area (sf)	127,430		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	7 stories		

**OPTION 5**  
R7B RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7-2</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Minimum Open Space Ratio		
Maximum FAR (Residential Buildings)	<b>3</b>		
Floor Area (sf)	127,430		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	5 stories		

**HOUSING BULK STUDY - INWOOD**  
COMMUNITY DISTRICT 12-M

**EXISTING CONDITIONS**

**W204TH Street to Academy Street  
Broadway to Cooper Street**

Block 2238 Lots 33 & 35

Zoning District	R7-General Residential District
Sub-District	R7-2
Current Use	Vacant Lot
Site BBL	1-02238-0033 & 1-02238-0035
Site Area (sf)	22,500
Current FAR (Residential Buildings)	3.44
Floor Area (sf)	76,500



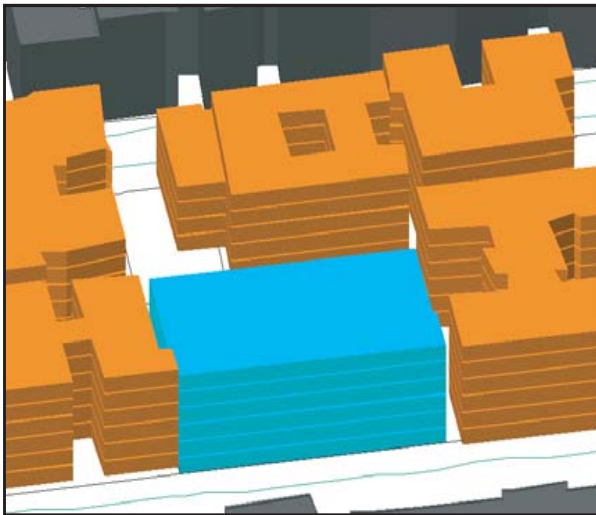
PHOTO



EXISTING CONDITIONS - MASSING STUDY

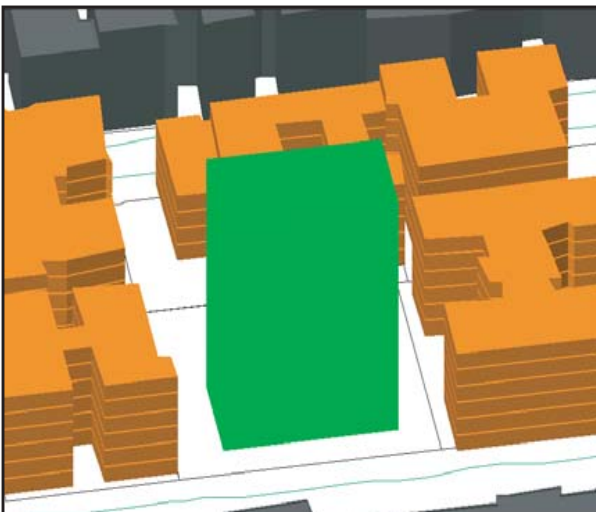
**EXISTING ZONING**

**OPTION 1  
QUALITY HOUSING**



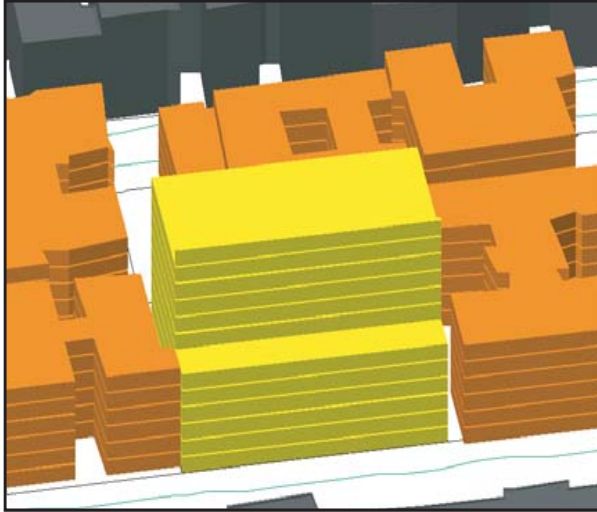
Zoning District		R7:General Residential District	
		R7-2	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Quality Housing		
Maximum FAR (Residential Buildings)	3.44		
Floor Area (sf)	77,400		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	15.5 - 22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	N/A	
Height (ft.)	6 stories		

**OPTION 2  
MAX FAR, MAX HF, MAX OSR**



Zoning District		R7:General Residential District	
		R7-2	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Minimum Open Space Ratio		
Maximum FAR (Residential Buildings)	3.44		
Floor Area (sf)	77,400		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	0 Required; 20' Actual	
	Side yard:	0 Required; 50' Actual (25' x2)	
	Rear yard:	30 Required; 75' Actual	
Setbacks (ft.)	After 60 feet	None	
Height (ft.)	14 stories		

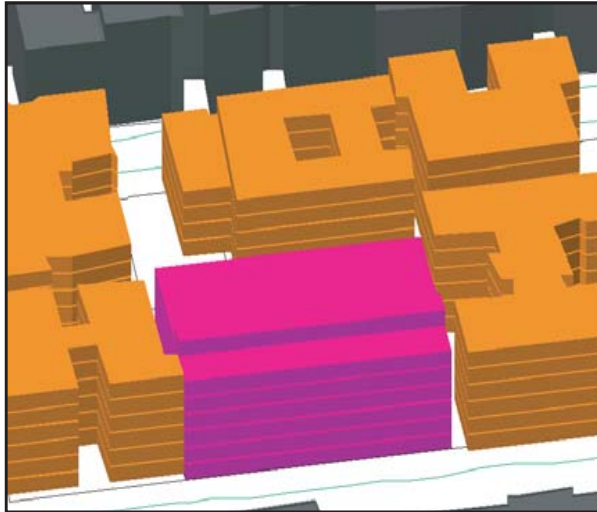
**OPTION 3**  
COMMUNITY FACILITIES



Zoning District		R7:General Residential District	
		<b>R7-2</b>	
Use	Medium Density Community Facility		
Remarks	Maximum Community Facility Floor Area		
	Maximum Lot Coverage		
Maximum FAR (Community Facility)	<b>6.5</b>		
Floor Area (sf)	146,250		
Required Parking (Off-Street Parking)			
OSR (minimum)	22.0		
Yard Requirements (ft.)	Front yard:	None	
	Side yard:	None	
	Rear yard:	None	
Setbacks (ft.)	After 60 feet	30	
Height (ft.)	12 stories		

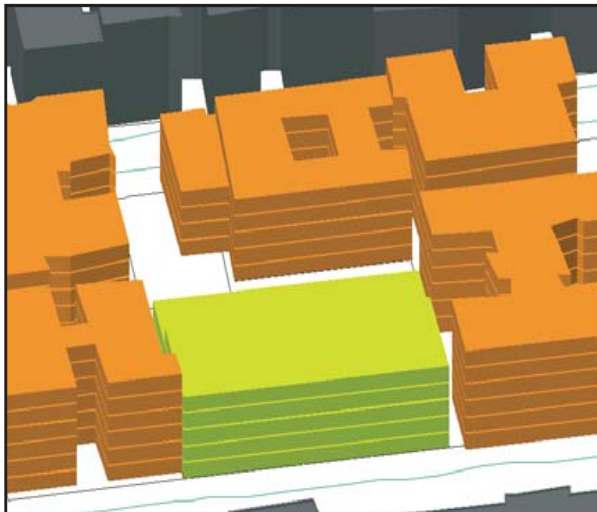
**CONTEXTUAL ZONING**

**OPTION 4**  
R7A RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7A</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Mandatory Quality Housing		
Maximum FAR	<b>4</b>		
Floor Area (sf)	90,000		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	None		
Yard Requirements (ft.)	Front yard:	15	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	20	
Height (ft.)	7 stories		

**OPTION 5**  
R7B RESIDENTIAL OR COMMUNITY FACILITY



Zoning District		R7:General Residential District	
		<b>R7B</b>	
Use	Medium Density Apartment Houses		
Remarks	Maximum Residential Floor Area		
	Maximum Lot Coverage		
	Mandatory Quality Housing		
Maximum FAR	<b>3</b>		
Floor Area (sf)	67,500		
Required Parking (Off-Street Parking)	50% of total dwelling units		
OSR (minimum)	None		
Yard Requirements (ft.)	Front yard:	5	
	Side yard:	None	
	Rear yard:	30	
Setbacks (ft.)	After 60 feet	None	
Height (ft.)	5 stories		

#### 4.1.6 Land Use

Overall, CD12 is a dense bedroom community with over 50% of its land area used predominately for housing, community facilities and institutions, while most of the other half is parkland. For several years, and largely due to these uses, change in land use has been slow and predictable.

CD12 has three essential elements that make its use of land important in Manhattan. The first is its population density created by its housing stock. In just three square miles, CD12 has more people than 46 of the 62 counties that make up New York State, and is similar in population to cities such as Scottsdale, AZ, Madison, WI, and Fort Wayne, IN or Rochester, NY. It is a major population center composed of an extraordinary stock of residential architecture constructed for the most part prior to 1947.

Second, the park resources of Washington Heights and Inwood are equivalent to Central Park. Half of the land area of CD12 is park space. This is largely in the form of three major parks - Highbridge, Inwood, and Fort Tryon. These assets yield a sense of urban design restraint and architectural sensitivity created by the topography.<sup>j</sup> The river views make the major difference confirming that every work of architecture in CD12 depends for its effect on its surroundings.

Third is the presence of major commercial and institutional hubs that serve the community and the region. These areas are the Downtown Inwood CBD, The George Washington Bridge CBD (linking St. Nicholas north and south and the Health HUB CBD and its convenience commercial centers created by the New York Presbyterian Hospital campus.

Map 4.1.7 illustrates the location of these major land use elements. Seeing them in isolation is useful to understanding important interrelationships and dependencies.

The following is a brief review of individual land uses. It covers both built up areas and vacant land. At present, two major development activities are altering the community's land use. One is the conversion of industrial land east of 10<sup>th</sup> Avenue and north of Sherman Creek. The other is the rapid expansion of the New York Presbyterian Hospital (NYPH).

The proposed Sherman Creek/Inwood zoning change would convert land zoned manufacturing to residential on the Harlem River north of Sherman Creek and along the commercial streets of Inwood. It is expected to stimulate new development. Residents have urged this change in recent years but also want assurance that it will remain affordable to their children. The other major influence is the expansion of the New York Presbyterian Hospital campus to seven million square feet. This has dramatically altered the architectural landscape of south Washington Heights over the last two decades and will continue to do so.

#### **Other Influences on Zoning and Land Use**

Pre-existing structures available for conversion can have a strong influence on the future form of development and options for changes in land use. One form of transformation that can be expected in CD12 is the conversion of existing, "low bulk" manufacturing buildings. Given the option to increase the bulk and lot coverage on sites currently "under-built", it is likely that developers will seek to replace these structures with newer ones that maximize the permitted floor area.

Another influence on the use of land is in the using the inclusionary zoning option in areas where the added floor area is marginal and makes significant difference in projected returns



COMMUNITY DISTRICT 12-M  
**LAND USE**



**LAND USE**

- Commercial & Office Buildings
- Condominium Buildings
- Industrial & Manufacturing Buildings
- Mixed Residential & Commercial Buildings
- Multi-Family Elevator Buildings
- Multi-Family Walkup Buildings
- One & Two Family Buildings
- Open Space & Outdoor Recreation
- Other
- Parking Facilities
- Public Facilities & Institutions
- Transportation & Utility
- Vacant Land

Source: NYCmap, Community Cartography

Map 4.1.6 Land Use

on investment. The program permits a bonus of 33% in total floor area in return for making 20% of the units into permanently affordable housing, and based on public financing up to 100% of the units subject to rent stabilization.

The 1961 conversion of most of the residential zoning in CD12 to R7-2 brought into conformity a large stock of high-bulk buildings. This created high standing value relative to replacement for these buildings. The phrase used in community workshop settings was “Every brick we have is worth more than any new brick we will get in the future”.

### The Separate Land Use Functions

Analyzing land uses by separate functions is illustrated in the following pages. The total building area (in millions of square feet) is shown along with the images and descriptions. The summary of the major land uses in CD12 in comparison to Manhattan (Map 4.1.8) also helps to explain the structure of uses in the district.

The land used for manufacturing remained unchanged at 1.7% from 1990 to 2000, however the zoning changes proposed in June 2006, if approved, would reduce this percentage to less than 1%. The percentage of vacant land in CD12 declined slightly. It was 4.7% in 2002 and two percent higher than Manhattan at 2.9%. By 2004, the percentages declined to 2.4% in 2004 in Manhattan and 4.4% in CD12. These modest changes from 2002 to 2004 suggest a community that is gradually becoming more commercial and institutional.

**Table 4.1:** Land Use Trends 2002-2004

Land Use 2002	Manhattan	CD12	% of Manhattan
Residential Land Area (millions of sq ft), 2002	276.3	53.4	19.3%
Commercial Land Area (millions of sq ft), 2002	85.8	2.9	3.4%
Manufacturing Land Area (millions of sq ft), 2002	50.5	1.7	3.4%
Total Land Area (millions of sq ft), 2002	412.6	57.9	14.0%
Percent of Land Area that is Residential, 2002	67.00%	92.10%	
Percent of Land Area that is Commercial, 2002	20.80%	5.00%	
Percent of Land Area that is Manufacturing, 2002	12.20%	2.90%	
<b>Land Use 2003</b>			
Residential Land Area (millions of sq ft), 2003	278.6	53.4	19.2%
Commercial Land Area (millions of sq ft), 2003	91.3	2.9	3.2%
Manufacturing Land Area (millions of sq ft), 2003	49.9	1.7	3.4%
Total Land Area (millions of sq ft), 2003	425.5	58.1	13.7%
Percent of Land Area that is Residential, 2003	66.40%	92.00%	
Percent of Land Area that is Commercial, 2003	21.80%	5.00%	
Percent of Land Area that is Manufacturing, 2003	11.90%	2.90%	
<b>Land Use 2004</b>			
Residential Land Area (millions of sq ft), 2004	279.3	53.4	19.1%
Commercial Land Area (millions of sq ft), 2004	92	2.9	3.2%
Manufacturing Land Area (millions of sq ft), 2004	49.7	1.7	3.4%
Total Land Area (millions of sq ft), 2004	427.2	58.1	13.6%
Percent of Land Area that is Residential, 2004	66.30%	92.10%	
Percent of Land Area that is Commercial, 2004	21.90%	5.00%	
Percent of Land Area that is Manufacturing, 2004	11.80%	2.90%	
Percent of Land Area that is Vacant, 2002	2.90%	4.70%	
Vacant Land Area (millions of sq ft), 2002	12	2.7	22.5%
<b>Land Use 2003 and 2004</b>			
Percent of Land Area that is Vacant, 2003	2.40%	4.40%	
Vacant Land Area (millions of sq ft), 2003	10.2	2.6	25.5%
Percent of Land Area that is Vacant, 2004	2.40%	4.40%	
Vacant Land Area (millions of sq ft), 2004	10	2.6	26.0%

#### **4.1.7 Residential Land Use**

Map 4.1.7 shows the location of areas that are strictly residential. Map 4.1.8 (next page) shows inclusive housing with retail commercial and professional office uses in zoning overlays.

These maps reveal the dominance of the housing land use in CD12 and the close physical relationship to the provision of retail goods and services.

#### **Rapid Rate of Change**

In a recent study of major “downtowns” throughout the United States,<sup>k</sup> the analysis of downtown household characteristics and income trends yielded a fascinating picture of Lower Manhattan and Midtown that may be predictive of CD12.

From 1970 to 2000, Lower Manhattan had a 61.5 percent increase in population and Midtown Manhattan’s population increased by 26.5 percent. Lower Manhattan’s population grew at a greater rate because of the large number of available development sites, while Midtown grew more slowly for the lack of sites. Combined, this is an increase of over 52,000 people in just thirty years. NYC’s population growth for this same period of was just 1.5%. This kind of market dynamic is likely to continue “uptown”.

Clearly, Manhattan living is a strong choice in the NYC housing market. The implications for Upper Manhattan: Harlem, Washington Heights and Inwood have created a sense of tension caused by this continuous pace of investment as well as concerns regarding the potential for damage from possible disinvestment, displacement and the lack of affordable housing protection and production.

The city’s affordable housing advocates have aggressively pursued the use of property tax and zoning incentives fueled by low-interest financing, Community Development Block Grants and since the 1990s, by Low Income Housing Tax Credits. In addition, NYC has financially supported middle-income residential development with projects such as Manhattan Plaza in lower Manhattan and Lincoln West on the upper west side.

The conditions leading to continuing growth that is extending into “uptown” and toward CD12 are many. Northern Manhattan has excellent mass transit. It has the density and convenient services located in a walkable environment that are equated with a good quality of life. There is also an increased understanding and pride in the viability of diversity and incomes. This combination has been a formula for success in Manhattan!. The decisive questions about the future of Washington Heights and Inwood are clearly outlined by the challenge of fulfilling these values for current residents.

#### **4.1.8 Commercial Only Land Use**

The commercial environment of CD12 largely mirrors the image of the community that is “marketed” to the rest of the world. The store names alone clearly define this is a Latino/Hispanic community. Those most familiar with the community also know it is much more.

As Map 4.1.8 helps to illustrate, this image focuses mostly on the “commercial only” land uses. But its character changes dramatically when the residential buildings with storefronts are added, as shown in Map 4.1.9.

COMMUNITY DISTRICT 12-M  
**LAND USE: RESIDENTIAL**



**LAND USE**

- Condominium Buildings
- Multi-Family Elevator Buildings
- Multi-Family Walkup Buildings
- One & Two Family Buildings


Source: NYCmap, Community Cartography

Map 4.1.7 Residential

# LAND USE: COMMERCIAL OFFICE & RETAIL BUSINESSES



## LAND USE

 Commercial & Office Buildings

Source: NYCmap, Community Cartography

Map 4.1.8 Commercial Land Use

#### **4.1.9 Mixed-Use Residential Land Uses**

Of the total buildable land area of 58.1 million square feet (exclusive of roads and parks), the amount used for residential use is 53.4 million, or just over 92%.

