



IN THE MATTER OF an application submitted by the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 1b, 1d, 3a and 3c:

1. eliminating from within an existing R7-2 District a C1-3 District bounded by West 207th Street, a line 100 feet northwesterly of Ninth Avenue, West 206th Street, and a line 100 feet southeasterly of Tenth Avenue;
2. eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - a. Payson Avenue, a line 100 feet northwesterly of Dyckman Street, a line 100 feet northwesterly of Broadway, West 204th Street, Broadway, Academy Street, a line 100 feet southeasterly of Broadway, a line 200 feet northeasterly of Dyckman Street, Broadway, and Dyckman Street;
 - b. Cooper Street, a line 150 feet northeasterly of 207th Street, a line 100 feet northwesterly of Broadway, Isham Street, Broadway, West 213th Street, a line 100 feet southeasterly of Broadway, Isham Street, a line 100 feet southeasterly of Broadway, a line 150 feet northeasterly of West 20th Street, Tenth Avenue, a line 100 feet southwesterly of West 207th Street, Broadway, the northeasterly boundary line of a Park (Dyckman House Park), a line midway between Cooper Street and Broadway, and a line 100 feet southwesterly of West 207th Street;
 - c. a line 100 feet northwesterly of Broadway, West 215th Street, Broadway, and a northeasterly boundary line of a Park;
 - d. a line 100 feet northwesterly of Sherman Avenue, a line midway between Dyckman Street and Thayer Street, Nagle Avenue, and Thayer Street;
 - e. a line 100 feet northwesterly of Nagle Avenue, a line midway between Dyckman Street and Thayer Street, Sherman Avenue, and Thayer Street;
 - f. Sherman Avenue, West 204th Street, a line 100 feet southeasterly of Sherman Avenue, and Academy Street; and
 - g. Tenth Avenue, a line midway between West 205th Street and West 206th Street, a line 100 feet southeasterly of Tenth Avenue, and a line midway between West 203rd Street and West 204th Street;
3. changing from an R7-2 District to an R7A District property bounded by:
 - a. Staff Street, a line 100 feet southwesterly of Dyckman Street, Seaman Avenue, and Riverside Drive;
 - b. the northeasterly centerline prolongation of Staff Street, the southwesterly and

southeasterly boundary lines of a Park (Inwood Hill Park), the southeasterly boundary lines of a Park (Isham Park) and its north easterly prolongation, West 218th Street, a line 125 feet northwesterly of Broadway, West 215th Street, Broadway, West 213th Street, a line 100 feet northwesterly of Tenth Avenue, Sherman Avenue, Isham Street, a line 100 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, a line 100 feet northeasterly of West 207th Street, a line 125 feet northwesterly of Broadway, West 207th Street, a line 100 feet southeasterly of Cooper Street, a line 100 feet northeasterly of West 204th Street, a northwesterly boundary line of a Park (Dyckman House Park) and its southwesterly prolongation, West 204th Street, a line 100 feet southeasterly of Cooper Street, Academy Street, a line 125 feet northwesterly of Broadway, and Dyckman Street;

- c. Broadway, a line midway between Dyckman Street and Thayer Street, Nagle Avenue, and Thayer Street;
 - d. a line midway between Vermilyea Avenue and Broadway, a line 100 feet southwesterly of West 207th Street, Tenth Avenue, Nagle Avenue, and a line 200 feet northeasterly of Dyckman Street; and
 - e. a line 100 feet southeasterly of Tenth Avenue, West 206th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 203rd Street and West 204th Street;
4. changing from a C4-4 District to an R7A District property bounded by a line midway between Broadway and Vermilyea Avenue, a line 200 feet northeasterly of Dyckman Street, Nagle Avenue, and a line 100 feet northeasterly of Dyckman Street;
 5. changing from a C8-3 District to an R7A District property bounded by:
 - a. a line 100 feet northwesterly of Tenth Avenue, a line 300 feet northeasterly of Isham Street, and Sherman Avenue;
 - b. a line 125 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street; and
 - c. a line 100 feet southeasterly of Sherman Avenue, Isham Street, a line 150 feet southeasterly of Sherman Avenue, and a line 150 feet northeasterly of West 207th Street;
 6. changing from an M1-1 District to an R7A District property bounded by a line 100 feet southeasterly of Tenth Avenue, a line midway between West 203rd Street and West 204th Street, a line 100 feet northwesterly of Ninth Avenue, and West 203rd Street;

7. changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street;
8. changing from an M1-1 District to an R8 District property bounded by the northeasterly street line of former West 208th Street, the U.S. Pierhead and Bulkhead Line, West 207th Street, and a line 100 feet southeasterly of Ninth Avenue;
9. changing from an M3-1 District to an R8 District property bounded by:
 - a. West 207th Street, the U.S. Pierhead and Bulkhead Line, West 206th Street, and a line 100 feet southeasterly of Ninth Avenue; and
 - b. West 205th Street, the U.S. Pierhead and Bulkhead Line, West 204th Street, and Ninth Avenue;
10. changing from an R7-2 District to an R8A District property bounded by Post Avenue, a line 100 feet northeasterly of West 207th Street, Tenth Avenue, West 207th Street, a line 100 feet northwesterly of Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Tenth Avenue, a line midway between West 203rd Street and West 204th Street, Tenth Avenue, and a line 100 feet southwesterly of West 207th Street;
11. changing from an M1-1 District to an R8A District property bounded by:
 - a. Tenth Avenue, a line midway between West 203rd Street and West 204th Street, a line 100 feet southeasterly of Tenth Avenue, and West 203rd Street;
 - b. a line 100 feet northwesterly of Ninth Avenue, West 206th Street, Ninth Avenue, and West 203rd Street; and
 - c. a line passing through a point at angle 35 degrees to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, West 207th Street, and a line 180 feet southeasterly of Tenth Avenue;
12. changing from an M3-1 District to an R8A District property bounded by Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, and West 205th Street;
13. changing from an M1-1 District to an R9A District property bounded by a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of West 207th Street, Ninth Avenue, the northeasterly Street line of former West 208th Street, a line 100 feet southeasterly of Ninth Avenue, West 207th Street , Ninth Avenue, and West 206th Street;

14. changing from an M3-1 District to an R9A District property bounded by Ninth Avenue, West 207th Street, a line 100 feet southeasterly of Ninth Avenue, and West 206th Street;
15. changing from a C8-3 District to a C4-4A District property bounded by Staff Street, Dyckman Street, Seaman Avenue, and a line 100 feet southwesterly of Dyckman Street;
16. changing from an R7-2 District to a C4-4D District property bounded by:
 - a. a line 125 feet northwesterly of Broadway, Cumming Street, Broadway, a line 150 feet southwesterly of Academy Street, a line midway between Vermilyea Avenue and Broadway, a line 200 feet northeasterly of Dyckman Street, Broadway, and Dyckman Street;
 - b. a line 100 feet southeasterly of Cooper Street, West 207th Street, a line 125 feet northwesterly of Broadway, a line 100 feet northeasterly of West 207th Street, a line midway between Broadway and Vermilyea Avenue and its northeasterly prolongation, and a line 100 feet southwesterly of West 207th Street; and
 - c. a line 150 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, Tenth Avenue, and a line 100 feet northeasterly of West 207th Street;
17. changing from a C4-4 District to a C4-4D District property bounded by:
 - a. Broadway, a line 200 feet northeasterly of Dyckman Street, a line midway between Vermilyea Avenue and Broadway, and a line midway between Thayer Street and Dyckman Street; and
 - b. a line midway between Post Avenue and Nagle Avenue and its southwesterly prolongation, a line 100 feet northeasterly of Dyckman Street, Nagle Avenue, and a line midway between Thayer Street and Dyckman Avenue;
18. changing from a C8-3 District to a C4-4D District property bounded by:
 - a. Broadway, West 218th Street, Tenth Avenue, and West 214th Street; and
 - b. a line 100 feet northwesterly of Tenth Avenue, West 213th Street, Tenth Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, Isham Street, Sherman Avenue, and a line 300 feet northeasterly of Isham Street;

19. changing from an R7-2 District to a C4-5D District property bounded by:
 - a. a line 100 feet northwesterly of Broadway, Academy Street, a line 100 feet southeasterly of Cooper Street, West 204th Street, the northwesterly boundary lines of a Park (Dyckman House Park), a line 100 feet southeasterly of Cooper Street, a line 100 feet southwesterly of West 207th Street, a line midway between Broadway and Vermilyea Avenue, a line 150 feet southwesterly of Academy Street, Broadway, and Cumming Street; and
 - b. a line midway between Broadway and Vermilyea Avenue, a line 100 feet northeasterly of West 207th Street, Post Avenue, and a line 100 feet southwesterly of West 207th Street;
20. changing from a C4-4 District to a C4-5D District property bounded by a line midway between Vermilyea Avenue and Broadway and its southwesterly prolongation, a line 100 feet northeasterly of Dyckman Street, a line midway between Post Avenue and Nagle Avenue and its southwesterly prolongation, and a line midway between Thayer Street and Dyckman Street;
21. changing from an M1-1 District to a C6-2 District property bounded by Broadway, a line midway between West 218th Street and West 219th Street, a line 100 feet northwesterly of Ninth Avenue, West 219th Street, Ninth Avenue, and West 218th Street;
22. changing from an M2-1 District to a C6-2 District property bounded by Ninth Avenue, the south easterly centerline prolongation of West 218th Street, the U.S. Pierhead and Bulkhead Line, and the southeasterly prolongation of a line 22 feet northeasterly of the southwesterly street line of West 218th Street;
23. changing from an M3-1 District to a C6-2 District property bounded by Ninth Avenue, the southeasterly centerline prolongation of West 220th Street, a line 110 feet southeasterly of Ninth Avenue, a line 50 feet southwesterly of the southeasterly centerline prolongation of West 220th Street, the U.S. Pierhead and Bulkhead Line, and the southeasterly centerline prolongation of West 118th Street;
24. changing from a C8-4 District to a C6-2A District property bounded by Broadway, West 214th Street, Tenth Avenue, and West 213th Street;
25. changing from an M2-1 District to an M1-4 District property bounded by Broadway, the U.S. Pierhead and Bulkhead Line, the southeasterly centerline prolongation of West 220th Street, and Ninth Avenue;
26. changing from an M3-1 District to an M1-4 District property bounded by the southeasterly centerline prolongation of West 220th Street, the U.S. Pierhead and Bulkhead Line, a line

50 feet southwesterly of the southeasterly centerline prolongation of West 220th Street, and a line 110 feet southeasterly of Ninth Avenue;

27. changing from an M1-1 District to an M1-5 District property bounded by Broadway, Ninth Avenue, West 219th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 218th Street and West 219th Street;
28. changing from an M3-1 District to an M2-4 District property bounded by Ninth Avenue, West 204th Street, the U.S. Pierhead and Bulkhead Line, and West 202nd Street;
29. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southeasterly of Tenth Avenue, West 203rd Street, a line 300 feet southeasterly of Tenth Avenue, and West 202nd Street;
30. changing from an M1-1 District to an M1-4/R9A District property bounded by Tenth Avenue, West 203rd Street, a line 100 feet southeasterly of Tenth Avenue, West 202nd Street, a line 150 feet southeasterly of Tenth Avenue, and West 201st Street;
31. establishing within a proposed R7A District a C2-4 District bounded by:
 - a. Payson Avenue, a line 100 feet northeasterly of Dyckman Street, a line 125 feet northwesterly of Broadway, and Dyckman Street;
 - b. a line 100 feet northwesterly of Sherman Avenue, a line midway between Thayer Street and Dyckman Street, a line 100 feet southeasterly of Sherman Avenue, and Thayer Street;
 - c. a line 100 feet northwesterly of Nagle Avenue, a line midway between Thayer Street and Dyckman Street, Nagle Avenue, and Thayer Street;
 - d. a line 100 feet northwesterly of Sherman Avenue, a line 250 feet northeasterly of Dyckman Street, a line 100 feet southeasterly of Sherman Avenue, and a line 100 feet northeasterly of Dyckman Street;
 - e. Vermilyea Avenue, Academy Street, a line 100 feet northwesterly of Vermilyea Avenue, a line 100 feet northeasterly of Academy Street, a line 100 feet southeasterly of Vermilyea Avenue, and a line 100 feet southwesterly of Academy Street;
 - f. a line 100 feet northwesterly of Sherman Avenue, a line 100 feet northeasterly of Academy Street, Sherman Avenue, a line 100 feet southwesterly of West 204th Street, a line 100 feet northwesterly of Sherman Avenue, West 204th Street, Sherman Avenue, a line 100 feet southwesterly of West 207th Street, a line 100 feet

