

**CHAIR'S REPORT  
CB9 EXECUTIVE COMMITTEE MEETING  
JULY 9, 2009**

**COMMITTEE SUMMER SCHEDULE**

**JULY Meetings**

- Landmarks and Preservation
- ULURP
- Housing and Land Use
- Special Board (ULURP Vote)

**AUGUST Meetings**

- Executive

**129<sup>TH</sup> STREET ULURP**

- Next Meeting – Tuesday, July 21, 2009 – Fortune Society
- Feigenbaums have invited ULURP Committee members and attendees (Board members) of last meeting to a tour of location and session to obtain input/suggestions
- Public Hearing and Special Meeting of CB9 for ULURP vote scheduled for July 28, 2009

**CITARELLA SITE**

- Meeting to be scheduled with Deputy Mayor Lieber, MBPO, and CB9 to discuss next steps and roles of agencies in developing RFP for future use

**CERT GRADUATION**

- Ceremony held June 24, 2009
- CB9's Carole Singleton was among the graduates

Subj: **Application to change zoning made by Michael and Jonathan Feigenbaum**  
Date: 7/8/2009 6:25:34 P.M. Eastern Daylight Time  
From: UrbanStM  
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Dear Members of Community Board 9,

On July 21, 2009 there will be a meeting of the ULURP Committee concerning our application to have the zoning changed on Block 1969. This block is the block between 129th Street and 130th Street, and between Convent Ave. and Amsterdam Ave.

I have spoken and given presentations at many Community Board 9 meetings over the past two to three years. At the last meeting that I spoke at last month, some of you had some questions, concerns, and recommendations for us. I addressed those concerns as best I could, but I would appreciate it if you could attend a meeting with me and my staff on **Monday, July 13, 2009 at 6:30 P.M.** The meeting will take place at **1405 Amsterdam Avenue**, which is located at the corner of Amsterdam Avenue and 129th Street.

The purpose of this informal meeting is to further address your concerns, but also to listen to your recommendations for any ideas that you may have for the building. Also, we will walk up the block and take a tour of the existing building so that you may get a better idea of the project that we are proposing.

We will begin at 6:30 and refreshments will be served. Kindly reply back to me at my e mail that you will be attending. Thank you for your time in this matter.

Very truly yours,

Jonathan Feigenbaum

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# Recommendations to Manhattan Community Board 9

## West Harlem Rezoning Study & West 129<sup>th</sup> St Rezoning Action

By Mercedes Narciso

The Department of City Planning (DCP) has initiated a rezoning study of Manhattan Community District 9. This initiative responds to primarily one of the Manhattan Community Board 9 197-a Plan recommendations that call for a contextual rezoning of the residential areas of the entire district. Concurrently, West 129<sup>th</sup> Street Realty LLC has introduced a 197-c Rezoning proposal for a block between 129<sup>th</sup> and 130<sup>th</sup> Streets in Manhattanville, presently under public review.

The following is a review of DCP's preliminary proposal and West 129<sup>th</sup> Street Rezoning Application that analyzes their consistency with the parameters set in the 197-a Plan, with the purpose of providing the Board with recommendations for action and/or highlighting issues of concern to the community.

### Area and Planning Context

- **CB9M 197-a Plan:** The area proposed in the plan for contextual rezoning comprises all existing residential districts, including the southernmost neighborhood of Morningside Heights, that is, from 110<sup>th</sup> to 155<sup>th</sup> Street<sup>1</sup>. Other than existing residential districts, the Plan recommends the creation of a Special Amsterdam Mixed Use District in the area covered by the existing manufacturing M1-1 district east of Amsterdam Avenue.
- **West Harlem Rezoning Study:** The study area covers a portion of CD9 from 125<sup>th</sup> Street to 155<sup>th</sup> Street. This area includes not only the residential districts but also the manufacturing district east of Amsterdam Avenue and excludes Morningside Heights.
- **West 129<sup>th</sup> Street Rezoning:** The rezoning area includes the northernmost block of the existing M1-1 district east of Amsterdam and part of the R7-2 adjacent district. It is bounded by West 129<sup>th</sup> and 130<sup>th</sup> Streets, Amsterdam and Convent Avenues.

