

b. Affordable Housing

Our City's inclusionary housing programs recognize the strength and stability brought to our communities through diversity, beginning with economic diversity. As Zoning Resolution section 23-91 makes clear, the inclusionary housing programs are designed "to preserve and promote a mixture of low to upper income housing within neighborhoods experiencing a shift from mixed to upper income housing and thus to promote the general welfare." CB7's consultants BFJ Planning further acknowledge that "encourag[ing] socio-economically diverse communities" is "generally considered good public policy."

At the same time, prescribing a portion of a proposed development to be affordable housing is necessary to provide for an unmet need. On the Upper West Side of Manhattan, affordable housing for various age and other groups (including seniors) is already scarce, and the available stock of affordable housing dwindles each year with renovations and conversions to market rate units on the one hand and opportunistic re-use of affordable units for more lucrative transient accommodations and other uses on the other hand.

Affordable housing thus both meets a community need as an end in itself and creates stronger communities. Moreover, since one of the attributes sought for public schools in our City is a rich diversity of learners, and since economic diversity can create a welcoming environment for other aspects of diversity, ensuring that affordable housing is a part of the site will serve to create not only a successful community but a successful school as well.

It thus promotes good public policy to capture for the public benefit through inclusionary housing a portion of the increase in land value that results from zoning changes that allow more profitable uses or increase density.

The Project as proposed seeks a significant change in use of the site from that permitted under the 1992 Restrictive Declaration (from commercial uses, mostly television studios, to predominately residential uses). Since it is widely accepted that television studios are neither needed or wanted in the current commercial real estate market at this site, changing the permitted use of the site to mostly residential uses would maximize the Developer's return.

In addition, while CB7 does not support an increase in floor area, the Developer is seeking additional floor area above that permitted by the 1992 Restrictive Declaration. Whether or not any of that requested additional floor area is approved, CB7's consultants demonstrate that density transcends a simple floor area calculation, and the configuration of buildings, their height and setbacks, the relationship of the buildings to the streets and pedestrian ways at the site all increase the density of the proposed Project above that envisioned in the restrictions governing the site.

CB7 strongly believes that no project of the size and with the proposed number of residential units proposed for this site should be approved with less than 30% affordable housing. The percentage of affordable housing should be calculated on the basis of floor area, not on the basis of number of units (as was approved in Riverside South). Since the market rate units to be included in the Project are expected to be high-end luxury dwellings, CB7's goals would best be served by taking advantage of the provisions of the City's inclusionary housing programs to include several tiers of affordability – i.e. serving low- and moderate- and middle-income households.

Affordable units should be permanent for the life of the development, and should be located on site and distributed throughout all the buildings. CB7's consultants BFJ Planning emphasizes that the social good generated by including affordable units is best achieved when affordable units are integrated among market rate units.

The Developer is now proposing 12% affordable housing as a percentage of the proposed number of units with such units to remain affordable for only 20 years. The Developer's proposal follows the minimum provision for affordable housing contained in the 1992 Restrictive Declaration. Both the need for affordable housing in our community, and the nature of inclusionary housing programs and their success, have changed in the 18 years since the adoption of the Restrictive Declaration. As CB7's consultants correctly indicate, the Developer's requests for a substantial change in use (and an increase in density by any realistic measure) is an appropriate time to revisit the minimum acceptable affordable housing to be included at the site. ***Community Board 7 disapproves the proposed plan for affordable housing as proposed by the Developer.***

CB7 notes the precedents set by recent major large-scale development projects approved by the City, such as Hudson Yards and the New Domino Sugar Factory Development, which have included 30% or more affordable units, as calculated by floor area.

CB7 endorses the initiatives of the City government in this regard and recommends 30% permanently affordable housing to be provided by the Developer for this site.