- southeasterly of Sherman Avenue, and Academy Street;
- g. a line 100 feet northwesterly of Post Avenue, a line 100 feet northeasterly of West 204th Street, Post Avenue, and West 204th Street;
 - h. a line 100 feet northwesterly of Nagle Avenue, Academy Street, Nagle Avenue, and a line 100 feet southwesterly of Academy Street;
 - i. Cooper Street, a line 150 feet northeasterly of West 207th Street, a line 100 feet northwesterly of Broadway, a line 100 feet northeasterly of Isham Street, Broadway, West 213th Street, a line 100 feet southeasterly of Broadway, West 211th Street, Broadway, Isham Street, a line 100 feet southeasterly of Broadway, a line 150 feet northeasterly of West 207th Street, a line 100 feet northwesterly of Sherman Avenue, a line 100 feet southwesterly of Isham Street, Sherman Avenue, Isham Street, a line 100 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, a line 100 feet northeasterly of West 207th Street, a line 125 feet northwesterly of Broadway, West 207th Street, a line 100 feet southeasterly of Cooper Street, and a line 100 feet southwesterly of West 207th Street;
 - j. a line 100 feet northwesterly of Sherman Avenue, a line 175 feet northeasterly of Isham Street, Sherman Avenue, and Isham Street;
 - k. a line 100 feet northwesterly of Broadway, West 215th Street, Broadway, and a northeasterly boundary line of a Park;
 - l. Indian Road, West 218th Street a line 150 feet southeasterly of Indian Road, and a line 100 feet southwesterly of West 218th Street;
 - m. a line 100 feet southeasterly of Tenth Avenue, West 206th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 205th Street and west 206th Street; and
 - n. a line 100 feet southeasterly of Tenth Avenue, a line midway between West 204th Street and West 205th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 203rd Street and West 204th Street;
32. establishing within a proposed R7D District a C2-4 District bounded by a line 100 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street;
33. establishing within a proposed R8 District a C2-4 District bounded by:
- a. a line 100 feet southeasterly of Ninth Avenue, the southwesterly street line of

former West 208th Street, the U.S. Pierhead and Bulkhead Line, and West 206th Street; and

- b. Ninth Avenue, West 205th Street, the U.S. Pierhead and Bulkhead Line, and West 204th Street;
34. establishing within a proposed R8A District a C2-4 District bounded by:
- a. Post Avenue, a line 100 feet northeasterly of West 207th Street, Tenth Avenue, and a line 100 feet southwesterly of West 207th Street;
 - b. a line 100 feet southeasterly of Tenth Avenue, West 207th Street, a line 180 feet southeasterly of Tenth Avenue, a line passing through a point at angle 35 degrees to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, and West 206th Street;
 - c. a line midway between West 205th Street and West 206th Street, a line 100 feet southeasterly of Tenth Avenue, West 203rd Street, and Tenth Avenue; and
 - d. a line 100 feet northwesterly of Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, West 205th Street, Ninth Avenue, and West 203rd Street;
35. establishing within a proposed R9A District a C2-4 District bounded by a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of 207th Street, Ninth Avenue, the southwesterly street line of former West 208th Street, a line 100 feet southeasterly of Ninth Avenue, and West 206th Street; and
36. establishing a Special Inwood District (IN) bounded by a line 125 feet northwesterly of Broadway, Academy Street, a line 100 feet southeasterly of Cooper Street, West 204th Street, Broadway, the northeasterly boundary line of a Park (Dyckman House Park) and its southeasterly prolongation, a line 100 feet southeasterly of Cooper Street, West 207th Street, a line 125 feet northwesterly of Broadway, a line 100 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, Isham Street, Sherman Avenue, a line 300 feet northeasterly of Isham Street, a line 100 feet northwesterly of Tenth Avenue, West 213th Street, Broadway, West 215th Street, a line midway between Park Terrace East and Broadway, West 218th Street, Broadway, the U.S. Pierhead and Bulkhead Line, the southeasterly prolongation of a line 22 feet northeasterly of the southwesterly street line of West 218th Street, Tenth Avenue, West 207th Street, a line 180 feet southeasterly of Tenth Avenue, a line passing through a point at angle 35 degrees to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured

along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of West 207th Street, Ninth Avenue, the northeasterly street line of former West 208th Street, the U.S. Pierhead and Bulkhead Line, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, West 205th Street, the U.S. Pierhead and Bulkhead Line, the centerline of former Academy Street, West 201st Street, Tenth Avenue, a line 100 feet southwestly of West 207th Street, a line midway between Vermilyea Avenue and Broadway, a line 100 feet northeasterly of Dyckman Street, Nagle Avenue, a line 100 feet southwestly of Dyckman Street, Broadway, and Dyckman Street;

Borough of Manhattan, Community District 12, as shown on a diagram (for illustrative purposes only) dated April 18, 2018.

An application for a zoning map amendment (C 180204 ZMM) was filed by the New York City Economic Development Corporation (EDC) on January 11, 2018, in conjunction with related applications, to facilitate a series of land use actions, including a comprehensive rezoning plan, to advance the goals of the Mayor's *Housing New York: A Five-Borough, Ten-year Plan* and to begin implementation of the Inwood NYC Action Plan, a comprehensive planning effort aimed at supporting growth and vitality by fostering a vibrant mix of uses, public access to the waterfront and the preservation of areas with an existing strong built context in the Inwood neighborhood of Manhattan, Community District 12.

On April 18, 2018, pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure rules, EDC filed an application (C 180204(A) ZMM) to modify components of the zoning map amendment, in conjunction with a related application to modify components of the zoning text amendment (N 180205(A) ZRM), in response to information and feedback gathered during the public review process. The subject of this report is the modified zoning map amendment application (C 180204(A) ZMM).

RELATED ACTIONS

In addition to the zoning map amendment (C 180204(A) ZMM) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission (Commission) on the following applications, which are being considered

concurrently with this application:

- N 180205(A) ZRM Zoning text amendments, as modified.

- C 180206 PPM Disposition of City-owned property.

- C 180207 PQM Acquisition of a condominium unit in a future development and of property for public access easements and to rationalize lot boundaries.

- C 180208 HAM Urban Development Action Area Project (UDAAP) designation and project approval and the disposition of City-owned property.

- C 180073 MMM City Map amendment to eliminate portions of streets in the Sherman Creek subarea.

BACKGROUND

EDC, together with the Department of Housing Preservation and Development (HPD), the Department of Citywide Administrative Services (DCAS), the Department of Parks and Recreation (DPR), and the Department of Small Business Services (SBS), is proposing various land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor’s *Housing New York: Five-Borough, Ten-year Plan (“Housing New York”)* and to begin to implement the Inwood NYC Action Plan, discussed in greater detail below. The proposed land use actions include zoning map amendments, zoning text amendments, City Map changes, site acquisition and/or site disposition by the City of New York, and an Urban Development Action Area designation and Project approval (UDAAP).

EDC is an applicant or co-applicant for all of the actions. HPD is the co-applicant only for the UDAAP. DCAS is the co-applicant only for the disposition and acquisition actions that are unrelated to the HPD actions. DPR is the co-applicant only for the acquisition actions related to future public open space along portions of the waterfront (Blocks 2183 and 2184).

Inwood comprises a mix of land uses, with residential buildings predominant, followed by mixed commercial/residential buildings and commercial buildings; there is a marked contrast in neighborhood character between the areas east and west of Tenth Avenue. West of Tenth Avenue, Inwood is characterized by a diverse residential population and large stock of pre-war multiunit apartment buildings and dense commercial corridors on Dyckman Street, Broadway, and West 207th Street. The areas along and to the east of Tenth Avenue are largely characterized by low-scale commercial and auto-related uses, parking lots, vehicle and open storage uses, and utility and transportation-related uses. The areas west and east of Tenth Avenue are physically separated by the elevated rail line for the No. 1 subway line, which extends along Broadway between the Spuyten Duyvil Creek and West 218th Street, along Tenth Avenue between West 218th and West 207th streets, and along Nagle Avenue between West 207th and Dyckman streets.

Inwood is home to abundant park space, including Inwood Hill Park, the last natural forest and salt marsh in Manhattan, as well as Fort Tryon and Isham Parks. The one-acre Monsignor Kett Playground is located on Tenth Avenue and West 204th Street just west of the study area. Inwood also has two natural coves along the length of the Harlem River: Sherman Creek, located at the shoreline south of Academy Street, and North Cove, located just south of Metropolitan Transportation Authority (MTA)'s 207th Street Rail Yard. Public access to the waterfront, however, is limited. Inwood also is home to large institutions, including Allen Hospital and Columbia University's Baker Athletic Complex and sports fields.

Zoning in Inwood was established in 1961 to reflect the land use patterns described above. Zoning has been almost entirely unchanged since it was put into place in 1961, perpetuating the same land use patterns and limiting the potential for new residential, commercial and community facility development. New development in Inwood has occurred predominantly east of and along Tenth

Avenue. The existing C8 and manufacturing zoning districts have experienced limited new development, primarily to commercial uses such as auto-related sales and repair and eating and drinking establishments. Because the existing zoning does not permit residential development, opportunities for the creation of new residences are limited, increasing market pressure on the neighborhood's existing housing stock.

Housing New York, the Mayor's plan to build and preserve affordable housing, was released in 2014 and presented a unique opportunity to conduct a number of comprehensive neighborhood studies, Inwood included. Over the last 12 years, several studies geared toward defining land use and zoning priorities have been undertaken in Inwood including DCP's Sherman Creek Study (2004); the Washington Heights and Inwood Planning and Land Use Study (2008), conducted by Community Board 12 and City College; EDC's Sherman Creek Waterfront Esplanade Master Plan (2011); and DPR's Northern Manhattan Parks and Master Plan (2011).

The planning initiative for Inwood, the Inwood NYC planning initiative, was informed by the previous studies developed for Inwood and has emerged out of an extensive community engagement process. A series of meetings, informational sessions, open houses and workshops was held to identify current needs and opportunities and to develop a series of strategies to advance priorities for the neighborhood.

Informed by this community engagement, EDC, in collaboration with key City agencies, released the Inwood NYC Action Plan in June of 2017. The Inwood NYC Action Plan consists of a series of strategies and actions to support affordable and mixed-income housing, create a comprehensive zoning framework, improve neighborhood infrastructure and invest in the community. Its land use objectives include:

- Preserve the neighborhood's existing built character and protect the rent stabilized housing stock;
- Provide opportunities for high quality, permanently affordable housing;
- Create a framework for public waterfront open space along the Harlem River waterfront;
- Create more inviting, pedestrian-friendly streets;

- Promote commercial and community facility uses to spur job growth and potential institutional expansion; and
- Promote the consolidation of public utility and infrastructure uses to create opportunities for new mixed-use developments and public access areas along the waterfront.

Project Area

The project area is irregular in shape and would affect 62 blocks (approximately 240 acres) of the Inwood neighborhood of Manhattan CD 12. It is generally bounded by the Harlem River to the east; the Sherman Creek Inlet, Riverside Drive, Thayer and Dyckman streets to the south; Indian Road, Payson Avenue, Broadway and Staff Street to the west; and Broadway Bridge to the north. The proposed rezoning affects a slightly smaller area, comprising 59 blocks (approximately 230 acres) and excludes existing Consolidated Edison (Con Edison) substation operations located south of West 203rd Street, along and near the Harlem River waterfront.

The project area is largely surrounded by parkland and natural features: the Inwood Hill Park, Isham Park, and Hudson River to the west; the Harlem River to the east; Spuyten Duyvil Creek to the north; and Fort Tryon Park and Sherman Creek to the south.