The previous illustration (Map 4.1.6 ) represented land area used exclusively for housing and did not include those apartment buildings which also included commercial office and retail uses. In this image, the 92% dominance of residential uses is easily recognized, as is the major influence that commercial storefronts have on the community. The community image thus is dominated by the concerns of housing management: the steps taken to regulate or influence "signage" respect for the buildings' architecture, and policies regarding sub-dividing.

#### **4.1.10 Commercial Office & Retail Businesses**

The commercial office and retail service land uses illustrate the close relationship these uses have with CD12's housing fabric. However, these uses also establish a community's economic power when those served extend far beyond its residential boundaries. In effect, CD12's retail environment or "climate", and the goods offered are "exports". Local businesses not only provide convenience shopping and professional services to local residents, they also serve a much larger market area of consumers attracted to the unique set of services and goods offered.

Retail zoning in relation to the actual retail landscape in CD12 remains largely intact. Land for commercial use is saturated and the number of square feet dedicated to retail use has not diminished. This suggests that the economy continues to provide opportunities for profitable businesses despite the generally low incomes of residents. Slightly overlapping storefront corridors link three distinct commercial CBDs of CD12. The commercial land use pattern reveals retail and commercial office "hubs" that will affect the long-term development of the community. These are:

1. Downtown Inwood CBD
2. Bridge/Amsterdam CBD
3. Health-Hub CBD

The resources of the transit system, including the A, C and 1 subway lines, the major MTA bus routes, and the regional transit services provided at the GWB bus terminal serve to link these districts closely. This high degree of accessibility allows them to maintain their successful differentiation in types of services offered.

In Inwood, the CBD has sub centers that compete for customers while offering only a modest diversity of commercial office and retail services. Sherman Avenue is zoned for commercial use that centers off Dyckman Street and a second center along 207<sup>th</sup> Street.

The commercial uses of East 181st Street and the expansion of the bus terminal by PANYNJ form a second business district hub. The pattern also forms the nexus of the community's major shopping district on St. Nicholas Avenue.






The third business district is "gateway" to the community is created by the Audubon Historic District at Broadway and 155<sup>th</sup> Street and concludes at the New York Presbyterian Hospital Campus.

As Map 4.1.10 illustrates, the land uses forming the three major commercial office and retail

COMMUNITY DISTRICT 12-M  
LAND USE: RESIDENTIAL & MIXED USE



**LAND USE**

-  Condominium Buildings
-  Mixed Residential & Commercial Buildings
-  Multi-Family Elevator Buildings
-  Multi-Family Walkup Buildings
-  One & Two Family Buildings

Source: NYCmap, Community Cartography  
Map 4.1.9 Residential and Mixed Use

businesses centers. It is in the interest of the community to see these locations form and develop as true “centers”, retaining their distinctive identities in the process.

### **Business is the Culture of CD12**

Retail trade is a well-established path to economic success for many Americans, and its importance in CD12 cannot be underestimated. Many people find their first employment in retailing. It requires low capital investment per worker and offers employment that includes a sense of entrepreneurial opportunity for people of modest means. As the commercial land use and zoning maps indicate, CD12 has a very large retail sector which is thriving through service to both local and regional customers. These businesses keep CD12’s major thoroughfares bustling and safe. The steady flow of new business installations prevents the normal turnover from becoming a blight of vacant commercial space.

### **Retailing Challenges**

The first “big discount retailer” in New York City was the Sears & Roebuck Company. This business stimulated a highly competitive retail environment that produced jobs and growth in dense shopping districts and in doing so captured significant portions of suburban retail sales by offering a wider range of product choices, services, and savings to consumers. Mass transit systems capable of delivering thousands of consumers to specific destinations hour after hour, 24/7, assured access for all regardless of income.

Even though many large discount retailers settled in New York in the 1930s and 40s, the marketing model of these massive retail outlets matured in the greater comparative wealth of the suburbs in the post war era. A successful model in New York has continued to be the smaller store, often independently owned, along side the giant chains operating out of “big box” facilities.

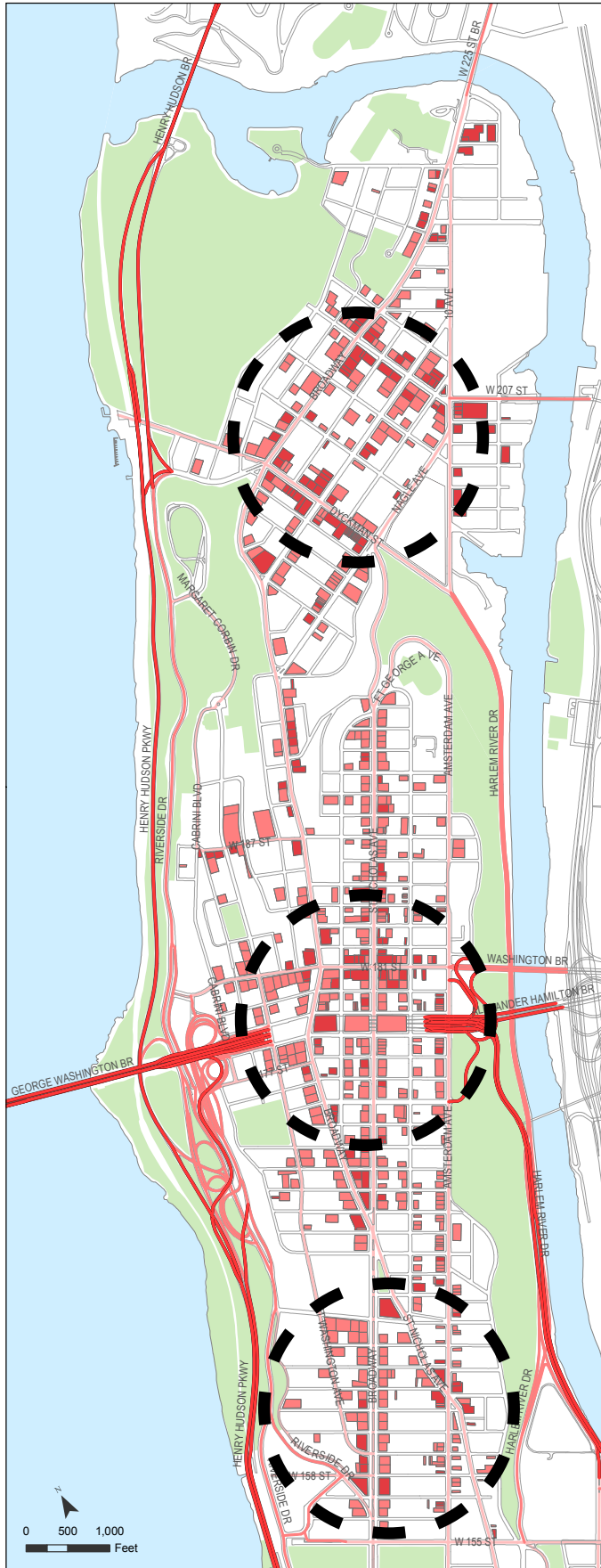
By the late 1990s, the city had lost well over 50% of its industrial jobs, yet area of land zoned for industry was unchanged since 1961. However, just a few years later, few can say they have never experienced “industrial strength retail”. These stores, located mostly in the outer boroughs and suburbs, attract customers with low-cost-on-high-volume products. The regional marketing function of big retailers located in walkable urban landscapes with mass transit also eliminates concerns about “dead streets”, anti-pedestrian environments, while at the same time aiding smaller retailers. One more recent trend has been their growing presence in Manhattan as they have found new marketing methods to handle the volume in relatively compact locations.

Specialization in retail and product differentiation makes the ordinary neighborhood convenience retail center a destination in the region. In CD12, the Latin food and entertainment sectors are very strong and are complemented with local household goods, general merchandise and, to some extent, furniture, and apparel.

One example given in a community workshop was that “CD12 is where you go in the winter to buy new summer clothing styles”. This capacity for keeping wealth in the community (“in the family”) is a multiplying factor. Retailing and business-to-business trade within the community is an economic engine that builds the wealth of trust within a community. And, it should be noted, most growth in employment in the US is in smaller firms, not in giant corporations. CD12 is therefore also suited to serve as a business incubator for a growing sector.



# LAND USE: COMMERCIAL OFFICE & RETAIL BUSINESSES



## LAND USE

- Commercial & Office Buildings
- Mixed Residential & Commercial Buildings

Source: NYCmap, Community Cartography

Map 4.1.10 Commercial and Mixed Residential and Commercial Land Use

#### **4.1.11 Institutions and Community Facilities**

The professionals who staff local and regional service institutions represent the core of a neighborhoods problem solving capacity. Referred to elsewhere in this study as the community's backbone, a strong and positive relationship between the community board and the leadership of these institutions is expected and ongoing. In this context disagreements about how land is used are best resolved through formal negotiations.

Map 4.1.11 illustrates all institutional land uses throughout the community. The most dominant single use is the New York Presbyterian Hospital complex just below the GWB.

A major concern is the availability of land for new and expanding institutions. The gross area of health facilities is nearly double that of education and religious land uses.<sup>m</sup> The growth of the nonprofit sector in the form of religious institutions, education, and health services has prompted changes in the idea of community facility zoning. In 2004, the New York City Council authorized changes by the Department of City Planning in several key areas. These changes addressed needs expressed by residents to require off street parking for churches by distinguishing between regional audience churches and community-based centers and allowing houses of worship to be developed "as-of-right" in M1 districts.<sup>n</sup>

Although consistently recognized as a "good neighbor", New York Presbyterian Hospital's round the clock operation and pressure for expansion affect the quality of urbanism. This suggests that there is a need to take a more detailed look at the relationship between this very large institution and its host community.

#### **4.1.12 Manufacturing and Warehousing**

##### **Transportation and Utility**

A largely industrial area known as Sherman Creek became the subject of an interagency planning effort in 2003. In a daylong workshop, residents examined rezoning and redevelopment options. Sherman Creek includes dedicated transportation and utility land uses in the form of the MTA rail yards, the Department of Sanitation garages, and Con Edison facilities.

With a zoning change, new housing may produce multiple story buildings (5 to 15) and ground-floor retail space linked to pedestrian esplanades running northward potentially extending along the full length of the MTA yards.<sup>o</sup> To date, conceptual work remains consistent with the Comprehensive Manhattan Waterfront Plan (1995) including more recent interest in ferry transportation.<sup>p</sup>

The New York City Transit Authority's 43 acre subway yards dominate this manufacturing area (M-1 and M-2). It lies within the New York State Empowerment Zone and is an Environmental Tax Incentive district. The area contains nearly 4 million square feet of floor space on 151 acres (20 acres of which are in industrial and manufacturing use, and 37 acres of which are vacant). The vacant land to the north, coupled with underutilized industrial land to the south of the yards has enticed development advocates to imagine an improved waterfront, housing, and a special mixed-use district development.<sup>q</sup> Con Edison will develop a substation at the southern tip and is the owner of a substantial land area. This is consistent with its changing role as a distributor of electrical power in NYC, as it reduces/refines its production capacity. The New York City Department of Sanitation might consolidate a number of utility-property and garage sites.

COMMUNITY DISTRICT 12-M  
**LAND USE: PUBLIC FACILITIES AND INSTITUTIONS**



Source: NYCmap, Community Cartography

**LAND USE**

Public Facilities & Institutions

Map 4.1.11 Institutional Land Use

COMMUNITY DISTRICT 12-M  
**LAND USE: TRANSPORTATION & UTILITY**



Source: NYCmap, Community Cartography

**LAND USE**

Transportation & Utility

Map 4.1.12 Manufacturing and Utility Land Use

While building over the entire yard has been called economically unfeasible, a deck over portion at the river's edge is possible. This development would offer increased security, public access, and could include docking infrastructure for a ferry or water-taxi.

#### **4.1.13 Parks and Open Space**

The single largest land use in CD12 is its parks. They occupy nearly half of the land area of Washington Heights and Inwood. A major asset requires intensive review and evaluation. Of the 2.86 square miles that make up CD12, 1.36 sq miles is used for parks, institutions, and highways. Of this, parks comprise over 30 million square feet, or nearly 38% of the total, while the next largest, multi-family housing, uses some 12.5 million square feet, or about 16%.

The park resources of Washington Heights and Inwood are nearly as large as Central Park in area. The three major parks, Highbridge, Inwood, and Fort Tryon cover some 689 acres, compared to Central Park's 843 acres (of which 150 acres are water). The elegance of CD12's "green necklace" and the river views make a major difference. Central Park looks "inward" while CD12 looks outward over the city and beyond to the horizon.

#### **4.1.14 Mass Transit**

##### **Subway & Surface**

Mass transit is a major land use consideration, but not a use in itself except for yards, bridges or tunnel entrances. The reduction of the requirement for off-street parking to 50% for new multiple dwellings is predicated on the availability of excellent mass transit connections. Given the need for preservation of existing affordable housing in CD12, the provision of off-street parking should be "unbundled" from the total development cost in Manhattan. Instead, it should become a premium item, tied to individual units as an option rather than averaged into the cost of all units.

According to the annual Straphanger Campaign evaluation, service on the A train continues to deteriorate and ranked 19<sup>th</sup> out of 22 subway lines in 2005. The "C" train ranks 20<sup>th</sup> in frequency of service and 18<sup>th</sup> in breakdown rate. The #1 line is ranked 18<sup>th</sup> for seating availability. In addition, a number of stations are unsafe due to their very poor physical condition. This Study calls for major capital improvements to the A train stations at 181<sup>st</sup>, 190<sup>th</sup> and Dyckman Streets, C train stations at West 155<sup>th</sup> and 163<sup>rd</sup> Street and on the No. 1 at West 157<sup>th</sup>, Dyckman, West 207<sup>th</sup> and 215<sup>th</sup> Streets.

The mass transit resource infrastructure of CD12 is unparalleled but requires significant attention to the safety, quality, frequency, and reliability of service. It appears that the stations are not being given priority for renovations when compared to others within the system.

The accompanying maps illustrate the areas covered by a five-minute walking distance to mass transit in CD12. The community extremely well served by this measure, but, on the other hand, the physical condition and safety of this section of the MTA system is among the worst in the city.