### **Comments:**

In their public review comments on the 197-a Plan, the City Planning Commission (CPC) excluded Morningside Heights from the approved recommendation of a contextual rezoning. Their rationale was that typical buildings in that area consist of large institutional uses, student dormitories and faculty housing, concluding that there are limited opportunities for contextual rezoning in that neighborhood<sup>2</sup>. However, this area has an even urban fabric, especially west of Broadway and in the mid blocks from 110<sup>th</sup> Street to 114<sup>th</sup> Street. If left as is (standard R8), community facilities, such as dormitories, classrooms and other school-related use could be developed at bulks that surpass the standard in these areas, creating out of context buildings; examples of this can be seen on some streets of Morningside Heights.

<sup>1</sup> Manhattan Community Board 9 197-a Plan, September 24, 2007, Recommendation #1C, p.54-55

<sup>2</sup> City Planning Commission N 060047 NPM, November 26, 2007, p.24

The CB9M 197-a Plan had a vision and a specific proposal for the manufacturing district east of Amsterdam Avenue. Within this context, the West 129<sup>th</sup> Street Rezoning area represents a portion of that district and the proposed action omits its relationship with the Plan's recommendations. It does mention consistency with the 125<sup>th</sup> Street Rezoning but only mentions the 197-a Plan when discussing Floor Area Ratio.

These comments highlight the following issues for the Board's consideration:

- The Board should consider whether the extent of DCP's rezoning study area is acceptable, or whether Morningside Heights should be included as per recommended in the 197-a Plan.
- The Board should consider whether the area proposed for the West 129<sup>th</sup> Street Rezoning is consistent with the Plan's vision for the Amsterdam district, or whether the entire district should be rezoned as a whole.

### **Zoning Districts**

- **CB9M 197-a Plan:** In general, 197-a plans are encouraged to describe the kinds of land use desired for the district and some physical guidelines for development in the neighborhoods but are not allowed to designate any particular zoning district. CB9M 197-a Plan recommended contextual rezoning for the residential areas and three special sub-districts in the Manhattanville's industrial zones. Two of those sub-districts are now part of Columbia's expansion area and out of scope for this review. The third sub-district, east of Amsterdam Avenue and currently zoned M1-1 was proposed to be the Special Amsterdam Mixed Use district. This five-block district was envisioned as a place for arts, culture and entertainment, with a mix of commercial and light manufacturing activities that relate to the arts-related activities and create and preserve jobs, as well as permit housing development in mixed use buildings<sup>3</sup>.
- **West Harlem Rezoning Study:** The study's preliminary zoning proposal "contextualizes" the existing residential zoning districts. That is, keeps similar bulk and street alignment but establishes height limits. So, for the most part, R72 becomes R7A, and R8 becomes R8 with mandatory Quality Housing Program. The only upzoning is proposed along 145<sup>th</sup> Street, where the existing R72 is proposed to be R8A. As for the existing M1-1 district east of Amsterdam Avenue, the study proposes a rezoning from M1-1 to a mixed use M1-5/R8A with Inclusionary housing.
- **West 129<sup>th</sup> Street Rezoning:** The existing zoning of the only block in this proposal consists of two zoning districts: R72 on the block fronts facing Amsterdam Avenue and Convent Avenue, and M1-1 in the middle of the block. There is also a commercial overlay C1-4 along Convent Avenue that the proposal retains. The application is requesting a sole zoning district for the entire block: R7A. That is, "contextualizing" the existing residential district and rezoning the existing manufacturing district to a "higher and better use".