The project area has five distinct subdistricts:

Tip of Manhattan, comprising the area north of West 218th Street and east of Broadway;

Upland Wedge, comprising the blocks (or portions thereof) along Broadway north of West 215th Street and along the west side of Tenth Avenue between West 207th and West 218th streets;

Sherman Creek, located east of Tenth Avenue between Academy and West 208th streets;

The Commercial U, comprising the blocks with frontages along Dyckman Street between approximately Nagle Avenue and Broadway, Broadway between Thayer and West 207th streets, and West 207th Street between Broadway and Tenth Avenue; and

The Upland Core, including all areas west of Tenth Avenue, excluding the Upland Wedge and Commercial U (generally bounded by Tenth Avenue to the west, Thayer Street and Riverside Drive to the south, Payson Avenue and Indian Road to the west, and West 218th Street to the north).

Tip of Manhattan

The Tip of Manhattan subdistrict comprises a mix of parking, commercial, transportation/utility, and public facilities and institutions. There are no residential, mixed-use residential/commercial, or industrial/warehousing uses on the Tip of Manhattan lots. The area is zoned for low-density manufacturing and industrial uses, which does not allow residential uses as-of-right and limits commercial and community facility development.

Most of the existing buildings in this area are single-story auto-related uses with the exception of PS/IS 278 – Paula Hedbavny School and PS 18 – Park Terrace, which are located in the middle of the subarea.

Upland Wedge

The Upland Wedge is currently zoned for heavy commercial and automotive-related uses, which does not allow residential uses as-of-right, the Upland Wedge subdistrict is characterized by a mix of uses including legally non-conforming residential and mixed commercial/residential buildings, open parking areas, low-rise auto-oriented commercial uses, and retail uses generally located along Broadway. The elevated No. 1 subway train runs along Tenth Avenue in the Upland Wedge, with stations at West 207th and West 215th streets.

The largest building within this subdistrict, Inwood Center at 5030 Broadway, occupies the entire City block bounded by West 214th Street, Tenth Avenue, West 213th Street, and Broadway. It accommodates a self-storage facility, as well as multiple additional commercial and community facility tenants.

Sherman Creek

The Sherman Creek subdistrict is predominantly occupied by a mix of commercial and transportation and utility uses. Warehouse and wholesaling establishments are generally located along Tenth Avenue and along the eastern frontage of Ninth Avenue above 204th Street. There is also a cluster of eating and drinking establishments and other nightlife establishments along the north side of West 202nd Street and the north and south sides of West 203rd Street between Ninth and Tenth avenues, as well as on Tenth Avenue. Automotive uses include a gas station, automotive repair and maintenance shops, and tire repair shops, which are largely located along and near Tenth Avenue. There has been a trend toward the conversion of the area's light industrial/heavy commercial buildings along the corridors of West 202nd and West 203rd streets and Tenth Avenue from automotive and warehousing uses to eating and drinking establishments.

Transportation and utility uses in the Sherman Creek subdistrict are generally concentrated south of West 203rd Street in the portion of the project area that is proposed for inclusion within the Special Inwood District (SID), but located outside of the proposed rezoning area; these transportation/utility uses comprise several Con Edison buildings, including the Academy Substation and Sherman Creek Transmission Station.

There are also six residential lots located midblock between Ninth and Tenth avenues. The Harlem River waterfront is generally unimproved within the Sherman Creek subdistrict with the exception of five street-end parks, located at the eastern termini of West 202nd through West 206th streets that contain amenities such as seating, planting barbecues and drinking fountains.

Commercial U

The Commercial U subdistrict is characterized by commercial and mixed-use buildings. Commercial uses in the subdistrict generally comprise local retail and service establishments, including banks, eating and drinking establishments, grocery stores, pharmacies, and clothing stores, among others; there are few office buildings in the Commercial U subdistrict. Public facilities and institutional uses are also found sparingly in the subdistrict and are limited to the Inwood Branch of the New York Public Library (NYPL) at 4790 Broadway and the W.

Haywood Burns School, located one block east at 4852 Broadway; a portion of I.S. 52 is also located within the subdistrict, adjacent to the NYPL's Inwood Branch. The Dyckman House Museum and associated gardens, which is under the jurisdiction of DPR and is designated parkland, is located at the northeast corner of Broadway and West 204th Street.

Upland Core

The Upland Core subdistrict is zoned for medium-density residential uses and is predominantly characterized by five- to eight-story multi-family apartment buildings, as well as some one- to two-family buildings concentrated along West 217th Street and Park Terrace West. There are a few public facilities and institutions, including schools, houses of worship and a U.S. Post Office. Industrial and transportation/utility uses are located along the south side of Dyckman Street, west of Seaman Avenue.

Existing Zoning

M1-1 Light Manufacturing Districts

M1-1 zoning districts, which permit a maximum floor area ratio (FAR) of 1.0 for manufacturing and commercial uses, are mapped within the Tip of Manhattan subdistrict in the area bounded by Ninth Avenue, West 218th Street, and Broadway. They are also mapped within the Sherman Creek subdistrict, generally to the west of Ninth Avenue. M1-1 districts also permit a limited subset of community facility uses at a maximum FAR of 2.4. Building heights in M1-1 districts are governed by a sloping sky exposure plane, which begins at a height of 30 feet, or two stories, whichever is less, above the street line. M1 districts generally allow one- or two-story warehouses for light-industrial uses, including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. These districts are intended for light industry, but heavy industrial uses are permitted in M1 districts if they meet the highest performance standards, including maximum permitted noise levels and odor, dust, or noxious matter emissions, as set forth in the Zoning Resolution. M1-1 districts are subject to parking requirements based on the type of use and size of an establishment.

M2-1 Medium Manufacturing Districts

M2-1 zoning districts, which permit a maximum FAR of 2.0 for manufacturing and commercial uses, are mapped along a portion of the waterfront within the Tip of Manhattan subdistrict between Broadway and West 220th Street. Building heights in M2-1 districts are governed by a sloping sky exposure plane, which begins at a height of 60 feet, or four stories, whichever is less, above the street line. M2 districts occupy the middle ground between light and heavy industrial areas. M2-1 districts are subject to parking requirements based on the type of use and size of an establishment.

M3-1 Heavy Manufacturing Districts

M3-1 zoning districts, which permit a maximum FAR of 2.0 for manufacturing and commercial uses, are mapped along portions of the waterfront within the Tip of Manhattan subdistrict between West 220th Street and West 218th Street, and along the waterfront of the Sherman Creek subdistrict between West 207th Street and West 202nd Street. Building heights in M3-1 districts are governed by a sloping sky exposure plane, which begins at a height of 60 feet, or four stories, whichever is less, above the street line. M3 districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. M3-1 districts are subject to parking requirements based on the type of use and size of an establishment.

C4-4 General Commercial Districts

A C4-4 district is mapped along Dyckman Street between Nagle Avenue and Broadway, within the Commercial U subdistrict. C4-4 districts are intended for larger stores serving an area wider than the immediate neighborhood. Commercial uses in C4-4 districts permit a maximum FAR of 3.4. Residential and community facility uses in C4-4 districts must comply with R7-2 bulk requirements; the maximum residential FAR is 3.44 under the standard R7-2 height factor regulations, or 4.0 on wide streets under the Quality Housing program. The maximum FAR for community facility uses is 6.5. For most commercial uses, one off-street parking space per 1,000 feet of commercial floor area is required, but parking is waived if the retail use requires fewer than

40 parking spaces.

C8-3 and C8-4 General Service Districts

C8-3 and C8-4 districts are mapped along Tenth Avenue within the Upland Wedge subdistrict. A C8-3 district is also mapped along the south side of Dyckman Street, west of Broadway within the Upland Core subdistrict. C8-3 and C8-4 districts permit commercial uses at a maximum FAR of 2.0 and 5.0, respectively. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. C8-3 and C8-4 districts also permit community facility uses at a maximum FAR of 6.5. Unlike most commercial districts, residential uses are not permitted in C8 districts. C8 districts also impose performance standards for certain semi-industrial uses (including Use Group 11A and 16). Building heights in C8 districts are governed by a sloping sky exposure plane. In C8-3 districts, the sky exposure plane begins at a height of 60 feet, or four stories, whichever is less, above the street line, and in C8-4 districts, the sky exposure plane begins at a height of 85 feet, or six stories, whichever is less, above the street line. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes. Community facilities, self-storage facilities, hotels, and amusement uses such as theatres are also permitted.

R7-2 Medium-Density Residential District

R7-2 districts are mapped over much of the Upland Core subdistrict. R7 districts are medium-density districts that permit buildings to be constructed pursuant to either height factor or Quality Housing regulations. Under height factor regulations, the maximum residential FAR ranges from 0.87 to 3.44, depending on how much open space is provided on the zoning lot. These regulations encourage tall buildings on large lots set within large swaths of open space. The maximum FAR is achieved at a height factor of 14, which requires an open space ratio of 22. Buildings developed in R7-2 districts pursuant to height factor regulations must be set within a sky exposure plane that begins at a height of 60 feet, or six stories, whichever is less, above the street line and then slopes inward over the zoning lot. The optional Quality Housing regulations in R7 districts permit a maximum residential FAR of 4.0 on wide streets outside the Manhattan Core, with a maximum

base height of 40 to 65 feet and a maximum building height of 85 feet with a qualifying ground floor (a ground floor with a height of 13 feet). On narrow streets, the maximum residential FAR for buildings using the Quality Housing option is 3.44. Community facilities are permitted at a maximum FAR of 6.5 in R7-2 districts, and if they are in a non-Quality Housing building, may utilize sky exposure regulations and may construct a community facility tower that penetrates the sky exposure plane. Parking is required for 50 percent of the dwelling units in R7-2 districts, which may be reduced to 30 percent on zoning lots less than 15,000 square feet and waived on lots less than 10,000 square feet. No parking is required for affordable housing units. If the total amount of residential parking required is less than 15 spaces, the requirement may be waived.

Commercial Overlays (C1-3, C1-4, and C2-4)

C1 and C2 commercial overlays are mapped along portions of Broadway between West 215th Street and Dyckman Street, West 207th Street between Cooper Street and Ninth Avenue, Tenth Avenue between Post Avenue and West 203rd Street, Nagle Avenue between Academy Street and West 205th Street, on the south side of Sherman Avenue between West 204th Street and Academy Street, and on Sherman Avenue south of Dyckman Street. C1 and C2 commercial overlays are typically mapped in residential neighborhoods along streets that serve local retail needs. They are mapped extensively in lower- and medium-density areas and occasionally in higher-density districts. Within the proposed rezoning area, C1-3, C1-4, and C2-4 commercial overlays are mapped on portions of the R7-2-zoned blocks in the Sherman Creek, Commercial U, and Upland Core sub-districts. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services. The maximum commercial FAR for C1 and C2 overlays is 1.0 when mapped in R1 through R5 districts, but 2.0 when mapped in R6 or higher zoning districts. This typically produces a commercial ground floor in an otherwise residential building.

Proposed Actions

The proposed actions are intended to implement the goals of Inwood NYC Action Plan by creating opportunities for permanently affordable housing, ensuring that new buildings reflect existing

neighborhood context where it is strong today, promoting economic development and local job growth in targeted areas, and improving the public realm by encouraging non-residential ground floor uses and a consistent streetscape.

Proposed Zoning Text Amendments (N 1805205(A) ZRM)

In addition to a zoning text amendment to establish the Special Inwood District (SID), the proposed actions include amendments to the Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area within the proposed rezoning area where zoning changes are promoting new housing and to establish a Waterfront Access Plan (WAP).

Establish Special Inwood District (SID)

The proposed SID would be mapped in the Tip of Manhattan, Upland Wedge, Sherman Creek, and Commercial U subdistricts of the proposed rezoning area and a portion of the Upland Core subdistrict. The SID would modify the underlying zoning to establish additional requirements and modify underlying requirements, including those related to use, bulk, ground floor design, parking, and enclosures.

- *Use Regulations:* The proposed SID would permit transient hotels on zoning lots within C2 districts that meet the specific locational criteria in ZR Section 32-14. On zoning lots in C4, C6 and M1 districts, transient hotels will require a CPC special permit unless and until the residential development goal in ZR Section 142-112 has been met. Physical Culture Establishments would be permitted as-of-right in commercial and manufacturing districts. Within C4 or C6 districts, residential and commercial uses would be permitted to be located on the same floor. Within the manufacturing districts proposed for the Tip of Manhattan subdistrict, additional community facility and commercial uses would be permitted as-of-right, heavy manufacturing uses would be limited, and other uses, such as retail, would be limited to the ground floor. Within the C6-2 zone in the Tip of Manhattan subdistrict, commercial or utility parking would be permitted as-of-right. In R7 and R8

districts with a C2-4 commercial overlay, commercial uses would be allowed as-of-right on the second story.