COMMUNITY DISTRICT 12-M  
**OPEN SPACE & OUTDOOR RECREATION**



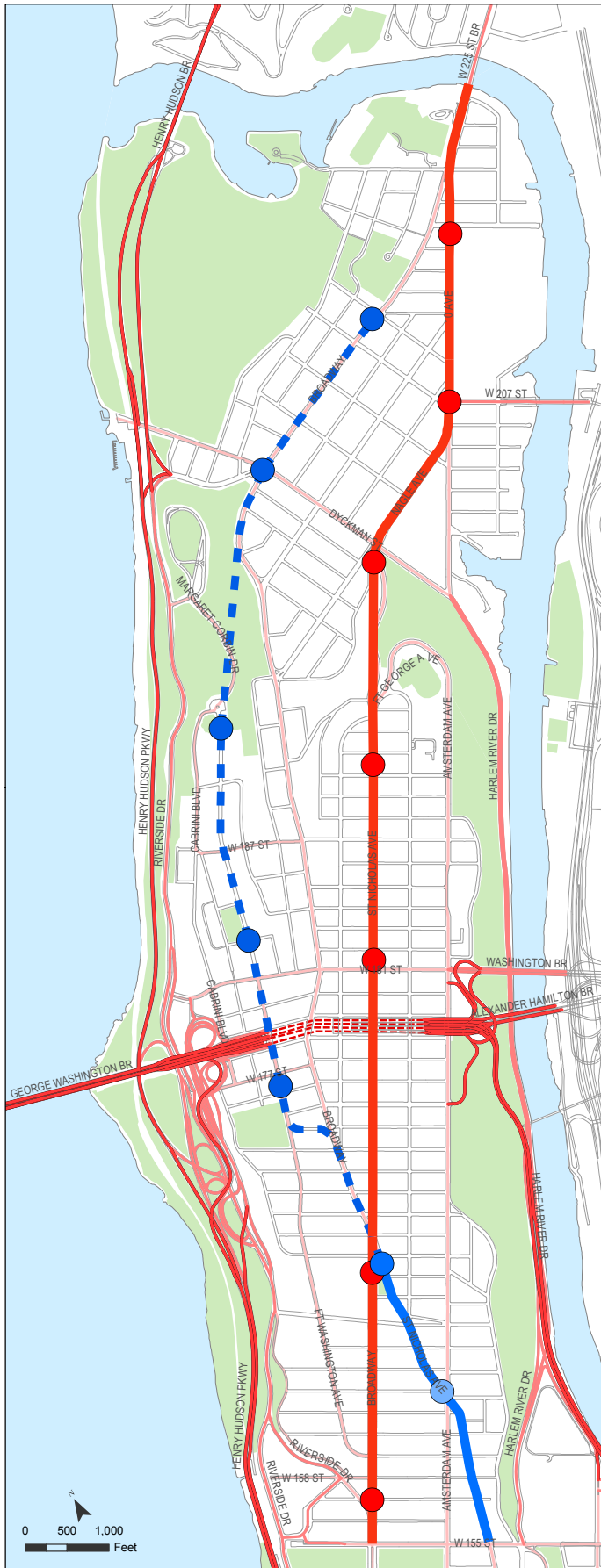
**LAND USE**

Open Space & Outdoor Recreation

Source: NYCmap, Community Cartography

Map 4.1.13 Open Space

COMMUNITY DISTRICT 12-M  
**SUBWAY ROUTES AND STATIONS**



**SUBWAY STATIONS**

**Subway Stops**

**Line**

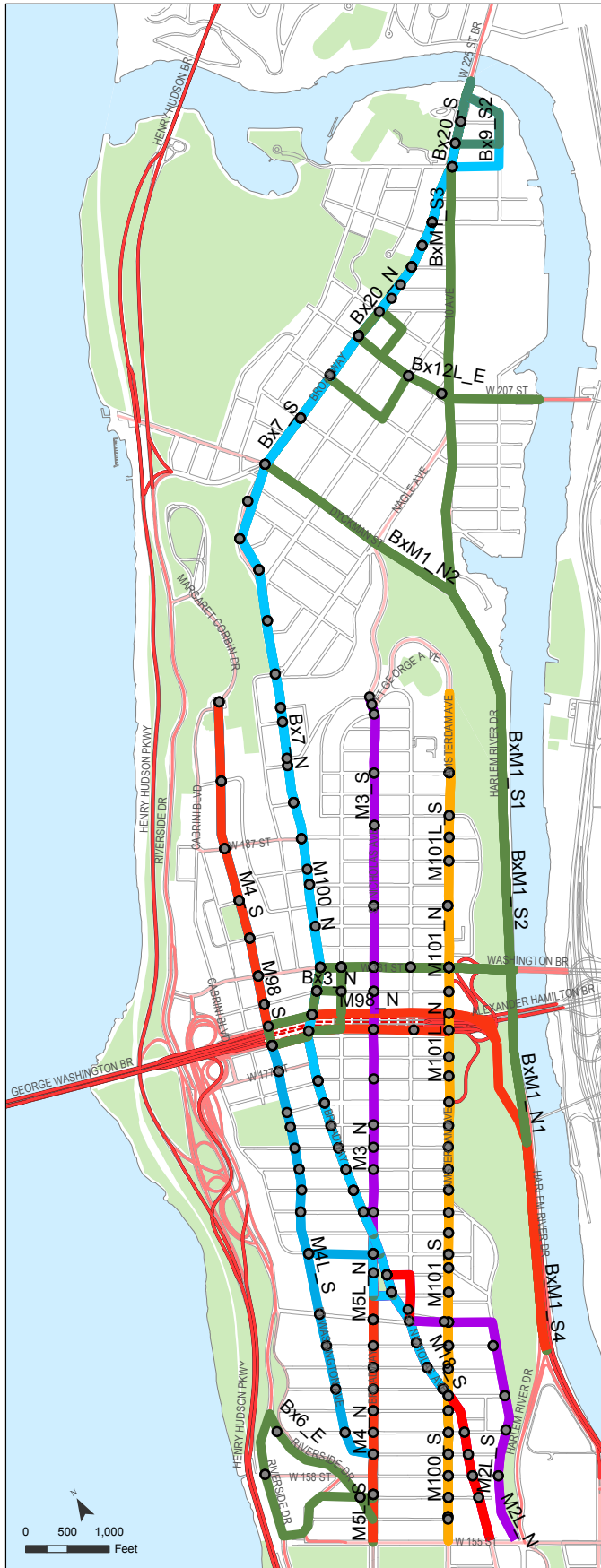
- 1
- A
- A,C
- C

**SUBWAY LINE**

- 1
- - - A
- A-C

Map 4.1.14a Subway Lines and Stations

COMMUNITY DISTRICT 12-M  
**BUS ROUTES**



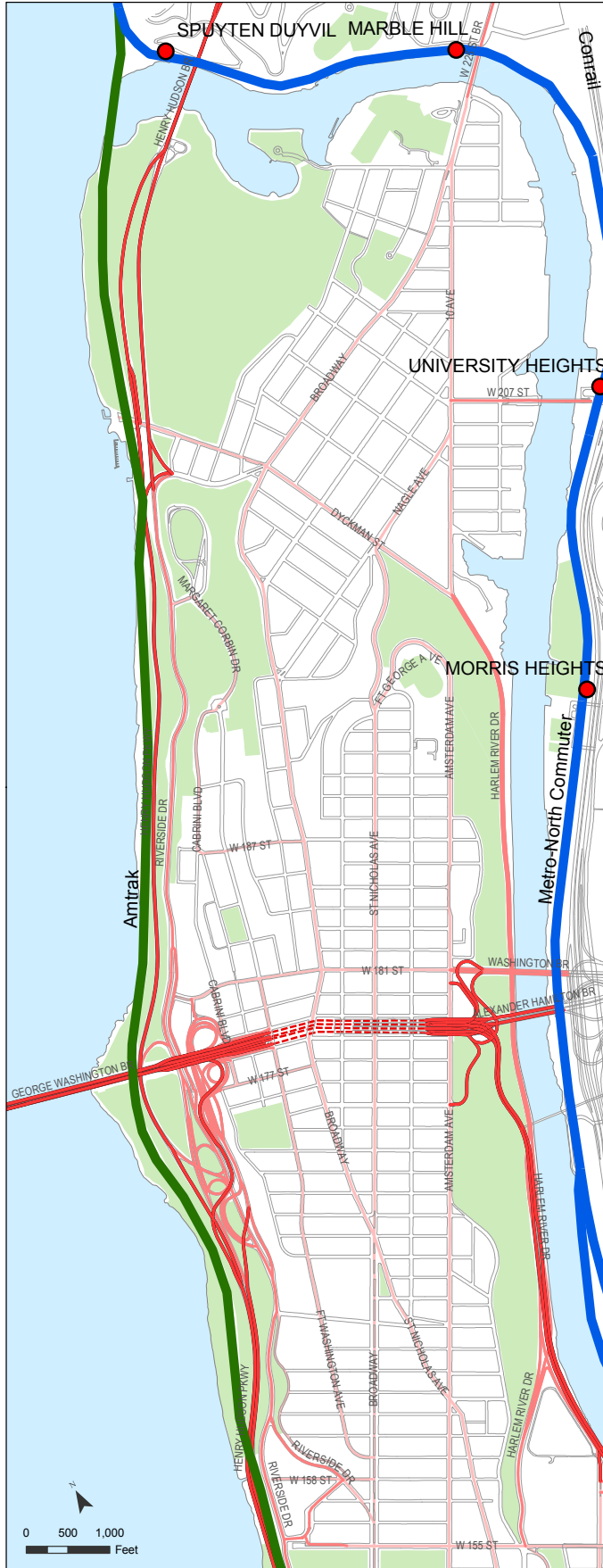
**BUS MAP**

-  Bx11
-  Bx12
-  Bx13
-  Bx20
-  Bx3
-  Bx35
-  Bx36
-  Bx6
-  Bx7
-  Bx9
-  BxM1
-  M5
-  M18
-  M98
-  M4
-  M100
-  M2
-  M3
-  M101
-  Bus Stops

Source: NYCmap, Community Cartography, New York City Transit

Map 4.1.14b Bus Lines and Stops

COMMUNITY DISTRICT 12-M  
**PASSENGER RAIL**



**PASSENGER RAIL**

- Amtrak
- Metro-North Commuter
- Marble Hill
- Morris Heights
- Spuyten Duyvil
- University Heights

Source: NYCmap, Community Cartography

Map 4.1.14c Passenger Rail Lines and Stations





#### 4.1.16 Summary of Analysis

A respectful response to the context and attentive application of design guidelines should accompany any major change in use or bulk whether by new construction or through a request for a variance. Guidelines regarding context are voluntary for development sites in the current zoning in CD12. This situation may require an extensive effort and influence from the community to bring about a “contextual solution” in new construction.

The choices available to developers now range from rezoning M or C-8 zones, to residential or mixed use commercial designations such as C-4 to allow greater residential floor area development and encourage a mix of commercial and residential uses. As the land use review illustrates, there are very few vacant sites that may generate the taller buildings encouraged by the current zoning. The scan of vacant sites for the development of new housing reveals limited opportunity, most of which are already “in the pipeline” by the city or private developers.

The primary areas of change are the Dyckman Commercial Corridor in Inwood, the transportation hub, formed by the I-95 corridor and the GWB Bus Station and the hub formed by the New York Presbyterian Hospital. These are highly complex urban centers with intensive economic activity. Focusing on the potential for new development in these areas could help to produce the capital resources needed to sustain sensitive preservation and development in the predominately residential districts.

To illustrate the design issues involved in the zoning change, three representative sites were selected as “massing case studies”. These illustrate “as of right” development within the existing zoning envelopes of R7-2 and R8 in which the Quality Housing Program options are voluntary. In addition, the case studies review height and bulk using the contextual zoning framework (R7A, R7B, R7X and R8A, R8B and R8X, which contain mandatory provisions regarding several building form elements). The case studies illustrate the height and bulk issues associated with changes in zoning and alternatives within the current zoning regulations that provide for affordable housing. The following provision in the CD12 District Needs statement has guided our thinking.

*“Much of the New York City’s zoning for Washington Heights and Inwood is counter to actual use. The last comprehensive rezoning of the Community Board 12 area was in 1961. In many cases, zoning laws and regulations are not adhered to and this significantly affects the neighborhoods’ quality of life and opportunities for development. The enforcement of existing regulations would prevent non-conformant uses in residentially zoned areas. Moreover, the city must conduct a study of mixed-use areas in Community Board 12 and provide new zoning guidelines where necessary.” (FVP#04-13)*

Contextual zoning proposals contain incentives for neighborhood based community facilities such as childcare and resident after school care centers. A majority of the buildings in the community currently provide more floor area than the 1961 zoning will allow through new construction. Together with the high quality of pre-war construction, this fact has so far meant that little has changed.

Voluntary contextual zoning became available in the mid-1980s. Establishing mandatory regulations will require new development to be contextual, although this by itself will not produce the financial resources to preserve the existing stock. For this reason, the section that

follows addresses areas of the community most logical for extensive development encouragements and incentives.

#### 4.1.17 Recommendations

##### R6.1 – DEVELOP A TWO-TRACK APPROACH TO REZONING ALL OF CD12

The use of the Contextual Zoning Districts in CD12's R7-2 and R8-2 areas is presently only through the voluntary application of quality housing regulations. Apply pressure to gain developer review and/or acceptance of this option. Set a standard.

Track one focuses "growth through development" while Track Two encourages "growth through preservation", as outlined in Section 4, *Framework for Preservation and Development*.

As noted above, Track One places the major emphasis for new growth in the existing hubs. These provide the needed opportunities to accommodate much of the anticipated increase in building, while, at the same time, they take pressure off the older residential areas thereby encouraging their preservation.

To accomplish track two, Growth through Preservation, the community will need to develop a constituency of residents, building owners/managers, and businesses committed to this goal. This report recommends the application of mandatory contextual housing district designation for neighborhood residential areas of the community. The preliminary outline of the neighborhood preservation area (NPA) coupled with the overlapping historic exploration areas (HEA) are identified in Section 4.2. The intent of the growth through preservation strategy is based on developing rehabilitation, tenant ownership and/or control services programs. This action would respect and value the existing architecture. It would not require a text change, but would require a map change to R7A, B or X, and similarly, for the R8 districts. Text change options have citywide implications and are therefore subject to extensive review and deliberation. Nevertheless, this report outlines several areas where new construction could make a substantial contribution this district's economic future.

For Track Two, Growth through Development, the term "blue zones" or "development corridors" was used in community workshops to explore the Special Purpose and/or Mixed Use Zoning districts option for some areas in CD12. The identification of these potential areas attempts to forecast the main locations for priming the economic pump of community preservation. This approach is currently in an implementation phase with the zoning change proposals for Inwood/Sherman Creek.

##### R6.2 – REVIEW ZONING OPTIONS AREA-BY-AREA (SUB-DISTRICT)

CB 12 should seek the resources to evaluate the full impact of Sherman Creek proposal and apply principles and lessons learned to the entire district. This study should include the selection of areas for possible mixed-use (MX) and Special District designation with an emphasis on the influence of these changes on the remaining two central business districts (CBD): George Washington Bridge CBD and the Health Hub CBD.

The MX District designation permits mixed-use buildings, and includes an expanded definition of "home occupations," permitting a broader variety of live-work accommodations than is allowed in standard zoning districts. It combines a light industrial

(M1) district with a residential district, and permits a mix of selected light industrial, commercial, residential, and community facility uses under the applicable regulations.

These options provide means for effectively managing the quality of change in a community. CB12's Land Use Committee and the Working Group should promote and adopt resolutions leading to contextual zoning in CD12. This will help preserve the architectural fabric of the community and offer a greater incentive to rehabilitate and/or restore the present buildings. It is in the community's long term interest to require, as a matter of policy, that all new development be contextual and promote a zoning map change for most of the community from R7-2 to R7A.

In the interim it is in the community's interest to promote as strongly as possible, the voluntary use the quality housing option. Formalizing quality housing regulations will provide added safeguards that recognize the bulk, height, and, to the degree possible, the architectural character of the community.

### R6.3 – IMPLEMENT SUB-DISTRICT ZONING INITIATIVES

CB12 should initiate 197c applications, working with the residents, on an area by area basis (NPA and HEA). Any taxpayer and resident should be empowered to seek the application of contextual zoning in the preliminary defined areas noted above. CB12 should also develop a localized zoning review committee or “study group” to address the facts, issues and concerns.

### R6.4 ENCOURAGE DEBATE AND LEAD DISCUSSION OF RELATIONSHIP BETWEEN ZONING AND INCENTIVES FOR ALL OF CD12 STARTING WITH SHERMAN CREEK/INWOOD

Current zoning practices stimulate real estate investment through a menu of negotiable financial incentives in housing, community facilities, and commercial real estate. The objective is to find balance in a new set of trade-offs between community needs and desires on the one hand and the developer's interests and capacity on the other. The combined study of the contextual and inclusionary zoning option help limits the size and appearance of new buildings, while allowing higher density on wide streets or narrow side streets best expressed in expanded lot coverage. Some recent examples of rezoning practices in New York City illustrate the trade-offs the city has been willing to negotiate include:

- **East Harlem**, where 100 blocks, and **Central Harlem** around Frederick Douglass Boulevard were rezoned in 2003 to allow contextual development. The avenues will see larger buildings with height limits at 12-stories. Development is occurring a rate that is acceptable and consistent with comprehensive community development goals.
- In **Park Slope**, Brooklyn, the desire to downzone was more “anti-big-building”, and the result was a compromise plan. It reduced development potential on residential side streets, but allowed for bigger buildings up to 12 stories on Fourth Avenue, a wide street. It also provided a reserve fund of several million dollars used to assist, encourage, and require developers to produce below-market-rate housing in Park Slope. Finalized in April 2001, construction on several 12-story buildings began in 2006.<sup>7</sup>

- The passage of the **Clinton** Special Purpose District (CL) in 1974 may well become the model for the zoning text for CD12<sup>s</sup>. Following a series of independent community initiatives, the Department of City Planning responded with a number of zoning text revisions leading to the protection of both residential and business based land uses. Since its passage, a vigorous network of community groups and activists been able to resist the displacement efforts of large real estate interests.

#### 4.1.18 Endnotes and References

##### (Endnotes)

<sup>a</sup> The States (under the U.S. Constitution) have three general powers--the power to tax, the power of eminent domain, and police power. The power to regulate the use and development of land falls under the police power that allows the public, through government, to regulate private activity to protect the health, safety and welfare of society--the public good.

<sup>b</sup> Cerreno, A., Dynamics of On-Street Parking in Large Central Cities, Rudin Center for Transportation Policy & Management, December (2002). [www.wagner.nyu.edu/transportation](http://www.wagner.nyu.edu/transportation)

<sup>c</sup> See: <http://www.nyc.gov/html/dcp/html/zone/zonehis.shtml> A detailed history of zoning is available on this Department of City Planning Website.

<sup>d</sup> See DCP site: <http://www.nyc.gov/html/dcp/html/about/pr072604.shtml>. As recently as 2004 building height has been an issue in Clinton. The proposal by DCP responded to community concerns that existing zoning controls permit development along Ninth and Tenth Avenues to be considerably taller than many existing buildings along the avenues, and could result a "saw tooth" skyline and/or "sore thumb" buildings that are out of character with their neighbors. The proposed text amendment would establish new height controls to ensure that new development is consistent with the scale and character of the surrounding neighborhood. The Preservation Area of the Special Clinton District area is bounded by on the north by 56th Street and 43rd Street to the south, roughly between Eighth and Tenth Avenues. An interesting and detailed background on the formation of the Clinton District may be reviewed at <http://hellskitchen.net/reports/kik/kik01.html> in an article describing anti-gentrification efforts entitled keeping the "kitchen" in Clinton.

<sup>e</sup> During the course of our selection of case study sites, a site on Overlook Terrace became "real". Residents have sought advice regarding the influence the community might be able to put into effect on the design decisions of the developer. With regard to the other two sites, it is also important to note that the buildings exhibited do not illustrate proposals for development. The case studies assist in the examination of different influences on the bulk of a building given the zoning options available to the developer including the voluntary application of Quality Housing regulations.

<sup>f</sup> Density maximums (the number of dwelling units per acre) are based on an average of zoning rooms per dwelling unit

<sup>g</sup> The city planning website glossary defines Inclusionary Housing Program in great detail in the zoning resolution, however the glossary: <http://www.nyc.gov/html/dcp/html/zone/glossary.shtml#inclusionary> is useful for discovering the definition of many planning terms.

<sup>h</sup> Excellent website resource is <http://www.formbasedcodes.org/>

<sup>i</sup> Tall narrow buildings (aka sliver building) on small lots that are 45 feet wide or less in CD12's R7-2 or R8 districts are generally restricted to a height equal to the width of the abutting street or 100 feet, whichever is less.

<sup>j</sup> Just over 150 acres of Central Park is under water. Manhattan's Central Park is 843 land area is just over 693 acres. There are 689 acres in Washington Heights and Inwood.

<sup>k</sup> Birch, Eugenie, "Who Lives Downtown" (November 2005) The Brookings Institution, Washington D.C. Living Cities Census Series. This report examined 44 cities from 1970 to 2000 and focused on traditional urban downtowns.

<sup>l</sup> Ibid. (Birch, E.) Lower and Midtown Manhattan rank highest in its share of family households, families with children, and families without children and have a higher share of people with a Bachelor's Degree over the suburbs and the City overall. In 2000, Lower Manhattan's median income was \$20,344 in the lowest tract and \$113,332 in the highest tract. In Midtown, it was \$15,947 and \$188,697. Compare this to the Metropolitan Statistical Area (MSA) Median Income of \$41,053 (2000).

<sup>m</sup> A current proposal before Community Board by the Yeshiva University at 185th Street is the addition of 50,000 square feet of new office and classroom facilities. See: [www.yu.edu](http://www.yu.edu)

<sup>n</sup> See [Community Facilities Zoning](#), adopted by the City Council on September 9, 2004. Most of these changes reflect the demand for change by residents in Queens, Brooklyn, and Staten Island. The point made here is change is possible one the issues related to the negative impact of community facility development are defined.

