



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager

April 29, 2015

Carl Weisbrod
Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Robert Dobruskin, Director
Environmental Assessment and Review Division
Department of City Planning
22 Reade Street
New York, NY 10007

Re: Draft Scope for *Housing New York: Zoning for Quality and Affordability* EIS

Dear Chair Weisbrod and Mr. Dobruskin:

At its regularly scheduled Full Board meeting on April 1, 2015, Manhattan Community Board 4 (CB4), on the recommendation of its Chelsea Land Use Committee, voted 31 in favor, 0 opposed, 1 abstaining and 1 present but not eligible to vote, to approve the following comments on the draft Environmental Impact Statement (EIS) scope for the Department of City Planning's (DCP) proposed text amendments: *Housing New York: Zoning for Quality and Affordability*.

CB4 has a long history of advocating for affordable housing and quality design. We aim to maximize the number of affordable units throughout CD4. Great care must be taken to craft zoning measures that promote well-designed, affordable housing but also support the character and scale of individual neighborhoods that have developed over time, serve their residents well, and preserve economic diversity. CB4 asks that the EIS analyses, particularly for proposed building envelope changes, be conducted not on a citywide basis but targeted to specific districts in particular neighborhoods.

One of the principal stated reasons for the proposed amendments is to permit full utilization of available FAR for the production of housing. Changes in building methods, specifically "block and plank," which is said to be incompatible with buildings built to current building envelopes, are cited as an important factor. Land in New York City is a scarce resource that must be managed and utilized carefully. We believe that rather than requiring zoning to adapt to building methods for optimal use of this resource, building methods should adapt and be developed to fulfill the needs of zoning that is specific to and benefits New York City.

We also are concerned that the assumption that contextual districts are ripe for revision because they no longer fit the needs of the city is unwarranted. CB4 was the author of the Chelsea Plan, the city's first 197-a Community Based Planning proposal. It was adopted, as modified by DCP and by the City Council in 1996. The DCP description of the approved plan reads, "The plan sets forth recommendations for zoning changes intended to balance the need for new development with the need to preserve the neighborhood context within a 64-block area generally between 14th and 34th streets west of Sixth Avenue in Manhattan." The Chelsea Plan was the result of a lengthy, community-wide effort and it is still relevant today.

CB4 recommends that DCP modify the draft scope by adding the following tasks.

Specific Task Requests

Task 2. Land Use, Zoning and Public Policy

- Study impacts of proposed expanded building envelope in each affected zoning district, in each special district and in neighborhoods of different types.
- Compare the utilization of available FAR and available lot area enabled by the proposed building envelopes with that enabled by current building envelopes in each affected zoning district and in each special district.
- Study current contextual district affordable housing for successful utilization of FAR and quality of housing, including floor-to-ceiling heights and quality of design.
- Provide comprehensive visual comparisons of existing and proposed heights in all zoning districts and in all special districts through massing and other diagrams.

Task 3. Socioeconomic Conditions

The increased utilization of available FAR resulting from the proposed amendments is being heralded as an important means for achieving the increased production of affordable housing without affecting current affordable housing through displacement or demolition. These assumptions must be tested before the proposed amendments are certified.

- Study whether increased height limits for buildings utilizing the voluntary Inclusionary Housing program will actually increase the amount of affordable housing produced.
- Conduct a detailed assessment of the impact of proposed expanded building envelopes in contextual districts on indirect residential displacement through changes in rent-stabilized housing and potential demolition of buildings.
- Study the impact of an alternative, where a plan for the protection of rent stabilized housing units in contextual districts is included in the proposed rezoning.
- Study the economic impact of an increase in ground floor commercial floor height to 15' on local businesses, if regional and national chain stores will be attracted.

Task 4. Community Facilities and Services

The proposed action is intended to increase the number of housing units. An increase in the population would result in increased demands on community facilities and services.

- Study the cumulative impacts of projected increase in number of students on schools, along with the expected increases from new housing developments nearby.
- Study the cumulative impacts of projected increase in residents and workers on police, fire, and health care services, along with the expected increases in new residential and commercial development nearby.

Task 5. Open Space

Proposed changes in building envelope would reduce the depth of buildings, potentially increasing rear yard space, but proposed changes to the use of rear yard space for accessory residential uses potentially decreases rear yard space.

- Study the net effect of the proposed changes in building envelope and rear yard use on open rear yard space and on light and air in the interiors of blocks.
- Study the impact of increased use of rear yard space for accessory residential uses on other open space. In particular:
 - Study whether the loss of rear yard space will increase the use of existing publicly accessible open space.
 - Study whether any such increased use will require additional open space, and whether there will be additional open space available for use.

Task 8. Urban Design/Visual Resources

Contextual districts have developed over many years through the work of community boards and other community advocates, based on compromises such as density vs. height limits and low density midblock areas flanked by higher density on avenues. This earlier work must be respected in assessing whether and how to proceed with the proposed amendments.

- Study the impact of excluding areas from the proposed text amendments that were rezoned to reflect recommendations of adopted 197-a community-based plans.
- Study alternatives that include modifications to building envelopes such as street walls and setback but do not increase building height.
- Study the impact of significant building height increases on views of the Hudson River from in-land neighborhoods in Manhattan Community District 4.
- Study specifically the impact of increases in permitted height on the east side of Eleventh Avenue between 43rd and 54th Streets on views of the Hudson River from neighborhoods to the east of the study area, incorporating studies conducted for 2011 rezoning and community input.

Task 11. Water and Sewer Infrastructure

- Study the impact of increased use of rear yard space for accessory residential uses on rain water run off and on existing sewer infrastructure.

Task 19. Neighborhood Character

Contextual districts have improved the quality of life in our neighborhoods. They must not be modified or dismissed lightly.

- Study the impact of proposed expanded building envelopes on existing contextual zoning districts achieved through earlier compromises such as upzonings.
- Study the impact of an increase in ground floor commercial floor height to 15' on local businesses.
- Study whether the increase in floor height will attract regional and national chain stores at the expense of local businesses, or displace existing local businesses in their favor.

The *Housing New York* proposal is important for the city. The review of this proposal is an enormous undertaking for the city's community boards, whose districts will be affected in many different ways. We appreciate the extension of the comment period to April 30th, 2015.

We urge DCP to present both the EIS and the certified proposal in ways that facilitate the understanding of the proposed modifications, the alternatives and the anticipated impacts by community boards. We look forward to the DCP staff briefing.

Sincerely,



Christine Berthet
Chair



J. Lee Compton
Co-Chair
Chelsea Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee



Jean Daniel Noland
Chair

Clinton & Hell's Kitchen Land Use Committee

cc: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council
Hon. Helen Rosenthal