### **Comments:**

<sup>3</sup> Manhattan Community Board 9 197-a Plan, September 24, 2007, Recommendation #1C, p.49

With respect to contextual zoning, DCP's study shows consistency with the Plan's recommendation, since under the proposed zoning changes future development in the district would maintain the existing urban fabric and will not allow development of out-of-scale community facilities. Although the 197-a Plan does not address development on 145<sup>th</sup> Street, the proposal to upzone this corridor to allow for development opportunities and population growth in the district seems very sensible. Further detailed study of this corridor is needed to address preservation of historic or significant buildings to the community. The use of contextual zoning on the West 129<sup>th</sup> Street proposal seems also an effort to strike a balanced urban fabric in a district that is surrounded by buildings of different configurations.

With regards to the proposed zoning for the existing Amsterdam manufacturing district, DCP opted for a mixed use district without special designation. Although DCP's study shows consistency with density and uses proposed in the 197-a Plan, a special district designation would permit the use of an Art Bonus, similar to the one approved for the 125<sup>th</sup> Street Rezoning, or other type of bonus that would encourage production activities to foster economic development. In addition, in its comments to the 125<sup>th</sup> Street Rezoning, CB9M recommended the extension of the Arts and Culture bonus to the area west of Convent Avenue<sup>4</sup>. This is only possible with a special district designation.

By eliminating the M district, the West 129<sup>th</sup> Street proposal reduces the area for light manufacturing or commercial development, which is contrary to the Plan's vision. Although the M portion of the rezoning area is small, there would be an increase in land values due to this conversion. This gain, however, does not revert to the community in the form of arts or production or community facilities.

These comments highlight the following issues for the Board's consideration:

- The Board should consider requesting DCP a detailed study of the 145<sup>th</sup> Street rezoning to determine whether the upzoning as proposed contributes to the development of the district as well as preserve its physical attributes.
- The Board should consider whether DCP's proposal for the Amsterdam district adequately addresses the vision of the 197-a Plan, in terms of promoting arts, culture and production activities. Without incentives, development will likely follow the most profitable uses.
- The Board should consider whether the conversion of the West 129<sup>th</sup> Street manufacturing district to residential uses has consistency with the 197-a Plan's recommendations, and whether some gains as a result of the rezoning to a more profitable use should be contributed to the community.

### **Inclusionary Zoning**

- **CB9M 197-a Plan:** The plan recommends "mandatory" inclusionary zoning on rezonings from manufacturing to mixed use districts or upzonings from lower to higher residential uses. The plan also calls for housing affordability according the CD9 income levels, which are much lower than the City's or the metropolitan area. Although this recommendation was disapproved as is by CPC because it was not a citywide policy, the City recently adopted a "voluntary" inclusionary zoning policy applicable to appropriate areas. The formula is

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<sup>4</sup> City Planning Commission N 080100 (A) ZRM, March 10, 2008, p.25

generally a 33% bonus in exchange for 20% of affordable units for household incomes at or below 80% of the Area Median, and for lower incomes with additional subsidy programs. Also, the units are to be affordable in perpetuity, the program can have rental or homeownership options, and the units can be located on or off site.

- **West Harlem Rezoning Study:** DCP's study proposes the application of the inclusionary housing program solely on the rezoning of the Amsterdam district. Although proposed for upzoning, the 145<sup>th</sup> Street corridor does not receive this application. Calculations on the total number of units are still preliminary, however, this program as proposed would produce few hundred units of affordable housing for the entire district, if developers decide to use it. In light of CD9's need for affordable housing, and the absence of HPD available land for development of affordable units in the district the number of potential affordable units seem to be insufficient for the needs of the population.
- **West 129<sup>th</sup> Street Rezoning:** This development proposal would produce approximately 130 market-rate housing units. No inclusionary zoning is applied and no affordable units are proposed.

**Comments:**

Although DCP's recent modifications to the Inclusionary Housing Program increases the options for the provision of affordable units, the program is voluntary, thus, its application is not guaranteed, since it is up to the developer to make use of it. The use of a zoning program alone is not likely to address the City's need for affordable housing. However, it is a tool that, if used, provides needed affordable units and mixed-income buildings and neighborhoods.

The use of inclusionary zoning implies increasing the size and density of developments. This notion is in conflict with the desire for neighborhood preservation. Despite this conflict, the 197-a Plan, which was developed by consensus among the different stakeholders, includes both recommendations. Thus, it seems essential to strike a balance between these two disparate proposals and discuss the trade offs that are necessary and appropriate to achieve that balance.