<sup>o</sup> Sherman Creek Interagency Working Group, *Sherman Creek Planning Initiative*, 2004

<sup>p</sup> Manhattan borough president Virginia Field's office, *Waterfront Revitalization and Access Plan*, 1995. Metropolitan Waterfront Alliance, "Waterfront Issues: NYC Council District 10," 2001.

<sup>q</sup> Manhattan Institute for Policy Research, "Rethinking Development Report" Up From the Ruins: Why Rezoning New York City's Manufacturing Areas for Housing Makes Sense No. 2 June 2005 by Regina Armstrong, President, Urbanomics with Tina Lund, Senior Research Associate.

<sup>r</sup> Jerry Armer, the chair of the community board, is known for saying that residents have spent a dozen years trying to change the zoning in the southern part of the Slope to protect brownstone neighborhoods that were outside of the Park Slope historic district.

<sup>s</sup> See DCP site: <http://www.nyc.gov/html/dcp/html/about/pr072604.shtml>. As recently as 2004 building height has been an issue in Clinton. The proposal by DCP responded to community concerns that existing zoning controls permit development along Ninth and Tenth Avenues to be considerably taller than many existing buildings along the avenues, and could result a "saw tooth" skyline and/or "sore thumb" buildings that are out of character with their neighbors. The proposed text amendment would establish new height controls to ensure that new development is consistent with the scale and character of the surrounding neighborhood. The Preservation Area of the Special Clinton District area is bounded by on the north by 56th Street and 43rd Street to the south, roughly between Eighth and Tenth Avenues. A detailed background on the Clinton District may be reviewed at <http://hellskitchen.net/reports/kik/kik01.html> in an article describing anti-gentrification efforts defined as keeping the "kitchen" in Clinton.

#### **4.2.1 Introduction**

Urban development is incremental in CD12 as other districts in New York City. Construction of new projects, whether large or small, occurs one project at a time.. The issue before the board and the community is how to deal with its often disorderly and largely uncoordinated character.

Given the framework proposed here for evaluating change in CD12, it is essential that this process incorporate and respond to the community vision. Individual projects come with values that can that may or may not be consonant with the community's development goals or vision of its future. The following discussion draws on the two dynamic views expressed in the community noted previously:

View 1: 'We like CD12 the way it is today. With small, sensitive improvements consistently made here and there, this is a great community, and it will remain so, if we can keep this kind of practice ongoing and positive.'

View 2: 'We recognize and support the need for development in a world city, especially in Manhattan, all we demand is a sense of humanity, that we are doing our best for our people.'

Community development evaluations combine ongoing physical development of the community with the needs of its residents in two specific ways. One focuses on neighborhoods logically subject to a priority for a preservation policy in terms of safeguarding its architecture and protecting its residents, and the other identifies areas in which extensive new development would be encouraged strongly and is in fact, a potential resource for preservation. Both practices promote social and economic growth.

There are many "development" plans at work in the shaping CD12; however, the nature of physical change in dense urban areas is relatively fast in comparison to the time needed to produce social change. Over the next 10-15 years CD12 can expect a consistent increase of development activity in housing, commercial office and institutional expansion. This has already begun in many respects, and it is within this framework the community board will be compelled to evaluate the influence of these events on the lives residents and on the compatibility of these changes with the goal of preservation and investment in people as the highest priority.

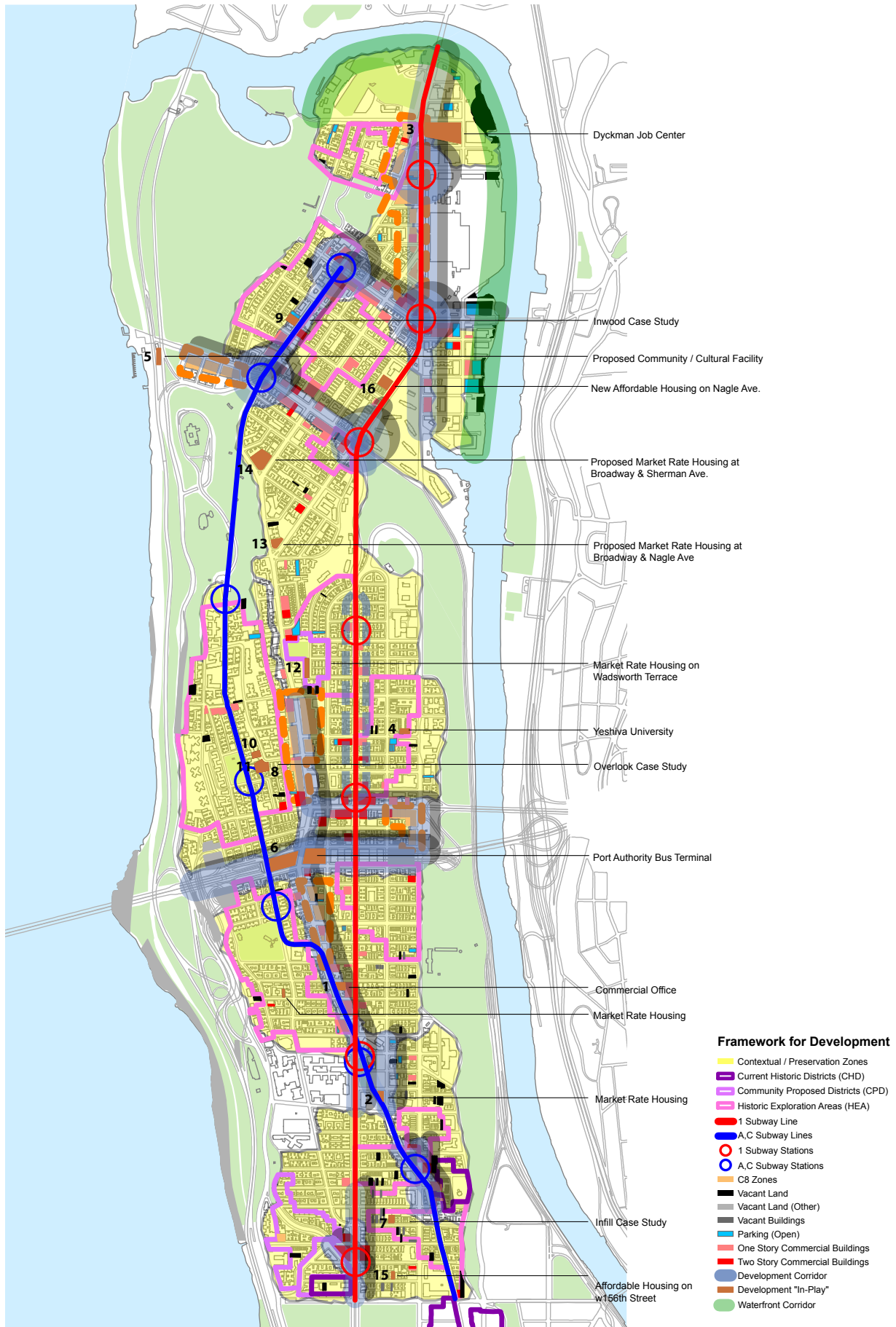
Investment in real estate through as of right development and ongoing variance applications by local institutions is increasing. In addition, as of June 2006, and with encouragement from the community, the Department of City Planning will propose a zoning change for Inwood that warrants intensive evaluation and review for its implications to the residents of the entire district and their progress in becoming a viable part of these changes.

#### **4.2.2 Current Development Activity**

Development proposals of all types and sizes require evaluation and criticism for their affect on community preservation and development goals. As these projects move forward to completion, they represent the vision of the property owners to create something. Existing zoning, building codes, and environmental regulations provide essential constraints.

The intent of monitoring development activity is to do more than recognize these investments as resources in and of themselves, and to investigate how these "individualized" or "company" products aid or detract from the community board's vision and its desire to ac-

# COMMUNITY DISTRICT 12-M FRAMEWORK FOR DEVELOPMENT



Map 4.2.10 Framework for Development

comply with social as well as economic investment goals. Recognizing and managing the tension between these two forces is at the heart of building a great neighborhood.

Various “snapshots” of these, sites, corridors or zones for development of commercial offices, community facility, and housing development become possible to imagine within this framework. Our intent is to make connections between localized real estate development interests and those of the community or region at large.

Some of the proposed projects may not materialize due to marketing, public reviews, permits and ultimately, financing and construction cost considerations in CD12. Nevertheless, an outline of the proposals and alternative development schemes provides a reasonable set for analysis and community review.

Map 4.2.2 illustrates these locations and Table 4.2.2 lists these individual development sites comprising about ten acres of vacant or marginally used land in the district. The cumulative impacts of these individual activities are extremely difficult to measure, especially without a highly accurate sense of the type and quality of each project. For any number of reasons in law or morality the public’s right to investigate, evaluate, and criticize these changes is a critical part of the process in which all parties have must to learn and gain.

### **4.2.3 Methodology**

#### Development Framework Debate

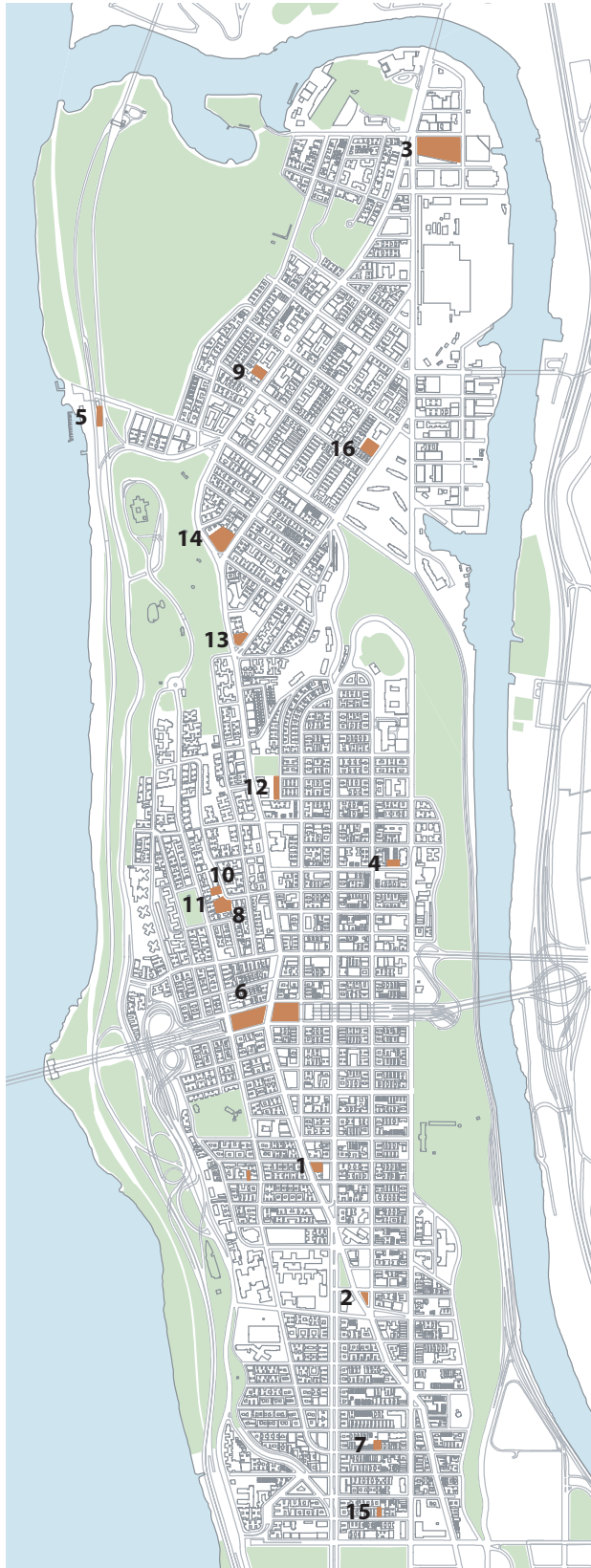
The public’s right to debate the worthiness of each project as either a contributor or detractor to the community’s well being is a given. Real estate development is a highly private series of actions that occur in a world largely outside of the public debate regarding the nature of these transactions. Nevertheless, encouraging a debate helps form a group of people interested in building a vision for the community in physical as well as social terms. For example, linking the 421a tax incentives with inclusionary zoning is popular from the city’s point of view because there are no direct public costs on the bottom line of the ledger, but a community tends to sense a “double bottom” line that assesses the intangibles of social change.

The image below is a compilation of several land use and zoning factors developed in the following pages. These factors combine to produce a set of influences on the social and physical landscape of Washington Heights and Inwood. It is devised as method for engaging developers to link development practices with preservation proposals using a balanced policy agenda. The following section will illustrate how this image of CD12 has developed and how it supports the goals of the Working Group.

The following pages provide a “snapshot” of various development “envelopes”, activities, proposals, and possibilities as they have been reported formally or informally to the community board and elected officials. The various sample projects listed and described remain flexible in response to market conditions and perhaps community opinion and persuasion. These sample sites are used to examine the merit of an effective “development framework” debate and policy.



# COMMUNITY DISTRICT 12-M CURRENT DEVELOPMENT ACTIVITY



Development "In-Play"

Table 4.2.2 Development Activity

	Projects	Address	Owner	Zone
1	Commercial Office	4070 Broadway	KFC National Management	R8
2	Community Facility	2 Audubon Ave	NYC Dept of General Services	C4-4
3	Community Facility	4069 10th Ave.	New York City Transit	M1-1
4	Community Facility	185 <sup>th</sup> Street	Yeshiva University	R7-2
5	Community Facility	Dyckman	MTA (culture center)	C8-3
6	Commercial Retail	GWB Bus Terminal	NYNJPA	C4-4
7	Market Rate Housing	531 W. 159 <sup>th</sup> St.	Mt. Zion Pentecostal Church	R7-2
8	Market Rate Housing	703 West 184 St.	Forcap Corporation	R8
9	Market Rate Housing	4849 Broadway	Rita S. Sklar	R7-2
10	Market Rate Housing	700 West 184 St.	Jackson Overlook Corp.	R7-2
11	Market Rate Housing	35 Overlook Tr.	Sonia Bachrach	R7-2
12	Market Rate Housing	1 Wadsworth Tr.	Tacco Group Ltd	R7-2
13	Market Rate Housing	4560 Broadway	Fabrizio Realty Corp.	R7-2
14	Market Rate Housing	4650 Broadway	Bermont Operating Corp.	R7-2
15	Affordable Housing	531 W 156 St.	NYC HPD	R7-2
16	Affordable Housing	250 Nagle Ave.	Nagle Houses	R7-2

Source: Each of the sites listed above are in varying stages of development, as reported by community board members, through search of building department records or from presentations by developers via real estate organizations and related websites. Owner name is drawn from Department of Finance property records (LotInfo).

Map 4.2.2 Development Activity

#### **4.2.4 Neighborhood Preservation Areas**

##### Contextual Zones & Historic Districts

Given the general discussion of development as more rapid, or just “bigger” in New York City, the question of preservation as a means for sustaining a high standard of urban life is addressed as the first priority. The highest priority question in CD12 is simple: What would you keep dear?

Map 4.2.3a is an image of CD12 that suggests that even if everything else changed the areas identified here would remain roughly “as they are” to the greatest possible extent. They would remain so physically through preservation and adaptive reuse and in doing this become more beautiful and valuable.

There are distinct physical areas of CD12 that are more likely to change rapidly. The district's topography and individual building types, as well as, the road and railway systems suggest a network that connects these individual geographies. Above all, they combine to illustrate the essential physical quality of this district's housing as a foundation for evaluating change. Recall the dramatic changes over the last one-hundred years illustrated by the maps and images of bays, creeks, coves, and marshes (See: Section 3.1). The capacity to create dramatic change is unquestioned. Today, the wisdom of it requires added scrutiny and care.

Recent community development policies call for exactions that share development proceeds that are in the mutual interest of the developer and the community. Sustaining a community's urban character and encouraging quality design and architectural solutions have tools such as binding community benefit agreements, inclusionary and contextual (Quality Housing) zoning regulations. Respect for the unique qualities discovered on a neighborhood-by-neighborhood basis provides the impetus of these actions, where in the past only the enormous effort of special districting would suffice.

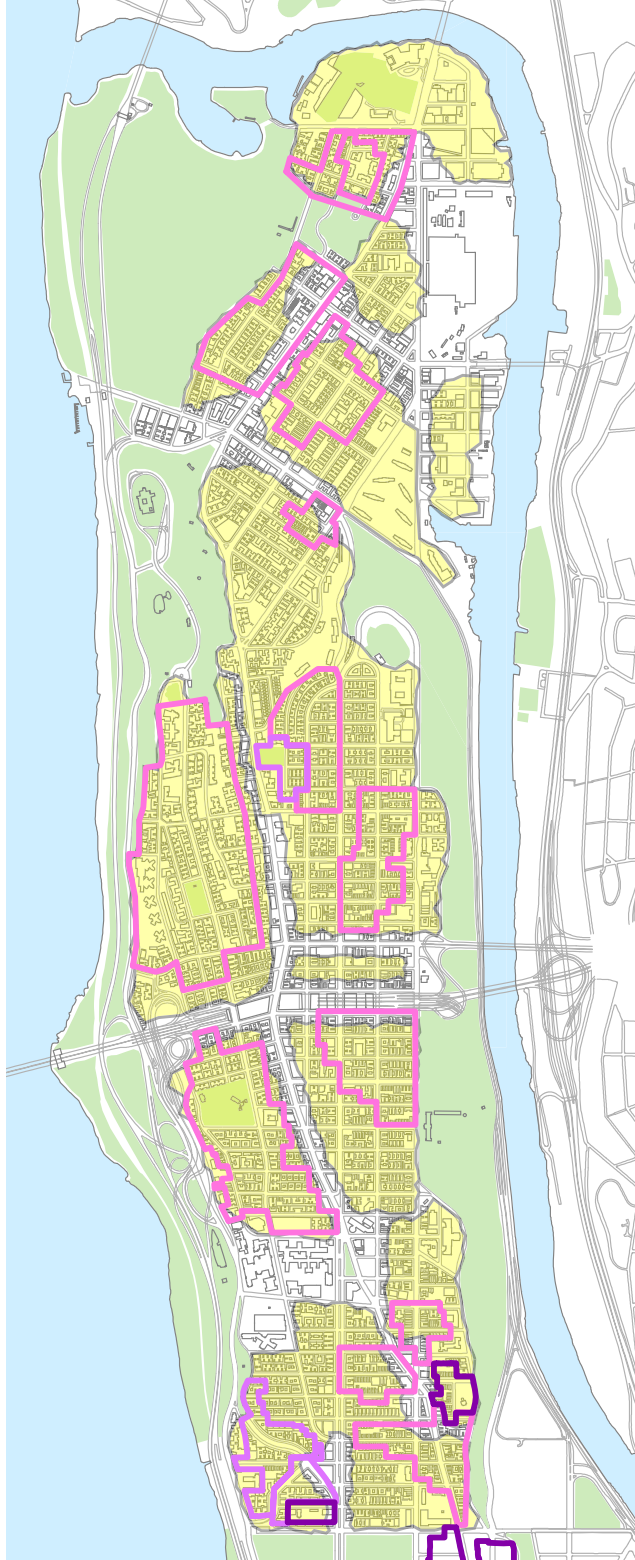
The image of seventeen individual “neighborhood or contextual preservation areas” (NPA) is a beginning point. Within each of the areas, there are opportunities for historic preservation districting or landmarks at the national as well as city level of designation. Hard lines are not drawn. These Historic Exploration Areas (HEA) suggest a the need for a wide range of preservation policies, supportive processes, and resources. Above all the plan seeks a constituency of residents from each of these areas to help define its architectural character and that part of the nation's social history that may be embodied in individual buildings and landscapes, markers and monuments that help a community to tell its stories.