- *Floor Area Regulations:* The SID would modify underlying FARs on the waterfront blocks of the Sherman Creek subdistrict. In the Tip of Manhattan, the SID would limit the FAR on waterfront sites within the M-zones to 2.0 FAR, while also allowing the transfer of development rights from waterfront blocks to upland blocks within the M-zones. The SID would allow additional bulk flexibility in the Sherman Creek subdistrict at the intersection of West 207th Street and Ninth Avenue by allowing lots mapped with both R8A and R9A districts to shift residential floor area from the R8A to the R9A district. The SID would also modify maximum allowable FARs in portions of the Upland Wedge, Commercial U, and Sherman Creek subdistricts.
- *Height and Setback:* The SID would also modify the underlying height and setback regulations for lots adjacent to the shoreline, for lots within 100 feet of an elevated rail line, for lots within the Tip of Manhattan subdistrict, and for other select portions of the neighborhood with known constraints. Specifically, lots that share a side lot line with an adjacent zoning lot containing a building(s) constructed prior to 1961 that includes residential units, with legally required windows that face and are within 15 feet of the shared lot line, would be subject to the following provision: New buildings would be allowed to break the street wall requirement for a portion of the lot and rise an additional story (10 feet) with the provision of an open area measuring a minimum of 15 feet along the shared lot line. Non-residential buildings in certain higher density contextual commercial districts would be allowed additional height to accommodate the higher floor-to-floor heights associated with commercial buildings – these heights would be the same as those permitted for MIH buildings. Under the proposed SID, a five-foot sidewalk setback from the lot line would be required for all new developments in the C6-2 district proposed along West 218th Street, as well as along Ninth Avenue in the Tip of Manhattan subdistrict. The proposed SID would also modify the underlying R8 waterfront regulations in the Sherman Creek subdistrict, establishing two different maximum allowable FARs and

bulk regulations depending on whether a property has a minimum of 100 feet of frontage adjacent to the shoreline.

- *Ground Floor Design Regulations:* The proposed SID would establish supplemental ground floor regulations for certain districts to generally require non-residential uses (i.e., commercial or community facility uses) along major thoroughfares and other important pedestrian connections throughout the proposed SID, in addition to imposing transparency requirements. Furthermore, in portions of West 207th Street and Broadway in the Commercial U subdistrict, the SID would require that individual commercial establishments occupy at least 50 percent of ground floor building frontage. The remaining 50 percent could be occupied by a wider range of non-residential uses, as well as residential lobbies and entrances to accessory parking. Banks and loan offices along portions of West 207th Street and Broadway would be limited to 25 feet of ground floor frontage.
- *Rear Yards:* The proposed SID would modify rear yard and rear yard equivalent requirements for select sites, including the proposed manufacturing districts in the Sherman Creek subdistrict and the upland sites in the proposed manufacturing districts in the Tip of Manhattan subdistrict.
- *Parking Regulations:* The SID would reduce the underlying off-street accessory parking requirements for residential uses to 20 percent throughout the SID and would waive the commercial and community facility parking requirements for mixed-use buildings in C2-4, C4-4D or C4-5D districts. The SID would also allow accessory parking to be made available to the public.
- *Enclosure Requirements:* The SID would modify existing enclosure and screening requirements for commercial and manufacturing uses within the Sherman Creek subdistrict to ensure the continuity of critical Con Edison utilities and operations. Any new development or enlargement would still be subject to the strict performance standards for development next to a residential district, but enclosure would not be required.

- *Transit Improvements:* The SID would require the owners of lots adjacent to the West 207th Street and West 215th Street No. 1 train subway stations and the Dykman Street A train subway station to coordinate with the MTA and the Commission Chair prior to development to determine if a transit easement volume would be needed to accommodate future station improvements, such as the addition of elevators, to ensure that future improvements would be in the most advantageous location. Where required, any floor space in the volume would be exempt from floor area calculations. If the improvement is not constructed contemporaneously with the development, the volume may be temporarily occupied by permitted uses until the improvement is constructed, so as not to leave empty ground floor space. Any development required to provide an easement would be permitted to rise an additional story (10 feet) in locations where buildings are not already permitted additional height to provide a sufficiently flexible envelope with no loss of development potential.
- *M1-4/R9A and M1-4/R7A Districts:* Within the proposed M1-4/R9A and M1-4/R7A districts, the proposed SID would apply special use regulations similar to that of the Special Mixed-Use District (ZR Article XII, Chapter 3).

Establish a Mandatory Inclusionary Housing Area

In accordance with the *Housing New York* plan, an MIH area is proposed to cover portions of the rezoning area that would be mapped with C4-4A, C4-4D, C4-5D, C6-2, C6-2A, R7D, R8A, R8, R9A, M1-4/R7A, and M1-4/R9A districts, as well as some areas rezoned to R7A from M1-1, to require that new residential development includes permanently affordable housing. The MIH program includes two primary options for set-aside percentages with different affordability levels. Option 1 requires that at least 25 percent of the residential floor area be provided as housing permanently affordable to households with incomes at an average of 60 percent of the area median income (AMI). Within that 25 percent, at least 10 percent of the square footage must be used for units affordable to residents with household incomes at an average of 40 percent of the AMI, with no unit targeted to households with incomes exceeding 130 percent of the AMI.

Option 2 requires that 30 percent of residential floor area be devoted to housing units affordable to residents with household incomes at an average of 80 percent of the AMI. No more than three income bands can be used to average out to the 80 percent, and no income band can exceed 130 percent of the AMI.

Establish Inwood Waterfront Access Plan (WAP)

The WAP would establish a framework for the construction of a continuous shore public walkway over time through a mix of public and private investment. The WAP would cover the entirety of the Tip of Manhattan subdistrict waterfront, as well as the entirety of the waterfront proposed to be rezoned in the Sherman Creek subdistrict. Following standard waterfront public access area (WPAA) guidelines, redevelopment on waterfront lots would trigger requirements to build out the shore public walkway on private sites. Underlying zoning regulations would require a minimum 40-foot shore public walkway, unless modified by the proposed WAP, and supplemental public access areas equal to a total amount of waterfront public access that is at least 20 percent of the total lot area.

The Tip of Manhattan subdistrict is an area with narrow, irregularly-shaped lots and limited potential for connections to the north due to the Broadway Bridge and to the south due to infrastructure. To accommodate irregularly shaped lots, the shore public walkway requirement would be reduced from the standard 40 feet to 20 feet in exchange for an equal amount of contiguous waterfront open space on the same lot. The WAP would designate visual corridors at West 218th Street, West 220th Street and Ninth Avenue to ensure strong visual connections down to the Harlem River waterfront. Three supplemental public access areas would also be designated in the Tip of Manhattan, located generally between West 220th and West 218th streets. The WAP would also require upland connections along West 218th and West 220th streets.

In the Sherman Creek subdistrict, the proposed WAP would require that all sites partially within 40 feet of the shoreline in the proposed rezoning area build out waterfront open space connections. On these sites, which would not be required to build out WPAA under the generally applicable waterfront zoning regulations, a minimum 14-foot wide walkway with a ten-foot clear pathway

would be required within 40 feet of the shoreline. Sites with a shoreline of at least 100 feet would follow standard WPAA guidelines. The WAP would require the waterfront lot located between West 207th and West 208th streets to provide an easement to enlarge adjoining mapped streets, and would waive the supplemental public access area (SPAA) requirements for this site. The WAP would also require that the primary circulation path be elevated to 7.5 feet to ensure that it remains resilient in light of projected sea level rise.

Proposed Zoning Map Amendments (C 180204(A) ZMM)

*Proposed R7A district outside of the SID
(EXISTING R7-2 DISTRICTS)*

An R7A contextual zoning district would be mapped over many of the areas currently zoned R7-2 in the Upland Core. These areas would be located outside of the proposed SID. R7A zoning districts are proposed to be mapped on:

- The portion of the proposed rezoning area generally bounded by West 218th Street to the north, Broadway to the east, Isham Park to the south, and Inwood Hill Park to the west;
- The portion of the proposed rezoning area generally bounded by Nagle Avenue to the east and the midblocks adjacent to Broadway to the west, Dyckman Street to the south, and West 207th Street to the north;
- The portion of the proposed rezoning area generally bounded by Isham Park to the north, Broadway to the east, Dyckman Street to the south, and Inwood Hill Park to the west;
- The southern portions of the blocks generally bounded by Dyckman Street to the north, Seaman Avenue to the east, Riverside Drive to the south, and Staff Street to the west;
- The southern portion of two blocks bounded by Dyckman Street to the north, Nagle Avenue to the east, Thayer Street to the south, and Broadway to the west; and

- The portions of the blocks generally bounded by Tenth Avenue to the east, West 207th Street to the south, Broadway to the west and West 213th Street to the north.

R7A is a contextual zoning district that allows medium-density housing and community facilities up to an FAR of 4.0. Buildings with qualifying ground floors would be restricted to a maximum base height of 65 feet, with a maximum building height of 85 feet after the required setback.

Off-street accessory parking is required for 50 percent of the market-rate dwelling units in R7A districts. On zoning lots smaller than 10,000 square feet or where the total amount of parking required is less than 15 spaces, accessory parking requirements are waived.

Proposed R7A district within the SID

(EXISTING M1-1 AND R7-2 DISTRICTS)

R7A contextual zoning would be mapped within the SID on the midblock portions of three blocks bounded by West 203rd and West 206th streets and Ninth and Tenth avenues in the Sherman Creek subdistrict, replacing the existing R7-2 and M1-1 zoning districts. The midblock portion of this area south of West 203rd Street would be mapped with an M1-4/R7A district.

While MIH would not be required in all proposed R7A zoning districts, it would be mapped on the portion of the proposed R7A districts on the northern side of West 203rd Street, where existing M1-1 zoning exists today and residential uses would be newly allowed.

R7A is a contextual zoning district that allows medium-density housing and community facilities up to an FAR of 4.0, or 4.6 under the MIH program. Buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program in R7A districts are restricted to a maximum base height of 75 feet and are limited to a maximum building height of 95 feet after the required setback.

Off-street accessory parking is required for 50 percent of the dwelling units other than Inclusionary Housing or low-income units in R7A districts, but the parking requirement would be modified by the SID to require parking for only 20 percent of these units. No accessory parking is required for

Inclusionary Housing or other low-income housing units, as per the underlying zoning. On zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces, parking requirements are waived.

Proposed R7D district within the SID

(EXISTING R7-2 DISTRICT)

An R7D zoning district with MIH is proposed for the western frontage of Broadway between West 214th Street and West 218th Street in the Upland Wedge subdistrict.

R7D is a contextual zoning district that allows medium-density housing and community facilities up to an FAR of 5.6 and 4.2 respectively, under the MIH program. The proposed SID would modify the maximum allowable community facility FAR in the R7D district from 4.2 to 4.0. Buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program in R7D districts are restricted to a maximum base height of 95 feet and are limited to a maximum building height of 115 feet after the required setback.

Off-street accessory parking is required for 50 percent of the dwelling units other than MIH or low-income units in R7D districts, but the parking requirement would be modified by the SID to require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. On zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces, parking requirements are waived.

Proposed R8 district within the SID

(EXISTING M1-1 AND M3-1 DISTRICTS)

An R8 zoning district with MIH is proposed for all or portions of four blocks along the Harlem River waterfront between West 204th Street and the North Cove in the Sherman Creek subdistrict.

R8 zoning districts typically allow residential development up to an FAR of 6.02 (or up to 7.2 under the MIH program) and community facility development up to an FAR of 6.5. However, the proposed SID would modify the underlying R8 waterfront regulations in the Sherman Creek

subdistrict, establishing two different maximum allowable FARs and bulk regulations depending on whether a property has a minimum of 100 feet of frontage adjacent to the shoreline. The proposed SID would incentivize privately-owned sites to merge with City-owned waterfront lots to gain full-block control, assure adequate light and air for higher density development, and facilitate the creation of public waterfront open space. For waterfront lots with a minimum of 100 feet of frontage adjacent to the shoreline, higher FAR and more flexible bulk requirements would be permitted.