These are some issues to bring to the Board's attention:

- The Board should consider the additional application of inclusionary zoning on the proposed 145<sup>th</sup> Street corridor.
- The Board should consider requesting DCP the review of other areas within the existing R7 district with a potential to be upzone to R8A with inclusionary zoning.
- The Board should consider requesting DCP to study the application of inclusionary zoning on the proposed R8A district, and whether is feasible to establish a base FAR and allow the maximum FAR of 6.02 as a bonus for inclusionary housing development.
- The Board should consider requesting that the proposed development on the West 129<sup>th</sup> Street Rezoning provide a percentage of affordable housing units. In DCP's study, most of this area falls within the proposed Mixed Use district with inclusionary housing, and although this program is voluntary, this portion of the area would increase its value once it is changed from manufacturing to residential.

## **Other Housing Issues**

To address housing needs in the district, the CB9M 197-a Plan recommends the creation of a Community Land Trust to acquire sites for affordable housing development and ensure its long-term of affordability<sup>5</sup>. Also, to address the threat of losing the large number of subsidized or rent-regulated housing units<sup>6</sup> that are at risk of being deregulated or having their subsidy contracts expired, the Plan recommends the City to preserve the existing affordable housing<sup>7</sup>.

In their public review comments on the 197-a Plan, the CPC supports both recommendations and states that “HPD is working on a series of federal and state legislative proposals to ensure tenant protections and provide incentives for owners to remain in the program”<sup>8</sup>, and that HPD is also working with the New York City Housing Partnership to develop a “land bank” to acquire land or buildings for affordable housing development<sup>9</sup>. Since the zoning alone does not address issues of affordable housing preservation or development, it seems vital to follow up on the City’s actions on these issues. Thus:

- The Board should consider requesting DCP an update on the City Planning Commission comments on the “land bank” and HPD’s efforts on affordable housing preservation.

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<sup>5</sup> Manhattan Community Board 9 197-a Plan, September 24, 2007, Recommendation #31, p. 80

<sup>6</sup> In the Morningside Heights / Hamilton Heights area, 22% of the housing units are subsidized and 65% are rent-regulated. See the “State of New York City’s Housing and Neighborhoods 2008” report, Furman Center for Real Estate and Urban Policy, New York University, p. 114.

<sup>7</sup> Manhattan Community Board 9 197-a Plan, September 24, 2007, Recommendation #33, p. 81

<sup>8</sup> City Planning Commission N 060047 NPM, November 26, 2007, p.36-37

<sup>9</sup> Ibid. p. 37



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July 4, 2009

## In Public Housing, Talking Up the Recycling Bin

By MIREYA NAVARRO

Wearing a purple sweatsuit and leaning on a cane, Gloria Allen, 82, was hobbling down a hallway in a public housing project in Morningside Heights, knocking on doors and shouting, "Recycling education!"

There was no answer at the next apartment, but as soon as she detected movement inside, Ms. Allen, a retired printing-company worker, began her pitch.

"Please come out, baby," she purred. "Please come out so we can educate you on how to recycle."

The typical neighborhood environmentalist is often pictured as young and affluent, the kind of person who can afford a hybrid car and screen-printed hemp fabrics. But at General Grant Houses, a sprawling public housing development off West 125th Street in Manhattan, the eco-conscious are mainly people like Ms. Allen and Sarah Martin, who as leaders of the residents' association fret as much about backed-up pipes as they do about recycling.

Proselytizing on the issue in housing projects is an enormous challenge but crucial, environmentalists say, given the incentive to cut back on energy and garbage disposal costs and a housing authority's power to impose recycling rules building by building.

In New York, the incentive may be greatest of all. Only 17 percent of the city's household waste makes it into recycling bins, and New York has the largest public housing system in the country, with 2,600 buildings, 174,000 apartments and more than 400,000 residents in five boroughs.