#### **4.2.5 Mass Transit Based Development**

Recognizing the physical pattern and flow of people is central to understanding scale of development activity (Map 4.2.4). Two major subway lines create two overlapping sections in CD12. One part of each line serves residential use and another part that is predominately of service to commercial users.

The NYC Zoning resolution offers FAR bonuses for improvements to the mass transit system. The provisions within “special district designations” have provided for easements, floor area bonuses, and other incentives that contributed to the safety and comfort of the MTA facilities.

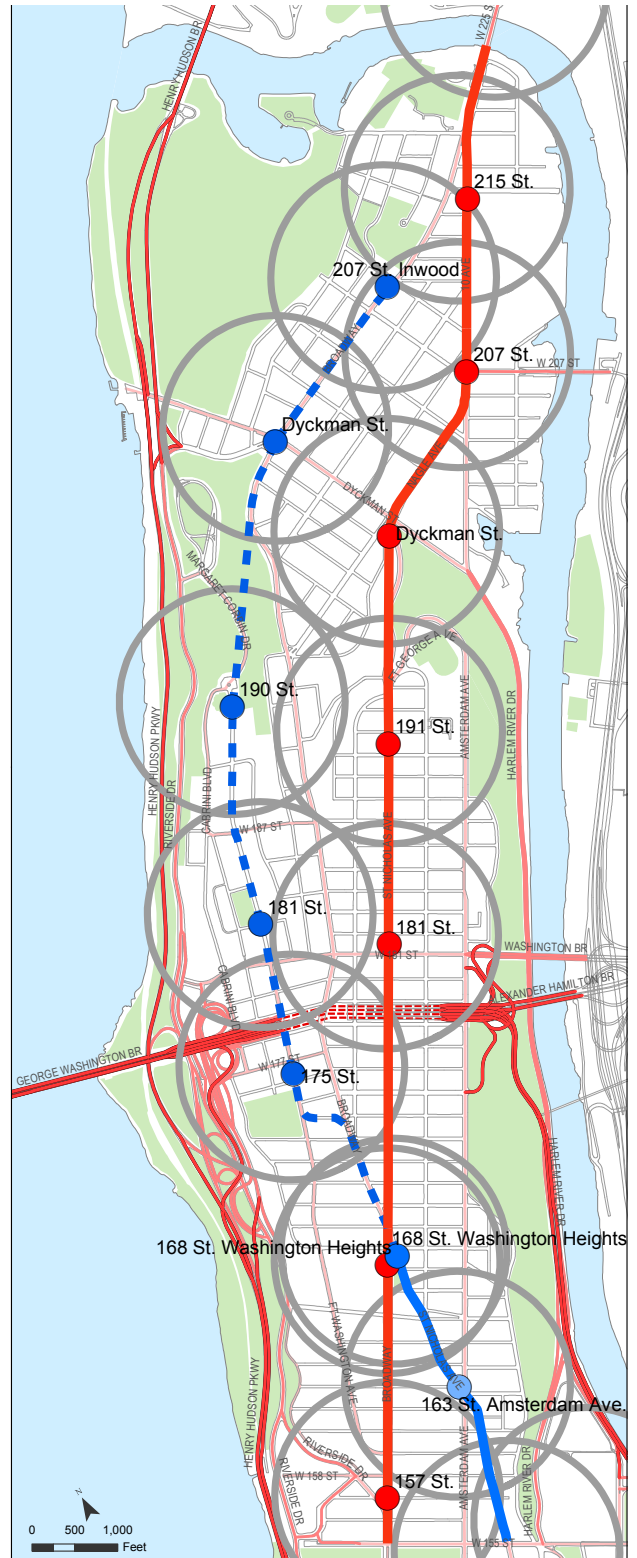
COMMUNITY DISTRICT 12-M  
NEIGHBORHOOD PRESERVATION AREAS



- Contextual / Preservation Zones
- Current Historic Districts (CHD)
- Community Proposed Districts (CPD)
- Historic Exploration Areas (HEA)

Map 4.2.3a Preservation Zones

COMMUNITY DISTRICT 12-M  
TRANSIT STOPS AND 5 MINUTE WALKING RADIUS



- | SUBWAY STATIONS                          |     | SUBWAY LINE   |     |
|--|-----|---|-----|
| <span style="color: red;">●</span>       | 1   | <span style="color: red;">—</span>                      | 1   |
| <span style="color: blue;">●</span>      | A   | <span style="color: blue; font-style: dashed;">—</span> | A   |
| <span style="color: lightblue;">●</span> | A,C | <span style="color: blue;">—</span>                     | A-C |
| <span style="color: lightblue;">●</span> | C   |   |     |

Map 4.2.4 Mass Transit and Walking Radius

#### **4.2.6 C8 Zones in the Community**

CD12 has relatively large districts zoned to serve automobile uses either on or close to Broadway and one on Amsterdam Avenue between the GWB and the Washington Bridge. There are six large C8-3 districts and one C8-4 in CD12. The major use groups associated with the automobile are gas stations, sales lots, car washes, etc.)

Given consistently improving performance standards and compliance, a change in zoning that would include housing is considered. Because of their location (especially off Broadway), these areas should be made part of the mix of land areas used to attract investors.

While these uses are important, the failure of C8 zones to be good neighbors or appropriate buffers of industrial districts with residential uses in this community is especially sensitive in CD12.

#### **4.2.7 Vacant Land, Buildings, and Parking**

As the Map 4.2.6 illustrates, there is little vacant land available for development. The sites available are quite small in the interior, and the larger sites along the waterfront are subject to added urban design restrictions designed to assure public access.

There is very little unused land in CD12. The existence of the remaining sites is more a product of problems associated with free and clear title or the acquisition of property than the failure to attract investment.

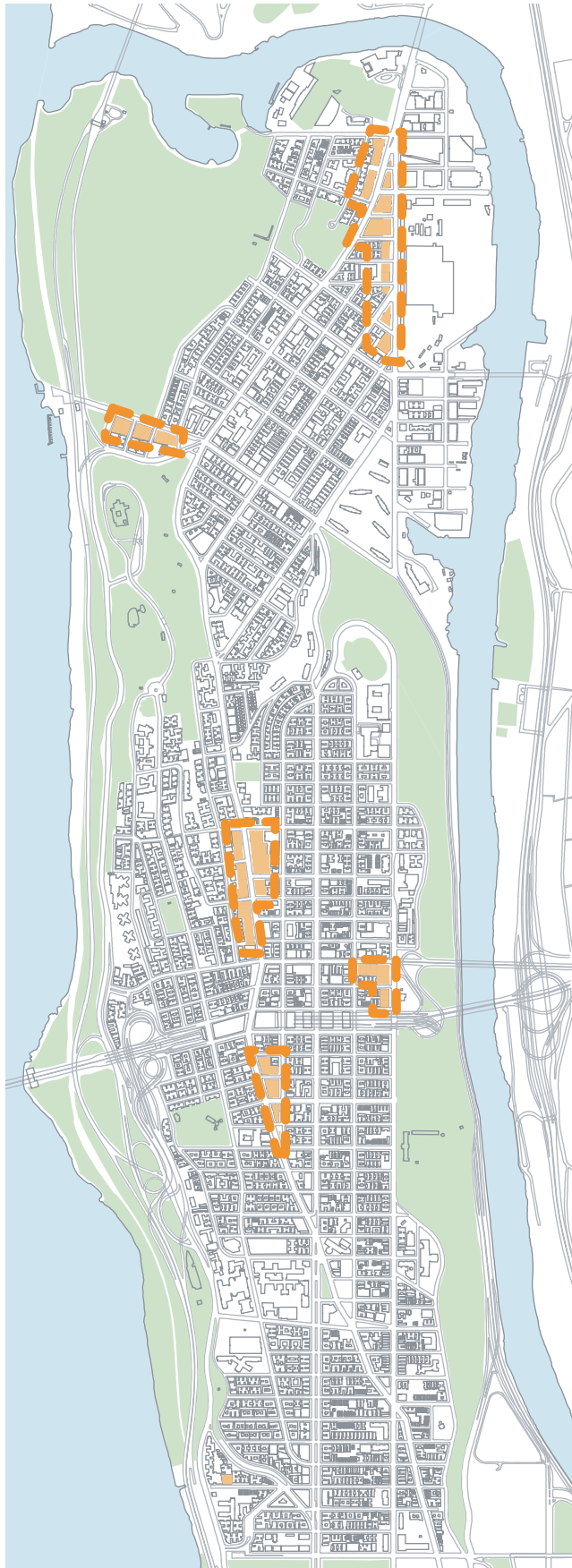
#### **4.2.8 Locations with Additional Floor Area**


Low bulk conforming buildings represent unused floor area potential on existing zoning lots is an development indicator worthy of monitoring on a site-by-site basis. The locations are predominately located in CD12's commercial districts. Sometimes called "tax payers", many sites represent first level investments in commercial districts that quickly amortize acquisition and investment costs. Some of these locations emerged following the demolition of walk-up apartment buildings during the 1980s or 1990s, while others have always been relatively small one or two-story buildings.

The dominant location of these sites is along 207<sup>th</sup> Street, Dyckman, Broadway and 181st Street. In general, it is only a matter of time before the existing owner or a new buyer develops a program to use the additional square footage allowed on these building sites. Current market conditions suggest a relative short term (5-10 years) for the emergence of new "as-of-right" development proposals in one or more of these areas.

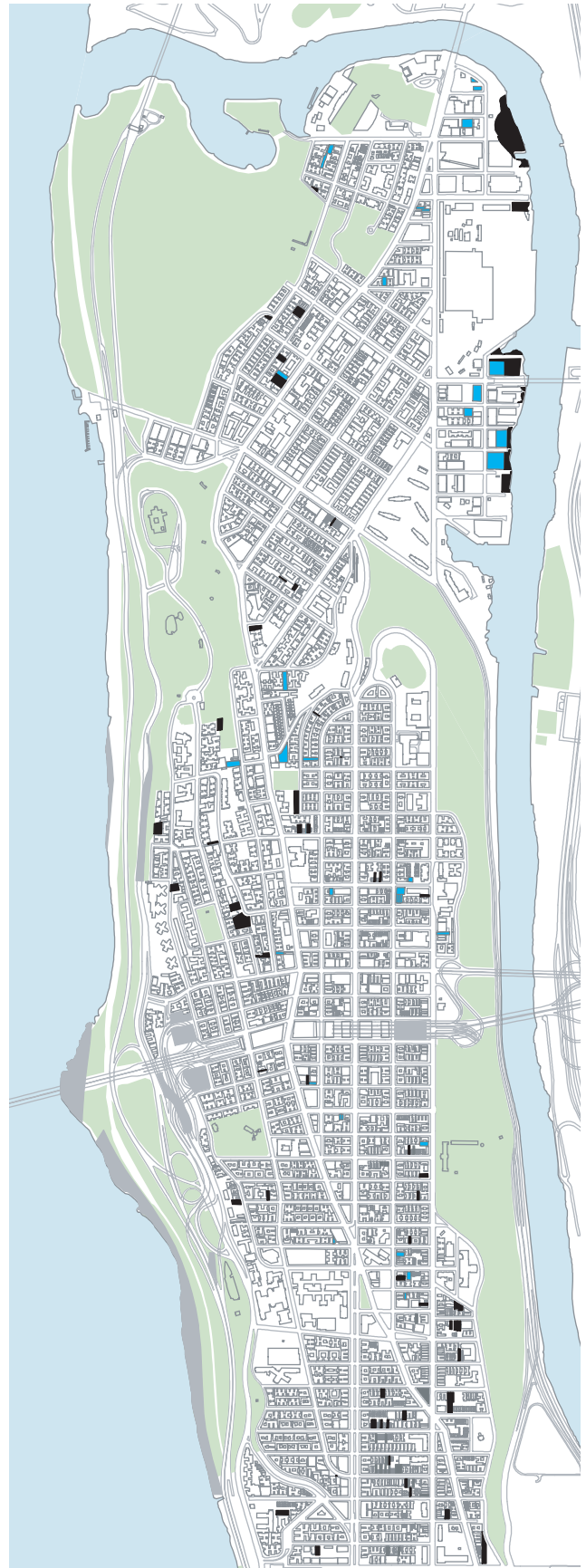
The quality and image of a community's commercial districts tends to "judge" a whole community. Therefore, the quality of development in these locations is critical to the image and marketing capacity of all other real estate..





COMMUNITY DISTRICT 12-M  
C8 ZONING DISTRICTS



 C8 Zoning Districts

COMMUNITY DISTRICT 12-M  
VACANT LAND



 Vacant Land       Vacant Buildings  
 Vacant Land (Other)       Parking (Open)

Map 4.2.6 Vacant Land

#### 4.2.9 Development Corridors

The previous series of land uses and infrastructure in CD12 suggest areas where fostering new development will contribute to strengthening the community economically. The following concept of “development corridors” suggests a means for encouraging the quality and balance of growth needed to protect and enhance of the surrounding residential neighborhoods.

- 1) Access to mass transit is a key factor in the determining the development potential of the surrounding area and predicated by the governing zones.
- 2) The corridor areas are more physically able to handle development that is of service to the region for retail goods and services including large-scale commercial offices. These areas are distinct from, and protective of local residential enclaves and convenience retail centers.
- 3) The substantial development opportunity that is indicated by zone and/or encouraged by local policy will contribute to or directly meet community social and economic development needs in affordable housing production and community facility provision.

The development corridors link the districts major central business districts (CBD), two “gateways into the district, and two large central business districts – one directly associated with the George Washington Bridge corridor and the other in Inwood. In brief they are:

##### **Downtown Inwood CBD**

The Broadway, Dyckman 207<sup>th</sup> Street corridors and the pending waterfront development in Sherman Creek and along 10<sup>th</sup> Avenue combine to produce the central business district of Inwood. This area is the subject of a major zoning map change by the Department of City Planning.

##### **Bridge/Amsterdam CBD**

The development context for a very strong Central Business Districts (CBD) is in the GW Bridge terminal successfully linked to St. Nicholas shopping district. In addition to substantial housing upgrades, this area requires an extensive urban design review to complement and evaluate NYNJPA development plans for the bus terminal.

##### **Health HUB (NYPH)**

St. Nicholas and 157<sup>th</sup> Street and the other at Broadway at 161<sup>st</sup> serve as portals into the community. In effect they create two “gateway areas” into the district just south of the New York Presbyterian Hospital – the community’s most dominant community facility land use. The two subways serving the district (A, C, #1) intersect here at 168<sup>th</sup> Street. Called the “health hub business district” it is CD12’s largest employer.

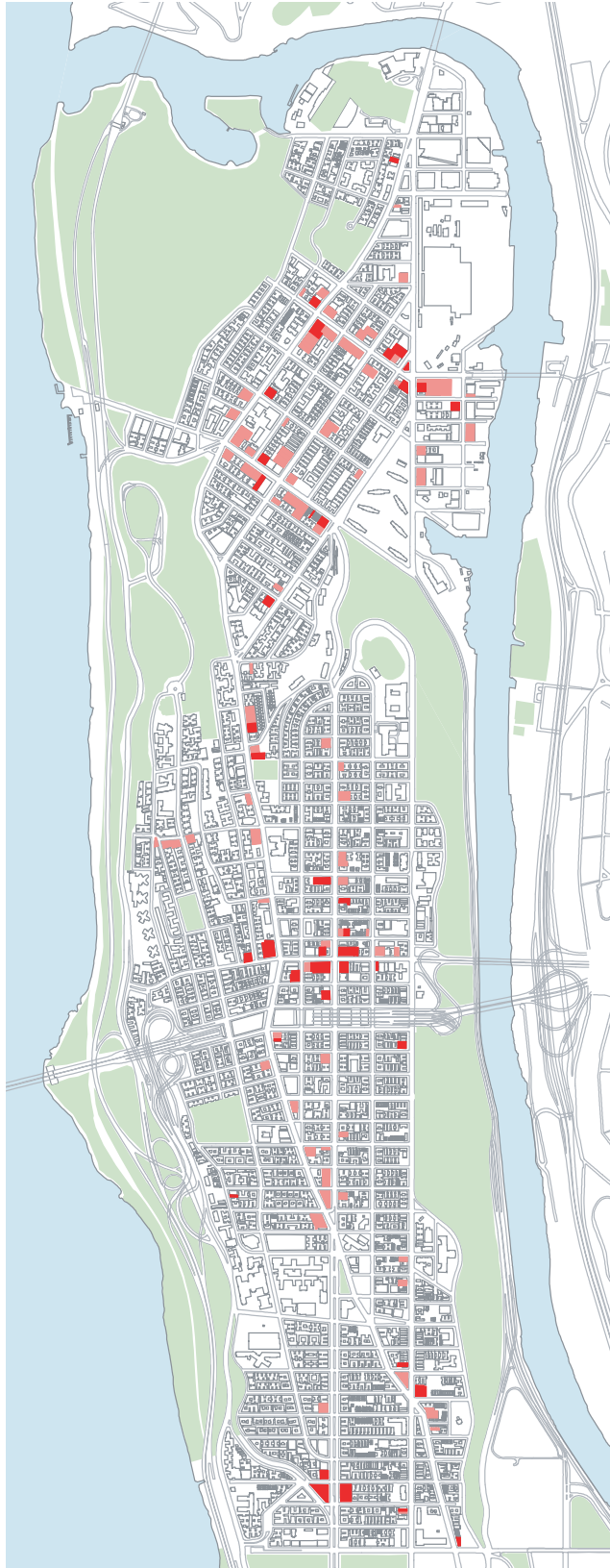
A detailed examination follows.