For lots within waterfront blocks but without a minimum of 100 feet of frontage adjacent to the shoreline, the maximum residential FAR would be 4.6. Buildings on these lots would be subject to the height and setback regulations for an R7A district with MIH, which requires a street wall height of no less than 40 feet and no more than 75 feet, and a maximum building height of 95 feet with a qualifying ground floor. The density and bulk regulations for these lots would be equivalent to an R7A district mapped with MIH. For lots with a minimum of 100 feet of frontage adjacent to the shoreline, the maximum FAR would be 7.2 (pursuant to the underlying zoning), and the proposed WAP would require the provision of public waterfront open space.

For waterfront lots located between West 204th and West 207th streets with a minimum of 100 feet of frontage adjacent to the shoreline, the proposed SID would include two height and setback alternatives to provide more flexibility, reduce construction costs, and promote good design on constrained sites. For buildings up to 155 feet high, the proposed SID would require a street wall height of 60 to 105 feet. For buildings taller than 155 feet, tower rules would apply, including a maximum base height of 85 feet. Any portion of a building over 125 feet tall would be considered a tower. For lots of less than 1.5 acres, only one tower would be allowed, and on lots larger than 1.5 acres, two towers would be allowed. The proposed SID would also dictate the size and orientation of each tower: maximum height would be 245 feet, and the footprint would not be allowed to exceed 9,000 square feet per floor, with a maximum total dimension of 100 feet running parallel to Ninth Avenue. Stories above 205 feet would be subject to tower top articulation rules, and must reduce the tower lot coverage. For developments with a tower, street wall heights would be required to fall on or within 60 and 85 feet. Within 30 feet of the shore public walkway, a

maximum of 70 percent of frontage would be permitted to rise to 85 feet and the height of the remaining 30 percent of frontage would be limited to 30 feet.

For lots located between West 207th and West 208th streets with a minimum of 100 feet of frontage adjacent to the shoreline, the maximum tower footprint size and overall height would be increased to allow for more bulk flexibility in this constrained area. Along West 207th Street and Ninth Avenue frontages, buildings would be required to maintain a street wall height of no less than 60 feet and no greater than 105 feet, with a minimum 10-foot setback from the street wall. Above the required setback, the height of the portion of the building beyond 100 feet of West 207th Street would be limited to 145 feet, while the portion within 100 feet of West 207th Street would be allowed to rise to 295 feet, although the floorplate of any portion above 175 feet would be limited to 10,000 square feet. Within 70 feet of the shoreline, building height would be limited to 85 feet. Within 30 feet along the former West 208th Street, 70 percent of the frontage could rise up to 85 feet and the height of the remaining 30 percent of frontage would be limited to 30 feet.

For sites with a split zoning condition mapped within the proposed R8 and R9A districts, the proposed SID would allow distribution of the total allowable floor area without regard for zoning district boundaries to provide greater flexibility to accommodate better site planning and building design along the waterfront. Developments in these proposed districts would have to comply with all zoning regulations for visual corridors and WPAAAs.

Additionally, under waterfront zoning, development rights are typically generated by portions of waterfront lots between the upland boundary of the lot and the mapped bulkhead line. The proposed SID would modify waterfront zoning to limit those development rights to portions of waterfront lots between the upland boundary of the lot and the shoreline.

Off-street accessory parking is required for 40 percent of dwelling units other than Inclusionary Housing or other low-income units in R8 districts, but the parking requirement would be modified by the SID to require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. On zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer

than 15 spaces, parking requirements are waived.

The proposed SID would also exempt accessory parking below a height of 33 feet from floor area calculations, modifying the 23-foot standard in the underlying zoning.

*Proposed R8A district within the SID
(EXISTING M1-1 AND R7-2 DISTRICTS)*

R8A zoning districts with MIH are proposed in two areas:

- Along the Ninth Avenue western frontage of the three blocks bounded by West 203rd and West 206th streets, as well as the northern portion of West 207th Street approximately between Ninth and Tenth avenues in the Sherman Creek subdistrict; and
- On the eastern frontage of Tenth Avenue, generally between West 203rd and West 207th streets, as well as the midblock portion of the block bounded by West 207th Street, Ninth Avenue, West 206th Street and Tenth Avenue in the Sherman Creek subdistrict.

R8A zoning districts permit residential and community facility uses up to a maximum FAR of 6.02 and 6.5, respectively; under MIH, up to 7.2 FAR of residential floor area would be permitted in the R8A districts proposed for the proposed rezoning area. Buildings with qualifying ground floors developed pursuant to the Inclusionary Housing Program in R8A districts have a maximum base height of 105 feet and a maximum building height of 145 feet.

The proposed SID would also modify the underlying bulk and height regulations of the proposed R8A district in select areas.

For R8A areas proposed to be mapped along the eastern side of Tenth Avenue between West 205th and West 207th streets, adjacent to the 207th Street No. 1 train elevated subway station, the proposed SID would allow a lower base height and a taller building to respond to the elevated rail structure. A street wall of 25 to 105 feet would be required along the elevated rail. Above the base height, a setback would be required. The maximum building height would be 165 feet after the required setback. For the lot on the north side of West 207th Street between Ninth and Tenth avenues, which

is bounded on the north and west by the MTA Rail Yard, the proposed SID would waive the rear yard requirement along the rail yard to accommodate this irregularly shaped site; all other provisions of the R8A district would apply.

Off-street accessory parking is required for 40 percent of dwelling units other than Inclusionary Housing or other low-income units in R8A districts but the SID would require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

*Proposed R9A district within the SID
(EXISTING M1-1 AND M3-1 DISTRICTS)*

An R9A district with MIH is proposed on the Ninth Avenue frontages of the four blocks bounded by West 206th and West 208th streets and Tenth Avenue and the Harlem River in the Sherman Creek subdistrict.

R9A is a contextual zoning district that permits residential and community facility uses up to maximum FARs of 7.52 and 7.5, respectively; under the MIH program, residential floor area at an FAR of up to 8.5 would be permitted. While buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program in R9A districts are permitted a maximum base height of 125 feet and a maximum building height of 175 feet on wide streets or 165 feet on narrow streets, however, the proposed SID would modify these regulations. Along the eastern frontage of Ninth Avenue between West 206th and West 208th streets, buildings in R9A districts would be limited to a maximum base height of 105 feet but taller overall building heights, consistent with those in R8 waterfront districts, would be permitted. Specifically, the R9A portion of the waterfront block between West 207th and West 208th streets would be allowed a maximum height of 295 feet, and the R9A portion of the waterfront block between West 206th and West 207th streets would be allowed a maximum height of 245 feet. Further, the proposed SID would allow lots mapped with both R8 and R9A districts to distribute allowable floor area without regard for zoning

district boundaries to enable flexibility for better site planning and building design along the waterfront.

Off-street accessory parking is required for 40 percent of dwelling units other than Inclusionary Housing or other low-income units in R9A districts but the SID would require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

The proposed SID would also exempt accessory parking below a height of 33 feet from floor area calculations, modifying the 23-foot standard in the underlying zoning.

Proposed C4-4A district within the SID

(EXISTING C8-3 DISTRICT)

A C4-4A zoning district is proposed for the area along the southern side of Dyckman Street between Seaman Avenue and Staff Street that is currently zoned C8-3. This C4-4A district would provide flexibility for additional commercial development in this portion of the rezoning area, where commercial uses exist today.

C4-4A is an R7A-equivalent district that typically permits residential, commercial, and community facility development up to an FAR of 4.0 FAR, or a residential FAR of 4.6 under the MIH program. Buildings with qualifying ground floors developed pursuant to the MIH program would be restricted to a maximum base height of 75 feet and a maximum building height of 95 feet after the required setback. In C4-4A districts, the maximum height for non-residential buildings is typically 85 feet but the proposed SID would permit non-residential buildings a maximum height of up to 95 feet to accommodate the higher floor-to-floor heights associated with commercial buildings.

No accessory parking is required for commercial or community facility use. Off-street accessory parking is required for 50 percent of dwelling units other than Inclusionary Housing or other low-income units in C4-4A districts but the SID would require parking for only 20 percent of these

units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

Proposed C4-4D district within the SID

(EXISTING C4-4, R7-2, R7-2/C1-4, C8-3, AND C8-4 DISTRICTS)

C4-4D zoning districts with MIH are proposed for four blocks bounded by the intersection of Broadway and Tenth Avenue to the north, Tenth Avenue to the east, West 214th Street to the south and Broadway to the west; portions of five blocks generally forming the western frontages of Tenth Avenue between West 213th and West 207th streets; the northern and southern frontages of West 207th Street between Tenth and Post avenues; the northern and southern frontages of two blocks along Dyckman Street, generally between Nagle Avenue and Post Avenue; the eastern and western frontages of portions of three blocks along Broadway, generally between Dyckman and Cumming streets; and at the intersection of Broadway and West 207th Street.

Residential development in C4-4D districts is subject to R8A district regulations. Residential uses are allowed up to an FAR of 6.02, or 7.2 under the MIH program. Commercial and community facility uses are permitted up to an FAR of 3.4 and 6.5 respectively. For the portion of the C4-4D district proposed for the four blocks bounded by the intersection of Broadway and Tenth Avenue to the north, Tenth Avenue to the east, West 214th Street to the south and Broadway to the west; portions of five blocks generally forming the western frontages of Tenth Avenue between West 213th Street and West 207th Street; the western frontage of Broadway between Dyckman and Cummings Streets; and the southeastern corner of Broadway and Dyckman Street the proposed SID would modify the maximum allowable community facility FAR from 6.5 to 4.2, and the maximum allowable commercial FAR from 3.4 to 4.2. For the portion of the C4-4D district proposed for the intersection of West 207th Street and Broadway, the proposed SID would modify the maximum allowable community facility FAR from 6.5 to 4.2.

Buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program in C4-4D districts have a maximum base height of 105 feet and a maximum building height of 145

feet. While the proposed SID would not change the allowable FAR in this area, it would modify bulk requirements in specific areas. For the C4-4D district proposed in the Commercial U subdistrict, the proposed SID would modify the underlying bulk requirements for lots that share a side lot line with an adjacent zoning lot containing a building(s) with residential units constructed prior to the 1961 ZR with legally required windows that face and are within 15 feet of the shared lot line. For lots meeting these criteria, new buildings would be allowed to rise an additional story (10 feet) with the provision of an open area measuring a minimum of 15 feet along the shared lot line.

The proposed SID would modify the bulk regulations of the C4-4D district proposed in the Upland Wedge subdistrict and at the intersection of Nagle Avenue and Dyckman Street, due to the elevated rail condition along Nagle Avenue. In these two areas, the minimum base height would be lowered from a minimum of 60 feet to a minimum of 25 feet; the maximum underlying base height (105 feet) would not change. Above the base height, a 10-foot setback would be required on narrow streets and 15-foot setback would be required on wide streets, and the maximum building height would be increased to 165 feet. In C4-4D districts, the maximum height for non-residential buildings is typically 125 feet but the proposed SID would permit non-residential buildings to rise to a maximum height of 145 feet to accommodate the higher floor-to-floor heights associated with commercial buildings.

The off-street accessory parking requirement in C4-4D districts is typically one space per 1,000 square feet of commercial and health care facility uses, and is waived if fewer than 40 accessory parking spaces are required. Off-street accessory parking is required for 40 percent of the dwelling units other than MIH or other low-income units in C4-4D districts, but the SID would require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

*Proposed C4-5D district within the SID
(EXISTING C4-4 DISTRICT)*

A C4-5D zoning district is proposed within the Commercial U subdistrict along the frontages of Dyckman Street, approximately between Vermilyea and Post avenues; Broadway approximately between West 207th and Cumming streets; and West 207th Street approximately between Post Avenue and Broadway.