Yet the effort initiated by Ms. Allen and Ms. Martin originated as a grass-roots crusade of their own.

Margarita Lopez, the city housing agency's environmental coordinator, said that residents

who step up and organize the efforts defy cynical clichés about public housing. “There are people who think we’re not able to do this, who look at public housing as second-class citizens,” she said. “People would be surprised about how in tune the residents are.”

Polls show that concern about the environment is sometimes broadest in low-income communities because residents bear the brunt of problems like air pollution.

Ms. Allen and Ms. Martin say they see recycling as a way to address the health and quality-of-life issues associated with trash, including the emissions from abundant garbage-truck pickups.

“If we could reduce the amount of garbage in our community, it would reduce the diesel in the air,” said Ms. Martin, 72, a former medical assistant and school food preparation manager who wears hoop earrings under a baseball cap.

So she and Ms. Allen, who each live alone but have 6 children, 14 grandchildren and 3 great-grandchildren between them, have taken time from their full plate of tenant complaints to introduce, or reintroduce, the development’s 4,500 denizens to recycling, building by building.

While recycling is required by law, it had failed to take root at General Grant because the bins were not conveniently located and residents found it easy to ignore recycling signs, the women say.

Education is crucial, they insist, so they recruit volunteers and train them in which kinds of metal, glass and plastic items can be recycled. Then they guide them from door to door, distributing color-coded bags as they impart the fundamentals to neighbors who can be welcoming, indifferent or hostile.

“It’s not easy,” Ms. Martin said. “It’s not like you slap a flier on a door and say: ‘Recycle. It’s the law.’ It takes time, patience and energy.”

Some residents refuse to budge when Ms. Allen and Ms. Martin knock. And some object to their campaign. During one of their rounds, they were berated by a neighbor who insisted that recycling bins would attract vermin and should not be placed in front of the buildings.

“People are going to put garbage in there,” the neighbor warned.

But many readily embrace the effort. “This saves public housing work and money and it contributes to the general hygiene,” said Jose Morales, 51, an unemployed plumber and

widower with two children who correctly chose a green recycling bag when Ms. Allen tested him with a flattened cereal box.

On other environmental fronts, efforts are under way by the city housing authority to make the apartment units more energy-efficient, using federal stimulus money to replace old boilers, water heaters and appliances. More than two dozen resident "green committees" have also been formed to help with projects like planting trees and recruiting workers for green jobs.

The recycling project at General Grant Houses got under way in 2007 under the auspices of the Morningside Heights/West Harlem Sanitation Coalition, a partnership that was founded in 1994 when residents of Grant and nearby co-ops realized they shared the same problems, from uneven trash collection to substandard grocery stores.

Ms. Martin and Joan Levine, an 80-year-old former teacher from Morningside Gardens, a six-building co-op just across the street on Amsterdam Avenue, are the coalition's co-chairwomen.

Ms. Levine, who wears her gray hair in a Beatles bob and carries a handbag made of recycled juice box labels, said she was motivated partly by a resolve to confound stereotypes. "I've heard comfortable white middle-class people say, 'Oh, public housing. They'll never recycle. They don't care,'" she said. "That really galled me because that wasn't the case."

Two years into the recycling program, General Grant Houses has five buildings down, one in training and three more to go. It has also evolved from a grass-roots effort into a pilot program with city and state financing that the city housing authority plans to expand to other residential projects.

Ms. Martin and Ms. Allen report promising results in the five buildings that are already recycling. Each now produces at least 10 fewer bags of trash a day, they said. Residents no longer leave mousetraps or car tires in recycling bins, as they did in the past when the city instituted recycling without an education program.

As president and vice president of the residents' association, the two women also organize collections of electronic waste, from computers to TV sets, and lead workshops on topics like nontoxic cleaning products. Next on their agenda is finding a way to pay a stipend to resident monitors who will make sure that only recyclables go into the bins.

While they have to plead with the city to fix broken door locks and drafty windows, Ms.

Martin said, "recycling we can control."

"We don't need to have a million dollars to do that and improve our environment," she said.

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