#### 4.2.10 Composite View

##### **Development Indicators**

The composite view illustrates bring the full set of development indicators used for this policy framework into one view (Map 4.2.10). Two large areas, the MTA rail yards, and the main

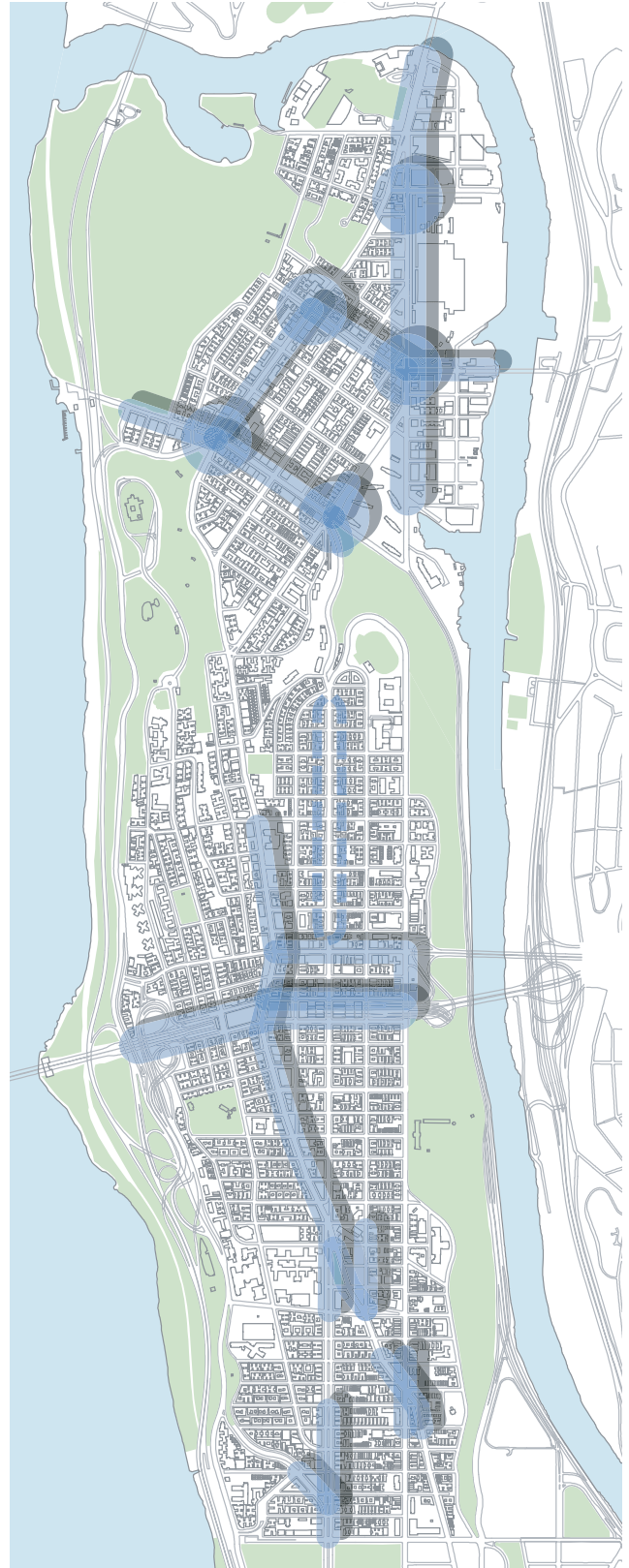
COMMUNITY DISTRICT 12-M  
POTENTIAL LOCATIONS WITH AD-  
DITIONAL FLOOR SPACE



Locations with Additional Floor Area

- One Story Commercial Buildings
- Two Story Commercial Buildings

COMMUNITY DISTRICT 12-M  
DEVELOPMENT CORRIDORS



- Development Corridor

portions of the NYPH campus remain as unique “sub-districts” with substantially different development predictions than the commercial and residential zones of the community.

In monitoring levels of probable development, space for community facilities and services most strongly encouraged followed by housing, commercial retail outlets, and offices. These locations would be seen as enhancing the urban environment of Washington Heights and Inwood while protecting quiet residential neighborhoods

The sampling of development projects “in play” and sites with greater floor area potential and the C8 zones begin to “reveal” development corridors. In part, they also focus on the general location of subway stations, entrances, and exits to illustrate high traffic pedestrian areas in which the “right-of-way” of the pedestrian should have increased levels of designed-in safety measures and protections. The following summary of ongoing development activity reviews possible policy positions of the community board with respect to a sampling of these sites throughout CD12.

Following is more detailed examination of the “framework” discussion using the three centers of CD12 as focal points (Inwood CBD, the Bridge/181<sup>st</sup> Street CBD and the Health CBD)

#### **4.2.11 The Inwood CBD**

##### **Zoning Proposal**

The proposed changes in Inwood expand the total floor area in community by a substantial margin over the current as of right zoning that has contributed strongly to its preservation. A key concern is whether the as-of-right expansion significant enough to warrant market rate development without the inclusionary zoning bonus. In addition, while the area proposed is significant, it represents a very small portion of Inwood. There are a number of sites north and south that are the subject of applications to the Board of Standards and Appeals for variances that must be considered.

Documentation of all potential development activity stimulated by the proposed zoning changes will be a subject of concern for all residents who are unprotected from market forces. These influences include increased operating costs to owners.

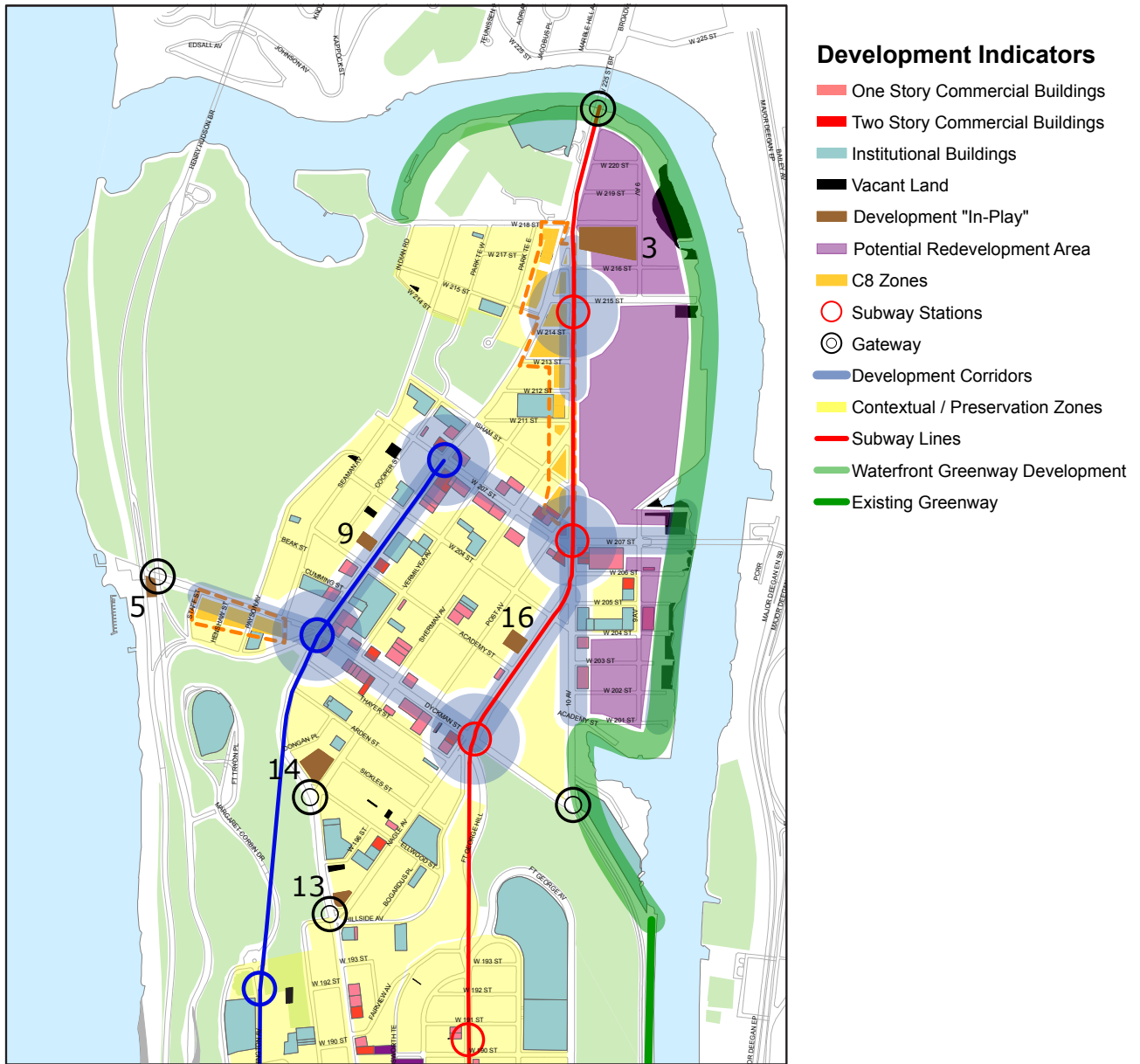
The major geographic areas affected by the zoning change are:

1. Dyckman Avenue from River-to-River
2. 10<sup>th</sup> Avenue from the Harlem River Drive to the Broadway Bridge
3. Broadway from Dyckman to 207<sup>th</sup> Street
4. 207<sup>th</sup> Street Broadway to 10<sup>th</sup> Avenue

Map 4.2.11a outlines other areas of development that will have an impact on the preservation and new construction in the community. All of the “zones” require an evaluation of major capital investments and public improvements impacts as part of the City’s Environmental Quality Review.

The challenge is to connect these activities and make them mutually beneficial. For example, the affordable housing resources created for families and individuals in the 100% affordable, 100-unit project on Nagel Street (#16) represents effective use of “end homelessness” programs. The map above also illustrates the new location of the Jobs Center and the location of one of the three zoning case study sites evaluated for this report (#9).





Map 4.2.11a Development Indicators

### Expanded Evaluation of Development Events

The zoning change proposed for Inwood and Sherman Creek is a concrete example of a policy that might contribute to the housing affordability needs of Inwood all of CD12. Part of this occurs through the production of new housing that includes the use of voluntary inclusionary zoning incentives by a developer<sup>a</sup>. That it is voluntary, is a key variable. If used, the inclusion of affordable housing is then linked to a range of income levels and household sizes defined by a percentage of the area median income (AMI). If built in 2006, a family of four earning less than \$56,720 (at 80% of AMI) would have the choice of entering a lottery and the chance of living in new housing encouraged by the zoning change. The number of families between 60% and 80% will be capped and an emphasis will be placed on households earning less than 60% of the AMI based on the December 2006 City Council Bill.

The Department of City Planning's use of the Inclusionary Housing Program incentive in the private housing market is intended to produce greatly needed, permanently affordable housing.<sup>b</sup> A generous estimate of would be about 400 apartment over the next ten years assuming a complete build out of 2,000 units. It is right for the community to describe this as less than the community needs and to recognize that methods for controlling the preservation of the existing stock are the higher priority.

## **Dyckman**

A “river to river” special district potential is possible. It emphasizes development with major open space linkages and commercial urban plaza development for both the eastern and western ends of Dyckman at the Harlem and Hudson Rivers. It is a potentially strong area for development of upland infrastructure capable of handling waterborne transit connected seamlessly to surface and subway systems.

## **Tenth Avenue**

Beaux Arts Stations: special mass transit based development zones directly associated with two Beaux Arts wood and cast iron MTA #1 Line Transit Stations at 207<sup>th</sup> Street and at 215<sup>th</sup> Street.

The MTA Rail Yards: while the decking of the MTA rail yards for development overall may be impractical, the issue of waterfront access and the maintenance of security remains an issue, as does the quality of the physical environment on 10<sup>th</sup> Avenue north of 207<sup>th</sup> Street. Innovative ideas such as “green roof” testing center for a portion of a waterfront/deck area, includes the idea of investments combined by the city, the MTA and private investors to secure the site while making it accessible. These and other investments in a coastal zone flood plane contribute to the demand for an extensive, publicly financed urban design product for this region.

The Verizon building on both 10<sup>th</sup> and Broadway is also an excellent “training” location for residents seeking the first rung on the information technology ladder.

## **Broadway (Dyckman to 207th Street)**

Inwood’s commercial core has been described as a “U” running east and west along Dyckman and 207<sup>th</sup> connected by Broadway. For many years, the ease of its connection both north and east to the Bronx gave small businesses a competitive edge. This is changing. The recovery of the Bronx and increased Inwood traffic congestion has reduced the regional draw of this retail market. The construction of new housing may be the only means for retaining the market share and the rents currently enjoyed by the providers of commercial real estate in Inwood.

## **Broadway: (Hillside to Thayer)**

Three development proposals of varying size and purpose along Broadway are occurring to the south of the proposed zoning map change. These are “as of right” projects that also include applications for zoning variances to the Board of Standards and Appeals to extend the commercial overlay zone down Broadway. They involve properties between Nagle Avenue to 196<sup>th</sup> Street, 196<sup>th</sup> Street to Ellwood and Sherman to Dongan Place.

### **4.2.11 Analysis of the Current Proposal**

In the light of the issues that literally surround the proposed changes in zoning the analysis of the current zoning change is limited in the sense that it is important to move forward boldly, but with additional assurances that the risks taken on both sides of the issue are adequately insured. With this objective in mind the goal of this review is to assess the potential for a 1:1

market/means tested development concept.

### **On the Waterfront**

1) Starting at the water, in the blocks east of Ninth Avenue

### **Between 9<sup>th</sup> and 10<sup>th</sup> Avenue**

2) In the blocks between Ninth and Tenth Avenues, sites are rezoned with R8A and R7A and a MX area zoned M1-1/R7A

The base FAR in the R8A areas is x.x, however, a bonus of up to x.x FAR is made available if a minimum of twenty percent affordable housing is produced using the inclusionary zoning incentive.

Modifications also reduce by 20 feet; the maximum permitted heights in R8 districts for buildings not using the bonus.

The maximum FAR permitted without the Inclusionary Housing R7A districts ranges from 4.0 to 3.45. A bonus for providing affordable housing would also be available in upland portions of the rezoning area, where bonus floor area accommodates contextual height limits.

Both waterfront and upland development using the bonus could satisfy the affordable housing requirement by supporting units on-site or off-site, or by contributing to the preservation of existing housing at affordable rents. One issue must be fully understood. Even when coupled with the use of various HPD, HDC, and HFA finance programs, the city's long standing commitment to developing affordable housing on publicly controlled sites is becoming extremely limited.

3) The "U" and the Core

- The developer, in theory, gets at a 10% bonus in floor area for market-rate units. Going higher with affordable requirement, without increasing the bulk-bonus, cuts into the incentive.
  - Identify a “target” number of affordable units of 35% to 50% of total units in Inwood....
  - Move to change 421a exclusion area 2009 as part mandated review so that market rate development can be “dampened” in CD12 or community benefit directly from hot market.
  - “Layering on” other programs, especially those that target a range of income levels (“tiered” 50/30/20 approach).
  - Proactively seek nonprofit housing developers and their for-profit partners experienced in hybrid deals—Harlem Congregations for Community Improvement, e.g. has member churches.
4. Expand C4-4-D to other areas in addition to Dyckman Street where R-8 proposed.
    - Tenth Ave. proposed in Sherman Creek workshop and Visiones (2005) for office use.
    - Broadway and 207th Street should be considered mixed use—two floors or street front retail, some professional office space, and housing.
    - Active commercial, ample transit and demand for commercial space support this.
  5. 10th Avenue site is Parks Department property ideal for community recreation facility
    - One of few that city-owned parcels Near Dyckman Houses and head of SC inlet
    - Design and activity can be linked to waterfront access and NYRP programs
    - Seek commitment to build this as rezoning review is underway; EDC/ Interagency working group is forum to press and reactivate
    - See Sherman Creek *Visiones* (CCAC May 2005)
  6. Combine landmark designation with incentives to developers to improve subway stations
    - Particularly restoration of historic IRT stations (Dyckman, 207th, 215th).
    - Bonuses to developers for transit improvements typically applied only in special districts, which may be warranted.
  7. Consider designation of a Special Inwood Zoning District
    - Urban design guidelines could suggest architectural character and detailing in keeping with existing buildings (“Art Deco District”)
    - Encourage recessed-court building entries, e.g., in interior, upland blocks.
    - Could be designed to channel additional bulk or greater attention to “four corners” of commercial U, where subways are located.
    - DCP is resistant to special districts (Zoning Text Changes) as compared to Map Changes, which can be done quicker and are easier to administer.