C4-5D districts have the residential equivalent of an R7D contextual zoning district and allow medium-density housing, commercial, and community facility uses. C4-5D districts allow for commercial development up to an FAR of 3.4 community facility development up to an FAR of 4.2 FAR, or up to 5.6 FAR for residential development under the MIH program. Buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program have a maximum base height of 95 feet, require a 10-foot setback on wide streets and 15-foot setback on narrow streets above the maximum base height, and have a maximum building height of 115 feet. In C4-5D districts, the maximum height for non-residential buildings is typically 100 feet but the proposed SID would permit a maximum height of 115 feet to accommodate the higher floor-to-floor heights associated with commercial buildings.

The proposed SID would modify the underlying bulk requirements for lots that share a side lot line with an adjacent zoning lot containing a building(s) with residential units constructed prior to the 1961 ZR, with legally required windows that face and are within 15 feet of the shared lot line. For lots meeting these criteria, new buildings would be allowed to rise an additional story (10 feet) with the provision of an open area measuring a minimum of 15 feet along the shared lot line.

In the proposed C4-5 district, the underlying off-street accessory parking requirements would apply for commercial and community facility uses. Off-street accessory parking is required for 50 percent of the dwelling units other than Inclusionary or low-income units in C4-5D districts but the SID would require parking for only 20 percent of these units. No accessory parking is required for MIH or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking

required is fewer than 15 spaces.

Proposed C6-2 district within the SID

(EXISTING M1-1, M2-1, AND M3-1 DISTRICTS)

A C6-2 zoning district with MIH is proposed on portions of two blocks in the Tip of Manhattan subdistrict:

- Along the northern frontage of West 218th Street between Broadway and Ninth Avenue, as well as the eastern frontage of the block on Ninth Avenue between West 218th and West 219th streets; and
- The portion of the block east of Ninth Avenue between West 218th and West 220th streets.

C6-2 districts have the residential equivalent of an R8 zoning district and typically permit residential development up to an FAR of 6.02 (or 7.2 under the MIH program), commercial uses up to 6.0, and community facility development up to 6.5.

The proposed SID would modify certain underlying bulk requirements. Along the upland portion of the district between Ninth Avenue and Broadway, buildings with qualifying ground floors developed pursuant to the Inclusionary Housing program in C6-2 districts would be limited to a maximum base height of 120 feet and would be required to set back 10 feet on wide streets and 15 feet on narrow streets above the maximum base height. Building heights in C6-2 districts are typically governed by a sky exposure plane, but the proposed SID would restrict building height to 210 feet to ensure a consistent street wall and predictable building heights.

For the portions of the district between Ninth Avenue and the Harlem River waterfront, the proposed SID would establish two different maximum allowable FARs and bulk regulations depending on whether a property had a minimum of 100 feet of frontage adjacent to the shoreline, similar to the proposed R8 zoning district modifications. For waterfront lots with a minimum of 100 feet of frontage adjacent to the shoreline, a higher FAR and more flexible bulk requirements would be permitted.

Specifically, for lots located within waterfront blocks but without a minimum of 100 feet of frontage adjacent to the shoreline, the maximum FAR would be 4.6. Buildings on these lots would be required to have a street wall height of at least 40 feet and no more than 65 feet, and a maximum building height of 95 feet. The density and bulk regulations on these lots would be equivalent to an R7A district mapped with MIH. For lots with a minimum of 100 feet of frontage adjacent to the shoreline, the maximum FAR would remain at 7.2 and, per underlying zoning and the WAP, the provision of provide public waterfront open space would be required.

For lots with a minimum of 100 feet of frontage adjacent to the shoreline, the maximum tower footprint size would be increased and more bulk flexibility would be allowed to reduce construction costs and ensure good design on constrained sites. Buildings would be required to maintain a street wall height between 60 and 105 feet. If the building height exceeds 155 feet, tower rules would go into effect. When electing to build a tower, anything over 125 feet is considered a tower. For lots of less than 1.5 acres, only one tower would be allowed, and on lots larger than 1.5 acres, two towers would be allowed. The proposed SID would also include regulations that would dictate the size, location, and orientation of each tower. The maximum height of a tower would be 265 feet, and the footprint of the tower would not be allowed to exceed 9,000 square feet per floor, with a maximum total dimension of 100 feet running parallel to Ninth Avenue. Within 30 feet of the Shore Public Walkway, a maximum of 70 percent of frontage may rise to 85 feet, with the remaining 30 percent of frontage limited to 30 feet.

For the portions of the district between Ninth Avenue and the Harlem River waterfront, uses would also be modified to allow use group 16C, to facilitate the consolidation of existing vehicle storage operations, freeing up land for new mixed-use development and WPAs.

Development in this district would have to comply with all zoning regulations for visual corridors and WPAs; the locations of visual corridors and supplemental public access areas would be defined in the SID. While under waterfront zoning development rights are typically generated by portions of waterfront lots between the upland boundary of the lot and the mapped bulkhead line, similar to the R8 districts, the SID would modify waterfront zoning to limit those development

rights to portions of waterfront lots between the upland boundary of the lot and the shoreline.

No off-street parking is required for commercial uses in C6-2 districts. Off-street accessory parking is required for 40 percent of the dwelling units other than Inclusionary or low-income units in C6-2 districts but the SID would require parking for only 20 percent of these units. No accessory parking is required for MIH or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces. The proposed SID would also exempt accessory parking below a height of 33 feet from floor area calculations, modifying the 23-foot standard in the underlying zoning.

Proposed C6-2A district within the SID

(EXISTING C8-4 DISTRICT)

A C6-2A zoning district is proposed for the block bounded by West 213th Street to the south, West 214th Street to the north, Tenth Avenue to the east, and Broadway to the west (Block 2231 Lot 1). This block is currently located in a separate C8-4 zoning district. The building occupies the entire block, and has a built FAR of 6.56. The building contains multiple uses, including self-storage, commercial and community facility uses. The proposed C6-2A zoning would allow the future conversion of self-storage use to office space within the existing building.

C6-2A districts have the residential equivalent of an R8A contextual zoning district and typically permit residential development up to an FAR of 6.02 (or 7.2 under the MIH program), commercial uses up to 6.0, and community facility development up to 6.5 FAR.

The proposed SID would modify the bulk regulations of the C6-2A district to respond to the elevated rail condition along Nagle Avenue. The minimum base height would be modified from the underlying minimum of 60 feet to a minimum of 25 feet; the maximum underlying base height, 105 feet, would not change. Above the base height, a 10-foot setback would be required on narrow streets and 15-foot setback would be required on wide streets, and the maximum building height would be increased to 165 feet.

No off-street parking is required for commercial uses in C6-2A districts. Off-street accessory parking is required for 40 percent of the dwelling units other than Inclusionary or low-income units in C6-2A districts, but the SID would require parking for only 20 percent of these units. No accessory parking is required for MIH or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

Proposed M1-4/R7A district within the SID

(EXISTING M1-1 DISTRICTS)

A M1-4/R7A district is proposed in the Sherman Creek subdistrict on the midblock portion between West 203rd and West 202nd streets.

Under the M1-4/R7A district, a wide range of residential, community facility, commercial and certain light manufacturing uses would be allowed as-of-right. Most light manufacturing uses would be permitted as-of-right; others would be subject to restrictions. The proposed SID would modify the underlying M1-4 use regulations to allow additional community facility and commercial uses. All community facility uses in Use Groups 3 and 4 would be allowed as-of-right in the proposed M1-4 district, including schools, dormitories, hospital staff housing, museums, non-commercial art galleries, performing arts centers, and libraries. Use Group 6A food stores, including supermarkets, grocery stores, or delicatessen stores, would not be limited in size. The SID would also limit retail uses (Use Groups 6A, 6C, and 10A) to the ground floor.

Residential uses would be subject to the bulk controls of the R7A district, as modified by the SID, and commercial, manufacturing and community facility uses would be subject to the M1 district bulk controls as modified by the SID, except that community facilities would be subject to residential FAR limits. Industrial uses would be subject to performance standards in M1 districts.

No off-street accessory parking is required for manufacturing and commercial uses in M1-4/R7A districts. Off-street accessory parking is required for 40 percent of the dwelling units other than Inclusionary or low-income units in R7A districts, but the SID would require parking for only 20

percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

*Proposed M1-4/R9A district within the SID
(EXISTING M1-1 DISTRICTS)*

An M1-4/R9A district is proposed in the Sherman Creek subdistrict on the eastern frontage of Tenth Avenue between West 201st and West 203rd streets.

M1-4/R9A districts allow a wide range of residential, community facility, commercial and certain light manufacturing uses as-of-right. Most light manufacturing uses would be permitted as-of-right; others would be subject to restrictions. The proposed SID would modify the underlying M1-4 use regulations to allow additional community facility and commercial uses. All community facility uses in Use Groups 3 and 4 will be allowed as-of-right in the proposed M1-4 district, including schools, dormitories, hospital staff housing, museums, non-commercial art galleries, performing arts centers, and libraries. Use Group 6A food stores, including supermarkets, grocery stores, or delicatessen stores, would not be limited in size. The SID would also limit retail uses (Use Groups 6A, 6C, and 10A) to the ground floor.

Residential uses would be subject to the bulk controls of the R9A district, as modified by the SID, and commercial, manufacturing and community facility uses would be subject to the M1 district bulk controls, as modified by the SID, except that community facilities would be subject to residential FAR limits. Industrial uses would be subject to performance standards in M1 districts.

In the portion of the proposed M1-4/R9A district along Tenth Avenue and the former Academy Street (between West 202nd and West 201st streets), pursuant to the proposed SID, a setback (10 feet on wide streets and 15 feet on narrow streets) would be required to facilitate a better sense of openness fronting the former Academy Street. Along West 202nd Street and the former Academy Street, buildings would be required to have a street wall between 60 and 125 feet, and within 30

feet of West 201st Street and the former Academy Street, the maximum building height would be 85 feet.

No off-street accessory parking is required for manufacturing and commercial uses in M1-4/R9A districts. Off-street accessory parking is required for 40 percent of the dwelling units other than Inclusionary or low-income units in R9A districts but the SID would require parking for only 20 percent of these units. No accessory parking is required for Inclusionary Housing or other low-income housing units, as per the underlying zoning. Parking requirements are waived for zoning lots smaller than 10,000 square feet or where the total amount of parking required is fewer than 15 spaces.

*Proposed M1-4 district within the SID
(EXISTING M2-1 AND M3-1 DISTRICTS)*

An M1-4 zoning district is proposed in the Tip of Manhattan subdistrict for the area bounded by Broadway to the east and Ninth Avenue to the west, the Harlem River to the north and east, and the easterly extension of West 220th Street to the south. M1-4 districts permit commercial and light industrial uses up to an FAR of 2.0 and typically permit community facility uses up to 6.5 FAR, but the proposed SID would modify the maximum permitted community facility FAR to 2.0.

The proposed SID would modify the underlying M1-4 use regulations in the proposed rezoning area to allow additional community facility and commercial uses. All community facility uses in Use Groups 3 and 4 would be allowed as-of-right in the proposed M1-4 district, including schools, dormitories, hospital staff housing, museums, non-commercial art galleries, performing arts centers, and libraries. Use Group 6A food stores, including supermarkets, grocery stores, or delicatessen stores, would not be limited in size. The SID would also limit retail uses (Use Groups 6A, 6C, and 10A) to the ground floor.

Building height and setbacks are controlled by a sky exposure plane, and commercial and community facility buildings can be constructed as towers. Development in this district would also have to comply with all zoning regulations for visual corridors and WPAA's; the locations of visual

corridors and supplemental public access areas would be required in the WAP.

The proposed SID would also include an allowance for the transfer of development rights from the area covered by the proposed M1-4 district to any lot(s) within the proposed M1-5 district mapped on the adjacent upland portion (discussed below). A CPC Chair certification for visual corridors and WPAA's would be required for the transfer of more than 20,000 square feet of development rights. In the absence of a transfer, standard WPAA requirements would apply for the shallow waterfront lot.

No off-street accessory parking would be required in the proposed M1-4 zoning districts, pursuant to underlying zoning regulations.

*Proposed M1-5 district within the SID
(EXISTING M1-1 AND M3-1 DISTRICTS)*

M1-5 districts are proposed on one partial block on the southern frontage of West 218th Street and two full blocks bounded by Ninth Avenue to the north and east, West 218th Street to the south and, Broadway to the west, in the Tip of Manhattan subdistrict. M1-5 districts typically permit commercial and light industrial uses up to an FAR of 5.0 and community facility uses up to 6.5 FAR. Use requirements, similar to those described for the M1-4 district above, would also be modified by the SID.

The proposed SID would modify the underlying M1-5 zoning's height, setback, and lot coverage requirements to allow buildings with large floorplates to encourage institutional uses. New developments in the M1-5 district proposed in the Tip of Manhattan subdistrict would have a maximum height of 265, or 125 feet within 10 feet of a street line.

No off-street accessory parking would be required in the proposed M1-5 zoning districts, pursuant to underlying zoning regulations.

*Proposed M2-4 district within the SID
(EXISTING M3-1 DISTRICTS)*

An M2-4 district would be mapped on two full blocks bounded by West 204th Street to the north, the Harlem River to the east, West 202nd Street to the south, and Ninth Avenue to the west in the Sherman Creek subdistrict. M2-4 districts typically permit commercial and industrial uses up to an FAR of 5.0. The proposed SID would modify underlying M2-4 zoning requirements to accommodate a Con Edison facility with parking, storage, office space, and other accessory uses, including storing company vehicles and providing a central location from which Con Edison employees would be dispatched. In response to the sites' adjacency to narrow waterfront lots with limited development potential, the proposed SID would waive the rear yard equivalent requirement to allow for better design while still maintaining adequate light and air. The proposed SID would also allow for a bridge to be built over a street to connect buildings on adjoining zoning lots and facilitate the construction of a more efficient facility. Accessory parking would be allowed on the rooftop as-of-right, rather than requiring a special permit, as under the underlying M2-4 zoning regulation.

No accessory parking is required in M2-4 zoning districts, pursuant to underlying zoning regulations.

Proposed Commercial Overlays

The proposed zoning changes would replace or eliminate portions of existing C1-3 and C1-4 commercial overlays with C2-4 commercial overlays, and would establish new C2-4 commercial overlays in the proposed R7A, R7D, R8, R8A, and R9A districts. In these areas, the C2-4 commercial overlays would support the development of mixed residential and commercial uses and bring into conformance many existing nonconforming local retail and other commercial uses. C2-4 commercial overlays would be mapped in the following locations:

To a depth of 100 feet along the West 204th Street and West 206th Street frontages of the proposed R7A district in the Sherman Creek subdistrict;

To a depth of 100 feet along the northern side of Dyckman Street between Staff Street and just west of Broadway in the Upland Core subdistrict;

To a depth of 100 feet along either side of Broadway between West 215th Street and just north of West 207th Street in the proposed R7A district in the Upland Core subdistrict;

To a depth of 100 feet along portions of Sherman Avenue between Thayer and West 207th streets and to a depth of 100 to 150 feet along portions of Sherman Avenue between West 207th and West 211th streets in the Upland Core subdistrict;

To a depth of 100 feet at the northwest, southeast, and northeast corners of Academy Street and Vermilyea Avenue in the Upland Core subdistrict;

To a depth of 100 feet at the northwest corner of Post Avenue and West 204th Street in the Upland Core subdistrict;

To depth of 100 feet at the southwest corner of Nagle Avenue and Academy Street of the proposed R7A district in the Upland Core subdistrict;

To a depth of 100 feet at the northwest corner of Nagle Avenue and Thayer Street of the proposed R7A district in the Upland Core subdistrict;

To a depth of 100 feet along the south side of West 218th Street for a distance of 150 feet east of Indian Road in the Upland Core subdistrict;

From a depth of 100 feet to 150 feet along the north side of West 207th Street between Tenth Avenue and Cooper Street in the Commercial U and Upland Core subdistricts;

To a depth of 100 feet on the southwest corner of West 207th and Cooper streets in the Upland Core subdistrict;

To a depth of 100 feet along the northwest side of Broadway in the proposed R7D zoning district in the Upland Wedge subdistrict;

The entirety of the proposed R8 district in the Sherman Creek subdistrict;

The entirety of the three proposed R8A districts in the Sherman Creek and Commercial U subdistricts;

The entirety of the proposed R9A district between West 206th and West 208th streets in the Sherman Creek subdistrict; and

To a depth of 100 feet along the Tenth Avenue frontage between West 203rd and West 207th streets in the proposed R9A district in the Sherman Creek subdistrict.

C2-4 commercial overlays allow local retail uses and commercial development up to an FAR of 2.0. The SID would allow a maximum commercial FAR of 3.5 where the C2-4 overlay is proposed for the block bounded by West 207th Street to the north, West 206th Street to the south, Ninth Avenue to the east, and Tenth Avenue to the west. Off-street accessory parking requirements for community facility and commercial uses would be waived for mixed-use developments.

Proposed Property Disposition (C 180206 PPM)

The proposed actions include the disposition of the following City-owned properties:

Block 2185, part of Lot 36 (comprising 10,184 square feet) bounded by West 204th Street to the north, Harlem River to the east, West 203rd Street to the south and Ninth Avenue to the west in the Sherman Creek subdistrict to facilitate the creation of waterfront open space;

Block 2197, Lot 75 (comprising 106,450 square feet), in the Tip of Manhattan subdistrict to facilitate the creation of property with both street and waterfront frontage;

Block 2197, Lot 47 (comprising 62,275 square feet) along the Harlem River in the Tip of Manhattan subdistrict to facilitate the creation of property with both street and waterfront frontage (following its acquisition by the City, described in the following section); and

The proposed disposition of the portion of the City-owned lot along the Harlem River waterfront would facilitate the creation of future public open space by allowing the lot to merge with the adjacent privately-owned site.

The proposed disposition of Block 2197, Lots 75 and 47, in the Tip of Manhattan, is intended to facilitate the reconfiguration of two irregularly shaped lots, one with no street frontage (Lot 75, owned by the City) and one with no waterfront frontage (Lot 47, owned by Spectrum Communications). Both lots would be reconfigured to generally establish an east-west lot boundary, which would provide both lots with street frontage, facilitating the opportunity for future development and public waterfront access.¹

Proposed Property Acquisition (C 180207 PQM)

The proposed actions would include the acquisition of the following properties:

Block 2197, Lot 47 (comprising 62,276 square feet) along the Harlem River in the Tip of Manhattan subdistrict to facilitate the creation of property with both street and waterfront frontage;

An approximately 18,000-square-foot condominium unit within a future development on Block 2233, Lot 13 (Inwood branch of the NYPL at 4780 Broadway) and a part of Lot 20 (a portion of the adjacent J.H.S. 52 parking lot), for use as a library; and

Portions of Block 2183, part of Lot 1 (8,626 square feet), and Block 2184, part of Lot 1 (13,628 square feet) to facilitate the creation of future public open space and public waterfront access along sites in Sherman Creek.

In connection with the proposed disposition actions for Block 2197, Lots 75 and 47, the proposed acquisition of Block 2197, Lot 47 is intended to reconfigure adjacent City-owned and Spectrum Communications-owned irregularly shaped lots in the Tip of Manhattan subdistrict to provide both owners with usable and developable lots.

In the Commercial U subdistrict, the proposed acquisition and disposition of the condominium unit would allow the City to replace the Inwood branch of the NYPL in a planned mixed-use

¹ While the City may retain ownership of property between the private site and the shoreline, the private site would be subject to waterfront public access requirements as if it were a waterfront lot, including a Shore Public Walkway and Upland Connection at West 218th Street.

development on the site.

The proposed acquisition of portions of Block 2183, part of Lot 1 and Block 2184, part of Lot 1 is intended to establish public access easements to facilitate the creation of future public open space along the waterfront between West 202nd and Academy streets.

UDAAP Designation and Project Approval and Disposition of City-owned Property (C 180208 HAM)

The proposed actions include the UDAAP designation and project approval and disposition of City-owned property at 4790 Broadway and a portion of the adjacent City-owned parking lot at I.S. 52 junior high school (Block 2233, Lot 13 and part of Lot 20) to facilitate a mixed-use affordable housing development with both a new library that would replace the existing library and a Universal Pre-Kindergarten facility.

On March 6, 2018, HPD and the NYPL announced development plans for the site, which is proposed to include 175 deeply affordable housing units, a new public library to be owned and operated by NYPL that would feature community programming through an onsite Activities, Culture, Training (ACTS) Center, and a new Pre-K for All facility operated by the Department of Education (DOE).

The proposed mixed-use building would rise to a height of 14 stories and is expected to include a mix of studio, one-, two- and three-bedroom units affordable to extremely low-, very low-, and low-income households. A portion of the housing would be made available to formerly homeless households. Residents of the proposed building would have access to an onsite gym, tenant lounge, playroom, terrace, roof garden, bike room and laundry room.

The new library would include an extensive collection of books and circulating material, digital resources, publicly accessible computers and broadband internet access. The design would incorporate collaborative work spaces of varying sizes, quiet reading spaces and flexible open spaces to accommodate classrooms for education programs. A large community space would be

accessible both from the library and from a separate exterior entrance so that it could continue to be available to the community outside of regular library operating hours.

The proposed ACTS Center would provide community facility space for education, health and wellness related programs, jobs training and cultural activities. The Pre-K for All facility would be a 4,030-square-foot center with three classrooms connected to a 2,100-square-foot exterior play terrace that would overlook the nearby public school athletic fields.

The development site (Block 2233, Lot 13 and part of Lot 20) would be conveyed to a developer for the proposed mixed-use affordable housing development. Upon completion, it is anticipated that the developer would convey the library portion to the NYPL directly, or that the City would reacquire the library portion and the developer would convey the Pre-K portion to the School Construction Authority.

City Map Amendment (180073 MMM)

The proposed actions would include several changes to the City Map involving the elimination, discontinuance and closing of: Academy Street between the U.S. Pierhead and Bulkhead Line and West 201st Street; West 208th Street between Exterior Street and Ninth Avenue; Exterior Street between West 202nd and West 205th streets and from West 206th Street to West 208th Street along the Harlem River waterfront; a volume above West 203rd Street east of Ninth Avenue; and West 201st Street between the U.S. Pierhead and Bulkhead Line and Ninth Avenue, including the acquisition or disposition of real property related thereto, in the Inwood neighborhood of Manhattan, CD 12.

The overall area to be demapped comprises a total of approximately 225,451 square feet (5.176 acres) of non-contiguous, largely City-owned property along the Harlem River waterfront between the Sherman Creek Inlet at Academy Street and the North Cove at West 208th Street. The proposed street demapping actions would allow for the disposition of City-owned land to transform the waterfront and connect the surrounding community to the Harlem River.

As part of the certified City Map application (C 180073 MMM), Map ACC. No. 30254 dated March 28, 2018 has been replaced with Map ACC Nos. 30255, 30256, and 30257. These maps in their entirety show the same changes as shown on Map ACC No. 30254. This map split was requested by EDC and is intended to facilitate phased development of the project area.

ENVIRONMENTAL REVIEW

The original application (C 180204 ZMM), in conjunction with the related applications (N 180205 ZRM, C 180206 PPM, C 180207 PQM, C 180208 HAM and C 180073 MMM), and modified applications (C 180204(A) ZMM and N 180205(A) ZRM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Office of the Deputy Mayor for Housing and Economic Development. The designated CEQR number is 17DME007M.

It was determined that this application, in conjunction with the applications for the related actions (the “Proposed Actions”) may have a significant effect on the environment, and that an environmental impact statement would be required. A Positive Declaration was issued on August 11, 2017, and distributed, published, and filed. Together with the Positive Declaration, a Draft Scope of Work for the Draft Environmental Impact Statement (DEIS) was issued on August 11, 2017. A public scoping meeting was held on the Draft Scope of Work on September 14, 2017.

A Final Scope of Work, reflecting the comments made during the scoping, was issued on January 12, 2018. A DEIS was prepared and a Notice of Completion for the DEIS was issued on January 12, 2018. Pursuant to SEQRA regulations and CEQR procedures, a joint public hearing was held on the DEIS on May 9, 2018, in conjunction with the public hearing on the related applications (C 180204 ZMM, N 180205 ZRM, C 180206 PPM, C 180207 PQM, C 180208 HAM and C 180073 MMM) and modified applications (C 180204(A) ZMM and N 180205(A) ZRM). A Final Environmental Impact Statement (FEIS) reflecting the comments made during

the public hearing was completed and a Notice of Completion for the FEIS was issued on June 15, 2018.