8. CB12 and elected officials would need to make compelling argument for why Special District is warranted and map change alone is not sufficient.
  - Under current proposal FAR pool from underwater sites can only be used on adjacent sites.
  - Special district would allow use of bulk across streets, especially west of 9th Ave., currently not allowed.
  - Question is whether further transfer of bulk to upland sites is desired, considering wish for “contextual” building form.
  - Other types of transfers would be allowed with a special district, such as transfers of air-rights from landmark buildings to lots other than those adjacent
  - Examples of landmark air-rights transfers: Church of the Good Shepard, Apple Bank building on Broadway (outside of current rezoning area) suggested for landmark designation
  - Establish agreement with DCP on what the affordable housing goals are, starting with the strong points of the current proposal then identify where map change falls short and special district would achieve those goals.
  - Expanding rezoning area could make the case stronger, discuss with DCP, the pros and cons of an incremental approach (as they have proposed) versus a holistic one.
9. Expand rezoning area to cover all of Inwood through combination of map changes and special district/design guidelines
  - Extend to all Inwood “gateways”—Broadway Bridge, Dyckman Marina, Broadway and Sherman/190th Intersections
  - Up-zoning with contextual bulk design (i.e. R8A or B in combination with C4-4-D) typical on commercial corridors of Broadway and 10th Ave.
  - Review existing M zones C8 zones (west end of Dyckman and Broadway/10th Ave. North) to determine if mixed-use can be encouraged that allows for expansion of businesses in combination with residential (MX zone), to encourage employment and entrepreneurship in area.
  - Urban design guidelines can be imposed on gateway intersections and key/unique-asset locales (La Marina, IRT subways).
  - Preserve view corridors through scenic easements and height regulations—views from Fort Tryon Park, Hillside Ave., Sherman Creek rezoning area.
10. City needs to be more aggressive about building waterfront park and esplanade:
  - Park construction by developers, parcel by parcel, is not desirable; city should commit to constructing at least part of the finished open space.
    - “Sherman Creek Park” at cove and Academy Street
    - Anchor esplanade with development at south end of bulkhead (adjacent to ConEd transfer station site—this should be funded and built by ConEd);
    - Path or temporary access to north prior to development

- Create access under 207<sup>th</sup> Street bridge and additional park space and continuous path to north (see SC Visiones), around MTA yard to Inwood Hill Park.
- Sherman Creek park and esplanade should be part of an articulation of bulkhead/greenway plan for finishing the Manhattan Greenway plan through Inwood—i.e. begin plans and acquisition or easements where necessary.
- Zoning may be tailored to require ground floor commercial or community facility use and related uses to reduce creation of an “exclusive residential waterfront enclave”. Possibly looking again at C4-4-D that encourages commercial on more than one floor at least at certain nodes where streets meet water’s edge.
- Also, look at 207<sup>th</sup> Street corridor sites leading to water and site NORTH of bridge for more active waterfront use—commercial, marina, e.g.

#### 4.2.12 Bridge/Amsterdam CBD (Washington Heights North)

##### **181st Street road to the Bronx**

On a map of the area, the George Washington Bridge (GWB) appears to be a major east/west barrier. Despite the intimidating visual impact of the GWB landfall between 178<sup>th</sup> and 179<sup>th</sup>, the urban design solution has tended to strengthen the area’s commercial fabric while sustaining a strong connection to areas north and south of the bridge.

##### **A Major Employment Center**

The GWB district employs just over 3,000 people; the majority in retail sales. It will be subject to a major upgrade by the Port Authority of New York and New Jersey (PANYNJ). It is evident that additional security measures for this gateway to and from Manhattan are paramount, as will the overall improvement of this environment as a mass transit and entertainment-based retail hub.

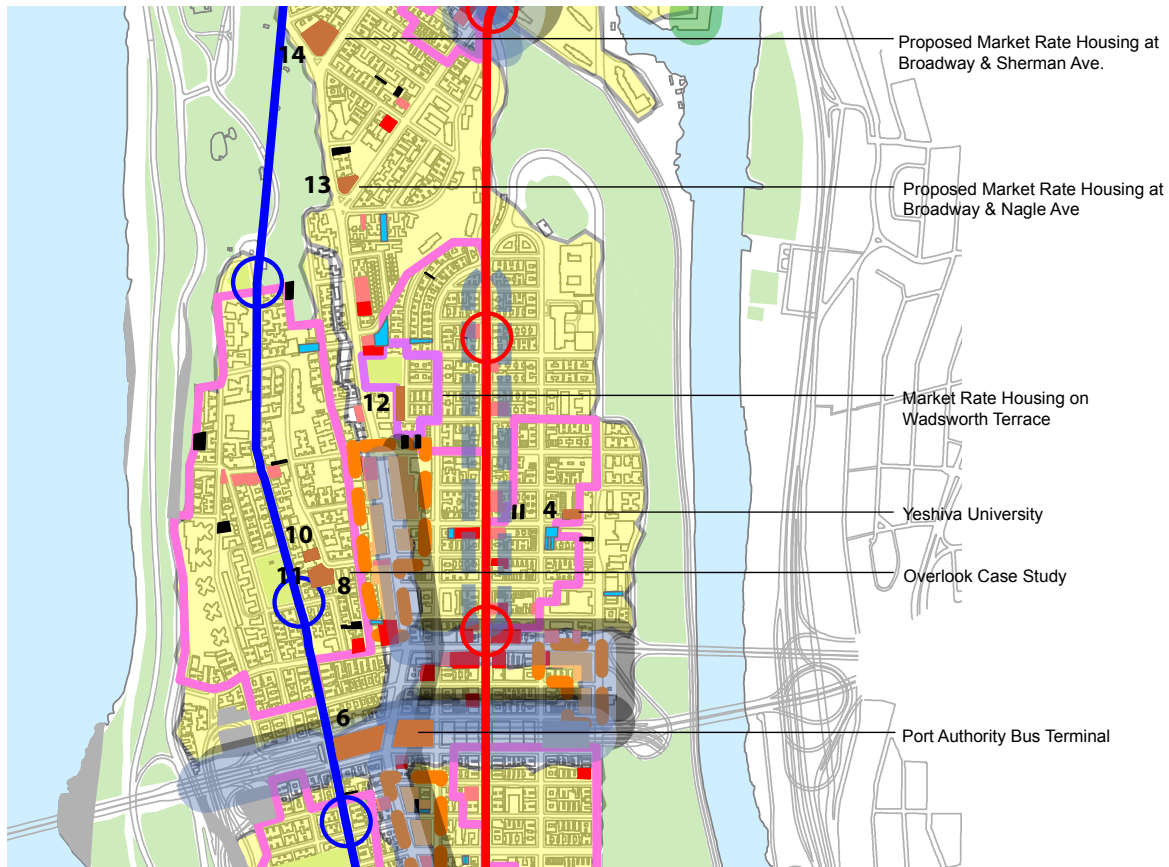
The PANYNJ estimates this combination will produce a gross area for lease of 250,000 to 300,000 square feet.<sup>c</sup> The concept plan suggests large contiguous floor plates at the street and second levels of the east and west buildings. The relationship between the mix of business on 181st and the term and structure of triple net leasing policies in the new facility must be taken into careful consideration.

##### **Housing Development Sites**

Find sites with poor building condition. An example is 569 W. 192nd Street and 560 W. 192nd Street). This area of Washington Heights is where Controllers Hevesi and Thompson took a tour of extremely poor conditions found in recently re-financed buildings and aided Housing Here and Now to block bank expansion plans subsequent to an agreement that building code violations must be cleared prior to providing building equity loans.

Housing on Overlook Terrace Proposed. This site is capable of producing a tower measuring 23 stories in height from overlook and 17 from Ft Washington Avenue in its existing R7-2 zone. It is also the subject of a case study regarding zoning options and the use of voluntary quality housing zoning regulations.

Housing on Wadsworth Proposed. This site in the R7-2 district is similar to the Overlook site in that it is a very difficult construction site. It is listed as market rate, above however, given the



**Framework for Development**

- Contextual / Preservation Zones
- Current Historic Districts (CHD)
- Community Proposed Districts (CPD)
- Historic Exploration Areas (HEA)
- 1 Subway Line
- A,C Subway Lines
- 1 Subway Stations
- A,C Subway Stations
- C8 Zones
- Vacant Land
- Vacant Land (Other)
- Vacant Buildings
- Parking (Open)
- One Story Commercial Buildings
- Two Story Commercial Buildings
- Development Corridor
- Development "In-Play"
- Waterfront Corridor

Map 4.2.11b Development Indicators

developers option to use tax incentives or bond financing the project could include housing affordable to families at 80% or below the area median income.

**4.2.13 NYPH: Health CBD (Washington Heights South)**

**New York Presbyterian Hospital**

The New York Presbyterian Medical Center and related offices and businesses is a well respected, continuously growing health services complex composed of thirty-four major struc-

tures largely east of East of Broadway stretching between W. 165<sup>th</sup> Street and 169<sup>th</sup> Street and along Riverside Drive and Haven Avenue up to 172<sup>nd</sup> Street. It also operates a large parking garage just south of 165<sup>th</sup> Street. The known extent of NYPH holdings are illustrated in the map below. It is a 24/365 land use.

Substantial additions to the campus in the 1960s and 70s enveloped the original 1920s and 30s architecture of the campus. More recently, from the 1990s to the present it has expanded to the west side of Broadway between Amsterdam and Audubon. The hospital campus is also referred to as, "the pound of cure", suggesting the lack of preventative community care, but the hospital administration is also respected for its many efforts to serve the community's interests in delivering "ounces of prevention" essential to health, especially that of young people.

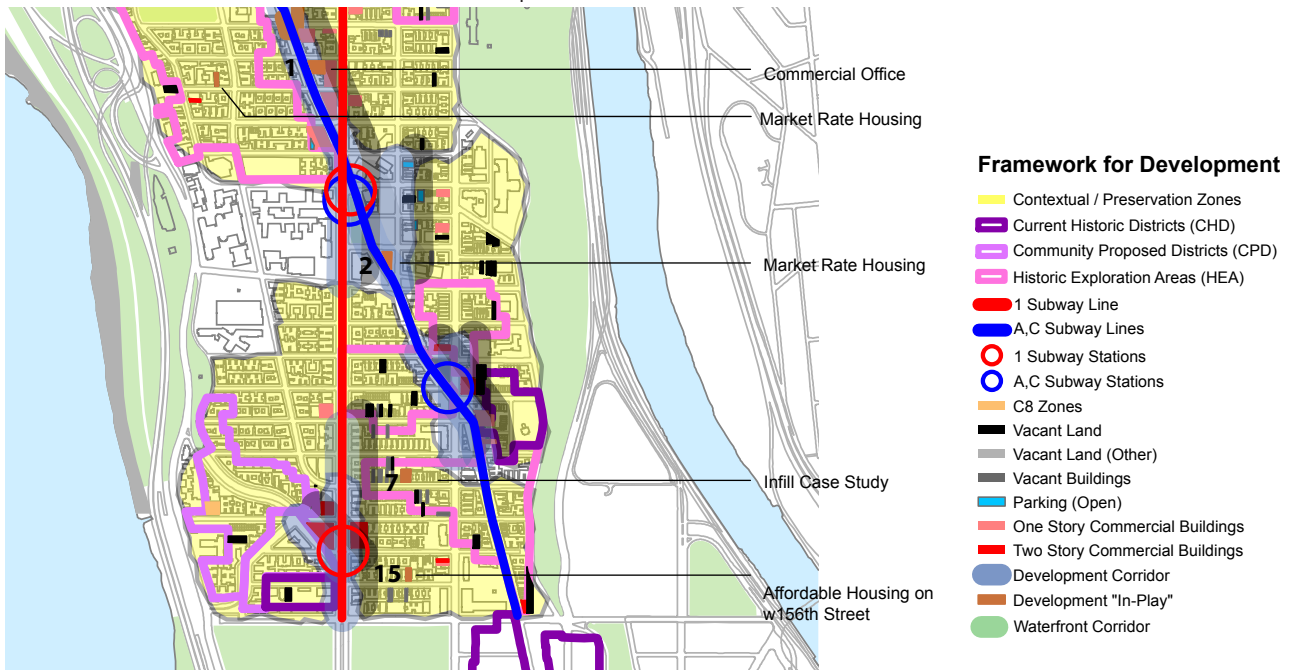
### A Major Employment Center

The hospital complex employs well over 1,000 people in the context of some 3,500 in total employment in the health industry in the district. In the area defined by the hospital campus zip code (10032) there are 111 health and social assistance businesses. Its constant growth has produced thousands short term construction jobs with an inclusion policy of benefit to local residents. An estimated 1,500 people visit on a daily basis, capturing substantial retail revenues in its restaurant, gift and pharmaceutical outlets, largely contained within the campus. Nevertheless, a single facility that produces this level of economic activity has a major effect on the growth of local retail establishments along Audubon Avenue.

The New York Presbyterian Medial Center's construction history is slowly becoming a serious urban design problem and loss of housing issue. Community relationships are very positive; however, the expansion continues to be singular on health related uses. This can deaden the street of any community and reduce the variety and availability of small business amenities and services.

#### 4.2.14 Summary Analysis

The implied demand of a regional or district wide land use and neighborhood planning study of this kind is to aid in the development of individualized resident constituents in each of the



Map 4.2.11c Development Indicators



COMMUNITY DISTRICT 12-M  
NEW YORK PRESBYTERIAN HOSPITAL HOLDINGS



- New York Presbyterian Hospital Holdings
- New York Presbyterian Hospital Lots

Source: NYCmap, Community Cartography

## Zoning Change Recommendations

Examine the proposed zoning map changes given the following observations. Zoning Map changes should take into account and reflect ongoing BSA zoning variance applications for the extension of the commercial overlays affecting the three main gateways into Inwood as described above

Assurances from DCP are sought but unconfirmed that alternative zoning envelopes are to be fully evaluated in the DEIS/CEQR process managed by the Economic Development Corporation in a contract with Urbitran, Inc., expected in April 2007. Map 4.2.11b: Existing Zoning and 4.2.11c: Proposed Zoning (June 2006) illustrate the changes.

The main changes are the addition of a C4-4D district on Dyckman, two mixed use district designations, the introduction two contextual zones R7A in a core surrounded by R8A on Broadway and 207<sup>th</sup> Street and Nagel Avenue along Dyckman Houses and the C4-4D (equivalent to R8A) along Dyckman.

Following a review of these two maps (11b and 11c), several discussion points for framing the policy debate are provided. To fully understand the economic potential of these changes a community-based program of evaluation on a lot-by-lot, site-by-site basis would provide an excellent basis for land owner, community dialogue on a vision for the community's development.

1. Lower the base FAR in the R7A and R8A rezoning areas.
  - Base FARs should be consistent with current zoning to encourage developers to take advantage of the Inclusionary bonus
  - If R7A+inclusionary is effectively the bulk of R8A, and R8A + inclusionary is more, the total build-out plus inclusionary bonus must be analyzed against goals for "contextual" building form and preventing "over-development."
  - Depending on benefits gained, this approach is consistent with CCAC's "Neighborhood Preservation Areas" (NPA), the "Historic Exploration Areas" (HEA) and the *blue zone* analysis that accepts considerable growth in certain corridors (especially those well served by transit and services) in exchange for preservation through contextual zoning and some down-zoning in neighborhood "core" areas.
2. Require "inclusionary" affordable units on site, within new development.
  - Units within new building – following "80-20" formula rather than accommodated in renovated building elsewhere
  - Note, renovated units will likely be "cheaper" to produce. If inclusionary option is off-site then formula could be altered to produce more units. (See council bill)
  - Changes in use of 421a and the "general exclusion zone," should be sought immediately to create permanently affordable, preserved and renovated units.
3. New Goal: Exceed 20% of units with inclusion bonus
  - FAR bonus of 1.8 on a base of 5.3 is approximately 30% more floor area in exchange for making 20% of the units affordable—i.e. rents charged "at cost."

areas or in combination that will help represent the major goals and questions put forth by the Working Group.

Support for a plan of action derives from two sources. The first comes from the perceptions and reality of threats to a community's well-being. The second source of support draws from the desire to put forth a vision of inclusion and opportunity sufficient to giving hope to people and confidence to investment groups.

The twelve preservation and urban design areas and studies implied here can be implemented and accomplished with residents and community organizations, city planners, major landowners and the banking community. It is an enormous task. It has therefore been the purpose of this section to stimulate this interest and to support these activities.

Given the incremental nature of planning and real estate development, resources for the evaluation of the zoning change in Sherman Creek in the short term also implies the need to establish a means of evaluating individual projects as they arise.

There is also a sense of urgency that emanates from the southern part of the district roughly 155<sup>th</sup> Street to 181<sup>st</sup> Street that suggests a priority for introducing new resources for preservation that are brought about by a direct investment in people, while sustaining a viable and affordable housing stock. In this part of CD12 the nonprofit housing development and management community has established an impressive track record and the capacity to expand to new areas with standing resources.

With the resources in place to evaluate and serve, the best in planning, design, engineering and architecture is possible along side organized social action efforts designed to serve the interests and needs of the community's low- and moderate-income households. With these resources in place, the plan responds to the community's central demand. That the young people of this community will become part of the moderate- to middle-income community this city desperately needs to nurture and sustain.

#### **4.2.14 Recommendations**

A respect for context and the application of design guidelines should accompany any major change in use or bulk or through a request for a variance. Guidelines are now voluntary for new development sites in the current zones of CD12, and the choices are many and range from rezoning M or C-8 zones, to C-4 to allow greater development and encourage a mix of commercial and residential uses. In CD12, these are the Dyckman Commercial Corridor in Inwood, the transportation hub, formed by the I-95 corridor and the GWB Bus Station and the hub formed by the New York Presbyterian Hospital. These are all highly complex urban centers with intensive economic activity, but they offer the quid pro quo of preservation with development.

THE SCAN OF VACANT SITES FOR THE DEVELOPMENT OF NEW HOUSING REVEALS LIMITED OPPORTUNITY. THREE REPRESENTATIVE SITES WERE SELECTED AS "MASSING CASE STUDIES" TO ILLUSTRATE "AS OF RIGHT" DEVELOPMENT WITHIN THE EXISTING ZONING ENVELOPES OF R7-2 AND R8 IN WHICH THE QUALITY HOUSING PROGRAM OPTIONS ARE VOLUNTARY. IN ADDITION, THE CASE STUDIES REVIEW HEIGHT AND BULK USING THE CONTEXTUAL ZONING FRAMEWORK (R7A, R7B, R7X AND R8A, R8B AND R8X), WHICH MAKES SEVERAL DESIGN ELEMENTS MANDATORY. EVALUATING THESE SITES PROVIDES A ROUTE TO UNDERSTANDING THE HEIGHT AND BULK ISSUES ASSOCIATED WITH CHANGES IN ZONING AND ALTERNATIVES TO THE CURRENT ZONING REGULATIONS.

CONTEXTUAL ZONING PROPOSALS (R7A, R8A) SHOULD INCLUDE INCENTIVES FOR NEIGHBORHOOD BASED COMMUNITY FACILITIES SUCH AS CHILDCARE AND RESIDENT AFTER SCHOOL CARE CENTERS. A MAJORITY OF THE BUILDINGS IN THE COMMUNITY CURRENTLY

PROVIDE MORE FLOOR AREA THAN THE 1961 ZONING WILL ALLOW THROUGH NEW CONSTRUCTION. FOR THIS REASON, LITTLE HAS CHANGED. VOLUNTARY CONTEXTUAL ZONING BECAME AVAILABLE IN THE MID-1980S. ESTABLISHING MANDATORY REGULATIONS WILL REQUIRE NEW DEVELOPMENT TO BE CONTEXTUAL, BUT THIS ALONE WILL NOT PRODUCE THE FINANCIAL RESOURCES TO PRESERVE THE EXISTING STOCK.

#### R6.1 – DEVELOP A TWO-TRACK APPROACH TO REZONING ALL OF CD12

APPLY THE MANDATORY CONTEXTUAL HOUSING DISTRICT DESIGNATION FOR LARGE AREAS OF THE COMMUNITY WITH THE INTENT OF DEVELOPING REHABILITATION, TENANT OWNERSHIP AND/OR CONTROL SERVICES PROGRAMS. THIS ACTION RECOGNIZES A RESPECT FOR THE STANDING ARCHITECTURE. THIS WOULD NOT REQUIRE A TEXT CHANGE, BUT A RELATIVELY SIMPLE MAP CHANGE TO R7A, B OR X AND SIMILARLY FOR THE R8 DISTRICTS. THE USE OF THE CONTEXTUAL ZONING DISTRICTS IN CD12'S R7-2 AND R8-2 AREAS IS ONLY THROUGH THE VOLUNTARY APPLICATION OF QUALITY HOUSING REGULATIONS. CHANGING THE MAP FOR LARGE AREAS OF THE COMMUNITY REQUIRES A MAP CHANGE.

EXPLORE SPECIAL PURPOSE AND/OR MIXED USE ZONING DISTRICTS FOR SOME AREAS IN CD12. THE IDENTIFICATION OF THESE AREAS AS "BLUE ZONE" PRE-IDENTIFIES SITES THAT MAY ACT AS A MAJOR ECONOMIC PUMP FOR PRIMING COMMUNITY PRESERVATION RESOURCES.

#### R6.2 -- REVIEW OPTIONS OF MIXED-USE AND CONTEXTUAL DISTRICTS FOR TRANSITIONAL AREAS

THE SPECIAL PURPOSE DISTRICT IS A SPECIAL ZONING DISTRICT MAPPED IN SEVERAL LOCATIONS THROUGHOUT THE CITY, INCLUDING DUMBO AND RED HOOK IN BROOKLYN, PORT MORRIS IN THE BRONX, AND WEST CHELSEA IN MANHATTAN. SPECIAL DISTRICT OVERLAYS IN SOME AREAS WITH MAJOR ELEVATIONS (STEEP SLOPES) AND ROCK OUTCROPS, SUCH AS THE "H" OVERLAY HILL DISTRICT IN STATEN ISLAND MAY HAVE APPLICATION SHOULD ANY OF THE COMMUNITY'S PARK LAND AREAS BE CHALLENGED WITH HOUSING DEVELOPMENT PROPOSALS.

THE MX DISTRICT PERMITS MIXED-USE BUILDINGS, AND INCLUDES AN EXPANDED DEFINITION OF "HOME OCCUPATIONS," PERMITTING A BROADER VARIETY OF LIVE-WORK ACCOMMODATIONS THAN IS ALLOWED IN STANDARD ZONING DISTRICTS. IT COMBINES A LIGHT INDUSTRIAL (M1) DISTRICT WITH A RESIDENTIAL DISTRICT, AND PERMITS A MIX OF SELECTED LIGHT INDUSTRIAL, COMMERCIAL, RESIDENTIAL, AND COMMUNITY FACILITY USES UNDER THE APPLICABLE REGULATIONS.

THESE THREE OPTIONS ARE RESPONDING TO MANAGING THE QUALITY OF CHANGE IN A COMMUNITY. CB12'S LAND USE COMMITTEE AND THE WORKING GROUP SHOULD PROMOTE AND ADOPT RESOLUTIONS LEADING TO CONTEXTUAL ZONING IN CD12. THE ARCHITECTURAL FABRIC OF THE COMMUNITY WILL REMAIN SOUND AND MORE THAN LIKELY BE REHABILITATED AND/OR RESTORED. OVER THE LONG TERM, IT IS IN THE COMMUNITY'S INTEREST TO REQUIRE AS A MATTER OF POLICY THAT ALL NEW DEVELOPMENT BE CONTEXTUAL AND OVER THE LONG TERM THROUGH A ZONING MAP CHANGE FOR MOST OF THE COMMUNITY FROM R7-2 TO R7A.

IN THE INTERIM IT IS IN THE COMMUNITY'S INTEREST TO PROMOTE AS STRONGLY AS POSSIBLE, THE VOLUNTEER USE THE QUALITY HOUSING OPTION. FORMALIZING QUALITY HOUSING REGULATIONS PROVIDE ADDED SAFEGUARDS THAT RECOGNIZE THE BULK, HEIGHT AND TO THE DEGREE POSSIBLE, THE ARCHITECTURAL CHARACTER OF THE COMMUNITY

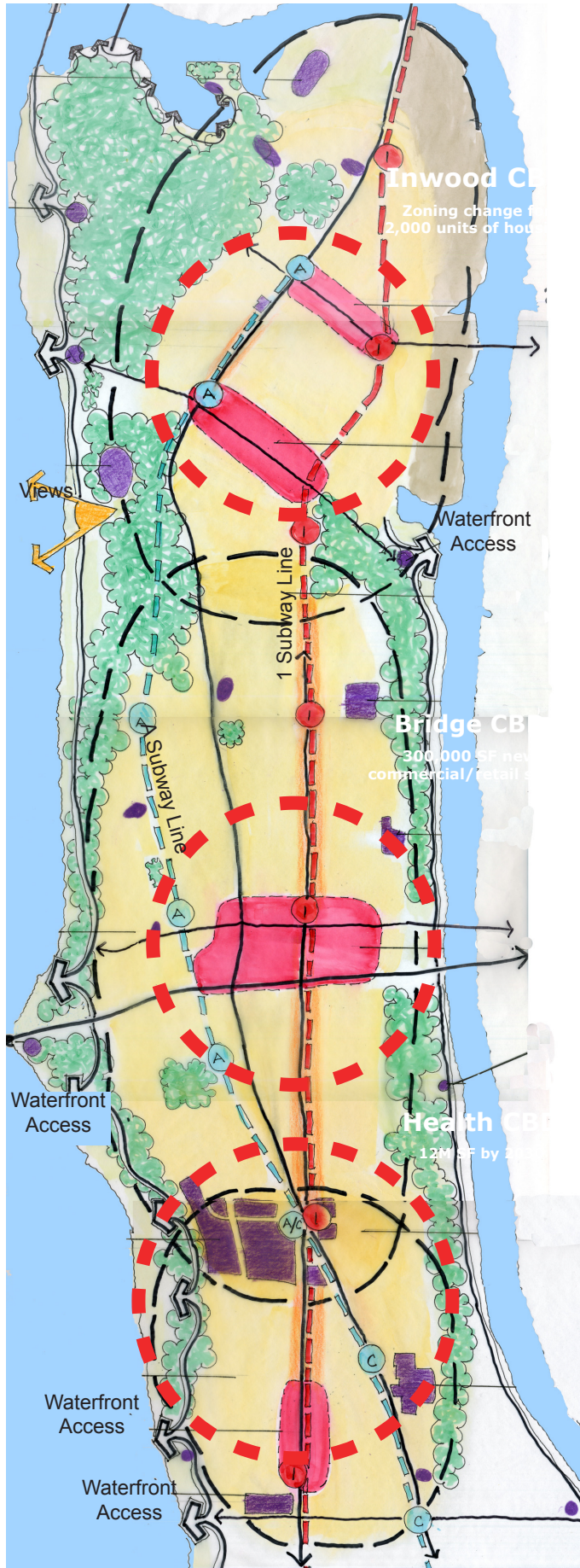
#### R6.3 -- ADDRESS C8 ZONE DEFICIENCIES HOUSING INVESTMENT IN COMMERCIAL OVERLAY ZONES

BLOCKS CURRENTLY DESIGNATED WITHIN C8 ZONES PROHIBIT RESIDENTIAL USE, WHEREAS, CONVERSELY, RESIDENTIAL-ZONED BLOCKS WITHIN COMMERCIAL OVERLAY ZONES PERMIT RETAIL ACTIVITY ONLY ON THE GROUND FLOOR. IN THESE TWO ENVIRONMENTS, INCREASES IN DENSITY CAN BE AN UNOBTRUSIVE WAY TO PROVIDE INCENTIVES FOR NEW HOUSING PRODUCTION AND ACCOMMODATE THE DEMAND FOR NEW COMMERCIAL OFFICE SPACE.

ADDING THE POTENTIAL FOR GREATER MIXED-USED RESIDENTIAL AND COMMERCIAL (OFFICE AND RETAIL) CONSTRUCTION WITHIN THESE ZONES COULD BALANCE THE GOALS OF STIMULATING DEVELOPMENT IN SOME AREAS WHILE PRESERVING NEIGHBORHOOD CHARACTER AND SCALE IN OTHERS. TWO LOCATIONS IN CD12 SUGGEST A MAJOR OPPORTUNITY FOR DENSE MASS-TRANSIT BASED HOUSING AND COMMERCIAL RETAIL DEVELOPMENT IN A C8 ZONE.

- IN THESE "SPECIAL DISTRICT" OPTION AREAS, THE MAXIMUM FLOOR AREA RATIOS UNDERLYING THE DISTRICT

COMMUNITY DISTRICT 12-M  
 COMMERCIAL & INSTITUTIONAL HUBS



- Commercial Centers
- Institutional Centers
- Parks/Open Space
- Residential Use
- Hub

NEED NOT APPLY. INSTEAD, HIGHLY DETAILED ZONING MAPS WOULD DEFINE SUB-AREAS IN WHICH THE TOTAL ALLOWABLE FLOOR AREA BECOMES THE SUBJECT OF "BONUS" INCREASES PERMITTED PURSUANT TO THE INCLUSIONARY ZONING PROGRAM OR IN ACCORDANCE WITH OTHER INCREASES THAT HELP TO MEET THE GENERAL PURPOSES OF THE DISTRICT.

- THE APPLICATION OF QUALITY HOUSING REGULATIONS THROUGH A MAP CHANGE TO R7A, B OR X OR R8 A, B OR X WOULD MANDATE DESIGN GUIDELINES AND PRODUCE ARCHITECTURAL SOLUTIONS THROUGH NEW CONSTRUCTION THAT ARE MORE CONTEXTUAL TO THE EXISTING FABRIC OF THE COMMUNITY.
- THE IDENTIFICATION OF AREAS IN OPTION 1 ABOVE PROVIDES FOR SUBSTANTIAL NEW DEVELOPMENT FOR LAND AREAS THAT ARE CAPABLE OF HANDLING HIGHER NUMBERS OF RESIDENTS, WORKERS, CONSUMERS, AND INSTITUTIONAL VISITORS.

#### R6.4 -- PROMOTE DENSE AREAS OF COMMERCIAL OFFICES AND RETAIL GOODS/SERVICES (Emphasis on Community Service Facilities in Culture Programs and Education)

THE COMMERCIAL OFFICE AND RETAIL GOODS AND SERVICES OF A COMMUNITY SET THE TONE FOR A COMMUNITY. THE ARCHITECTURE AND GRAPHIC DESIGN OF A COMMUNITY'S RETAIL COMMERCIAL STOREFRONT BUSINESS SECTOR IS ITS FACE.

#### R6.5 CREATE DESIGN STRATEGY FOR DEVELOPMENT IN EXCHANGE FOR PRESERVATION ELSEWHERE

THE DISCUSSION OF ALL DEVELOPMENT ACTIVITY IN CD12 WILL STIMULATE INNOVATIVE RESOURCES THAT SUPPORT NEW CONSTRUCTION THAT INCLUDES THE CONTINUING REHABILITATION AND PRESERVATION OF AFFORDABLE HOUSING.

THERE ARE ENVIRONMENTS IN THE COMMUNITY WHEREVER OWNERS AND INVESTORS SEE AN OPPORTUNITY TO PUT A DEAL TOGETHER. THIS ACTIVITY IS SUBJECT TO A PREDETERMINED SET OF PLANNING, ZONING, ARCHITECTURAL, AND URBAN DESIGN CRITERIA. IN SOME CASES, THESE DEVELOPMENT POSSIBILITIES CONFRONT A VALUE IN THE COMMUNITY "TO KEEP IT PRETTY MUCH THE WAY IT IS".

MAKING QUALITY HOUSING REGULATIONS MANDATORY WILL NOT PRESERVE THE EXISTING HOUSING OR SUSTAIN IT AS "AFFORDABLE" FOR RESIDENTS OF LOW AND MODERATE-INCOME. TO DO SO, INDIVIDUAL BUILDINGS WILL NEED ADDITIONAL RESOURCES FROM A PUBLIC RESOURCE STIMULATED BY PRIVATE DEVELOPMENT INTERESTS IN MEETING THIS END. THE CRITERIA USED TO SELECT THE AREAS THAT MAY PRODUCE THIS STIMULUS ARE PRELIMINARY. A HIGH-LEVEL OF "METES AND BOUNDS", LOT-BY-LOT, BUILDING-BY-BUILDING, ANALYSIS WOULD PRODUCE IMPORTANT REFINEMENTS. THE PRE-SELECTED AREAS DEVELOPED FOR DISCUSSION REPRESENT THE FOLLOWING VALUES:

1. A COMPREHENSIVE URBAN DESIGN FRAMEWORK THAT GUIDES DEVELOPMENT IN NORTHERN MANHATTAN WHILE PROTECTING RESIDENTIAL NEIGHBORHOODS, EXISTING COMMERCIAL BUSINESS CENTERS AND FOSTERS IMPROVED ACCESS TO ITS RECREATIONAL OPEN SPACES AND WATERFRONT.
2. DEVELOPMENT BONUSES FOR PROJECTS THAT IN CLOSE PROXIMITY TO THE SUBWAY SYSTEM TRIGGERING A FULL RANGE OF MASS TRANSPORTATION BASED ZONING INCENTIVES,
3. THE FORMATION OF A COHERENT NETWORK OF RETAIL BUSINESS DISTRICTS (REGIONAL AND NEIGHBORHOOD CONVENIENCE) COUPLED WITH SITES OFFERING NEW MULTI-FAMILY HOUSING DEVELOPMENT AND COMMERCIAL OFFICE CONSTRUCTION.
4. THE IDENTIFICATION OF AREAS OF LAND ZONED FOR HOUSING IN MIXED-USE COMMERCIAL AREAS THAT HAS YET TO PRODUCE NEW HOUSING.
5. THE IDENTIFICATION OF SUBSTANTIAL AREAS OF LAND ZONED FOR COMMERCIAL USE ONLY, BUT HAS LOST MARKET OR CONSISTENTLY FAILS TO PRODUCE VIABLE MIX OF COMMERCIAL USES.

#### R6.6 MEASURE FOR BALANCE, SITE BY SITE AND USE BY USE

THE PHYSICAL PARAMETERS FOR A BALANCED GROWTH AND PRESERVATION INITIATIVE OUTLINED SUGGESTS A "GIVE AND TAKE" PROCESS ESSENTIAL TO A FULL UNDERSTANDING OF THE DEMANDS ON LAND USE. THE UNDERLYING QUESTION IS WHO IS DOING

## THE GIVING AND THE TAKING?

THE MEASURE NEEDED TO BE COMFORTABLE WITH THIS PROCESS IS DERIVED FROM THE REVENUES PRODUCED BY PROPERTY OWNERS IN RELATIONSHIP TO THE NEEDS, INTERESTS, AND CONSTITUTIONAL RIGHTS OF CURRENT RESIDENTS AND BUSINESSES IN THEIR PURSUITS. THIS USED TO BE SUFFICIENT. HOWEVER, DEVELOPMENT TODAY TENDS TO PRODUCE A BURDEN ON THE PUBLIC'S PURSE ELSEWHERE. IT COMES IN THE FORM OF HOMELESSNESS, JOBLESSNESS OR IN A POORLY EDUCATED CHILD.

BLOCKS WITH ONE-STORY STRUCTURES THROUGHOUT THE COMMUNITY REPRESENT TWO TYPES OF LAND USE. BUILDINGS THAT HAVE BEEN ALWAYS BEEN PART OF THE COMMERCIAL RETAIL ENVIRONMENT AND THOSE MORE RECENTLY CONSTRUCTED AS A RESULT OF A DEMOLISHED BUILDING SITE LARGELY DURING THE 70s AND 80s IN NYC OR OTHER FORM OF REPLACEMENT.

## ENDNOTES AND REFERENCES

### (Endnotes)

- a The Inclusionary Housing Program permits additional bulk in new residential buildings in return for the provision of below-market-rate housing for low-, moderate- and middle-income households. In the zoning districts where the program is available, a developer may opt to set aside a portion of the units within the building at below-market rates, or provide new or rehabilitated affordable units off-site directly or through the purchase of "housing certificates" in exchange for an increase in the maximum floor area permitted in the district.
- b The Dept. of City Planning Website is: [http://www.nyc.gov/html/dcp/html/sherman\\_creek/index.shtml](http://www.nyc.gov/html/dcp/html/sherman_creek/index.shtml)
- c The complete RFP is at [http://www.panynj.gov/DoingBusinessWith/contractors/pdfs/RFPDOC\\_9396\\_v1.pdf](http://www.panynj.gov/DoingBusinessWith/contractors/pdfs/RFPDOC_9396_v1.pdf)