The original application as analyzed in the FEIS identified significant adverse impacts with respect to open space, shadows, historic and cultural resources, transportation, and construction related to traffic and pedestrians, noise, and historic and cultural resources. In addition, a Technical Memorandum (Technical Memorandum 002) analyzed a modified application that consists of a series of modifications to the Proposed Actions, including modified zoning map and text amendments. Similar to the FEIS, the Technical Memorandum identified significant adverse impacts with respect to open space, shadows, historic and cultural resources, transportation, and construction related to noise and historic and cultural resources.

Significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-459) or similar institutional control on selected projected and potential development sites as specified in Exhibit A attached hereto.

The identified significant adverse impacts and proposed mitigation measures under the Proposed Actions are summarized in Exhibit (B) attached hereto.

UNIFORM LAND USE REVIEW

The original application (C 180204 ZMM), in conjunction with the related actions (C 180206 PPM, C 180207 PQM, C 180208 HAM and C 180073 MMM), was certified as complete by the Department of City Planning (DCP) on January 16, 2018 and was duly referred to Manhattan Community Board 12 and the Manhattan Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the original related application for a zoning text amendment (N 180205 ZRM) which was referred for information and review in accordance with the procedures for non-ULURP matters.

On April 26, 2018, pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, a modified application for a zoning map amendment (C 180204(A) ZMM) was referred to

Manhattan Community Board 12 and the Manhattan Borough President, along with a modified application for a zoning text amendment (N 180205(A) ZRM).

Community Board Public Hearing

Community Board 12 held a public hearing on the original application (C 180204 ZMM) on February 22, 2018 and on March 20, 2018, by a vote of 37 in favor, zero opposed, and one abstention, adopted a resolution with recommendations described below.

The Community Board recommended disapproval of the zoning map amendments unless the following recommendations are met: that heights be reduced on Dyckman Street west of Broadway, in the Commercial U, in Sherman Creek and in the Tip of Manhattan to better relate to surrounding scale and to preserve views to the Cloisters, Inwood Hill Park and Fort Tyron Park; that the proposed zoning on Dyckman Street west of Broadway be revised to allow for adaptive reuse of existing buildings; that the rezoning be revised to avoid reducing commercial FAR at a site, 5030 Broadway, in the Upland Wedge that would result in a conforming building; and that the zoning in the Upland Core be modified to support the development plans of the Holy Trinity Church. The Community Board supported the proposed text amendments on the condition that a parking study accompany any project resulting in a reduction of off-street parking; that the Deep Affordability Option is mapped in the proposed MIH areas; and that HPD subsidies are encouraged on projects developed under MIH to deepen the levels of affordability.

The Community Board supported the proposed dispositions and supported the proposed acquisitions on the condition that the proposed acquisition of the library condominium in connection with the proposed UDAAP be removed from the application.

The Community Board does not support the UDAAP and disposition of City-owned property to facilitate a mixed-use affordable housing development with a new library that would replace the existing library and Universal Pre-Kindergarten facility, stating that this action and the related acquisition should have been addressed in a separate ULURP application.

The Community Board also recommended the following: that the City provide stronger tenant protections; that all residential development on City-owned property be 100 percent affordable

and that the City look for opportunities to develop on City-owned land; that funding be provided to the Dyckman Houses; that additional support be provided to retain/attract small businesses; that subsidy be provided to retain existing small businesses; that the City provided space for small businesses on City-owned land; that the size of retail be limited to 3,000 square feet; that the Commission require a public hearing for any new chain stores in the proposed rezoning area; that an economic development strategy be developed for the neighborhood; that job training opportunities are provided; that local infrastructure be invested in; that Americans with Disabilities Act (ADA) accessibility be provided for the subway stations in the area; that appropriate areas of historical significance be identified and designated; that a neighborhood-wide traffic and pedestrian safety study be undertaken; and that the City commit to developing a contextual rezoning plan for Washington Heights.

Borough President Recommendation

The original application (C 180204 ZMM) was considered by the Manhattan Borough President, who held a public hearing on April 10, 2018, and on April 26, 2018, issued a recommendation disapproving the application with the following conditions:

1. “The city must remove from, or at a minimum include phase-in of, the rezoning of the Commercial “U” (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13) which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS must develop and fund Inwood- specific programs that work directly with small businesses in the Commercial “U” and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city must create temporary space for businesses that may be able to return to the Commercial “U” as well as incubator space for emerging businesses;
2. The city must include zoning text that would limit store frontages to 40 feet and bank frontages to 25 feet and require a minimum number of stores in zoning lots meeting a threshold of street frontage, similar to what was implemented on the Upper West Side of Manhattan. This would ensure neighborhood retail space to maintain the local character of Inwood’s business community and provide space for relocation or return of displaced local businesses;
3. The city develops its lot currently occupied by the Department of Transportation (DOT) at Sherman Creek between 205th and 206th Streets (Block 2186, Lot 9), currently the site of bridge maintenance equipment storage, as a 100 percent affordable housing development which could result in approximately 500 units of permanent affordable

housing at income bands reflective of current Inwood residents;

4. The city uses city-owned land located at Block 2197, Lot 75 currently occupied by Charter Communications for its service vehicles in the Tip of Manhattan subdistrict, to develop a 100 percent affordable housing development which could result in approximately another 500 units of affordable housing at income bands reflective of Inwood residents;
5. The city makes a serious effort to assist developers seeking to acquire properties and build 100 percent affordable developments at levels of affordability reflective of current Inwood residents like the one proposed along Broadway at 218th Street;
6. The city reviews every soft site in the rezoning area and in the rezoning area and its vicinity [including those on the list circulated by Congressperson Espaillat and the parking lot at 5051 Broadway [owned by the federal government];
7. The council and the CPC must employ the lower option AMI of the MIH program with additional lower affordability options which will provide housing at income levels of 30 percent AMI, making significantly more units affordable to the average Inwood resident;
8. In addition to funding the Right to Counsel program and inclusion of Inwood in the Certificate of No Harassment Program, the city must include substantial financing in the upcoming fiscal year's city budget for Inwood-targeted programs including additional legal services to ensure that every rent stabilized tenant with a harassment, eviction or preferential rent legal problem has access to counsel and a tenant organizing and affirmative litigation program to find and address issues with stabilized apartments with unlawfully registered rents.
9. The city must locate and announce a "brick and mortar," centrally-located, and fully-accessible location for an interim library which will be open the same hours as the current library, provide all core services and be able to provide a significant portion of the programs and services currently provided, so that the Inwood Library Project and its 175 units of permanently affordable housing (for all practical purposes) can proceed;
10. The city must include expense and capital funding in the upcoming fiscal year budget for the Dyckman Houses, whose residents will be impacted by the rezoning;
11. The city must make best efforts to include the car wash site adjacent to the Inwood Library into the project so that more affordable housing may be created;
12. The city must ensure implementation of the plan I [Manhattan Borough President] have fought for to relocate the warehouse businesses to the newly proposed M1-4 district in Sherman Creek and make best efforts to assist Flair Beverages in finding suitable space in northern Manhattan;
13. EDC and SBS must make best efforts to relocate the automotive repair businesses to a concentrated area in Inwood of the immediately surrounding areas as is being done with wholesale businesses and, in the absence of this, the city must give serious consideration to including language in the special district text that would allow automotive repair

businesses below residential development wherever practicable;

14. The city must study and apply more tailored contextual zoning districts in certain areas that will be contextually rezoned where the proposed R7A zoning designation is not the most appropriate;
15. The city must include special district text permitting the transfer of community facility development rights from sites located in the Tip of Manhattan Subarea B2 to Subarea B1 to be used for cultural or arts-related spaces, with the grantee of such floor area required to improve and maintain the grantor site pursuant to the Waterfront Action Plan;
16. The city must preserve and commemorate significant historic sites in Inwood including Native American Burial and artefact sites and African slave burial sites; and
17. The city must ensure the provision in the rezoning of art and cultural performance space and artistic workspace to support Inwood's thriving artistic community."

City Planning Commission Public Hearing

On April 23, 2018, the City Planning Commission scheduled May 9, 2018 for a public hearing on the original application (C180204 ZMM, Calendar No. 1) and the modified application (C 180204(A) ZMM, Calendar No. 2) and the applications for the related actions. The hearing was duly held on May 9, 2018 (Calendar Nos. 23 and 24). There were 29 speakers in favor and 33 in opposition.

Speakers in favor included representatives from city agencies including EDC, HPD, SBS, DPR, DOT, MTA NYCT, the Department of Cultural Affairs (DCLA), and the Human Resources Administration (HRA); a representative from Con Edison; representatives of the Inwood Library project team; representatives from the 32BJ SEIU union; local developers; neighborhood resident; and a local business owner.

Representatives from EDC provided an overview of the existing conditions in Inwood and the overarching goals of the proposed actions.

Representatives from HPD explained that rents in Inwood and Washington Heights have been increasing at a rate higher than the citywide average and that there has been minimal housing production, including affordable housing, in Inwood or Washington Heights. This has increased pressure on the housing market, indicating that the rezoning proposal is critical to enable growth

and address the high demand for housing. Representatives also described HPD's strategies to combat displacement, preserve existing affordable housing, and create new affordable housing.

The representative from SBS spoke about the agency's new investments for small businesses and job seekers to increase economic activity in the area, including providing capital and free legal services to small businesses and providing resources for job training.

The representative from DPR spoke about their recommendations for enhancing Inwood's existing parks and improving public access along the Harlem River waterfront.

The representative from DOT stated that that the proposed actions align with DOT's mission to provide for the safe, efficient and environmentally responsible movement of people and goods, and also spoke about some of DOT's capital improvement plans for Inwood.

The representative from MTA NYCT stated that the proposal to allow space to be reserved for new ADA-accessible entrances for adjacent subway stations would further the agency's goal to increase accessibility throughout the subway system.

The representative from DCLA spoke about the agency's efforts to strengthen and preserve local arts and culture in Inwood.

The representative from HRA described the agency's homeless prevention services, including rental assistance, emergency grants and legal assistance.

The representative from Con Edison indicated that the proposed actions would allow Con Edison to rationalize their footprint, freeing up four of their existing lots for mixed-use development, and that Con Edison would have sufficient capacity to serve the current and future energy needs of Inwood.

Representatives from the Inwood Library project team provided an overview of the proposed redevelopment of the Inwood Library site to include 175 deeply affordable housing units, a new public library that would feature community programming through an onsite ACTS Center and Pre-K for All facility.

Representatives from 32BJ SEIU spoke in favor, indicating that the proposed actions would

facilitate the creation of much needed affordable housing and good jobs.

Representatives from local developers testified that the proposed actions would provide opportunities to develop affordable housing, particularly in areas that do not currently allow residential development.

The representative from a local business expressed the opinion that the proposed actions would create additional opportunity for local small businesses.

Residents who testified in favor indicated that the proposed actions are necessary for job creation and to meet housing demand, and that the proposed redevelopment of the Inwood Library would facilitate a more effective layout.

In addition to the oral testimony, written testimony in support was submitted by local advocacy groups and residents indicating that the proposed actions would benefit the community by providing opportunities for the development of affordable housing, providing access to the Harlem River Waterfront and bringing in people with a higher buying power that could support small businesses. The written testimony also urged that tenant protections and public services and amenities be increased and that affordable housing developed in the area be affordable to existing residents.

Speakers in opposition included the Manhattan Borough President; a representative from the office of the local Member of Congress; representatives from several non-profits and local advocacy groups including the Municipal Arts Society of New York (MAS), the Metropolitan (MET) Council on Housing, Northern Manhattan Improvement Corporation (NMIC), Community Education Council District 6, Northern Manhattan Agenda, Inwood Small Business Coalition, Inwood Preservation and NYC Community Alliance for Workers Justice; local property and business owners; and neighborhood residents.

The Manhattan Borough President expressed her concerns about potential gentrification and displacement of existing residents and small businesses. She expressed the importance of ensuring that any affordable housing developed be affordable to existing residents, providing protections for tenants and small businesses, providing opportunities for the relocation of existing

warehouses and auto repair shops and acknowledging sites of historic significance. The Borough President also expressed her support of the Inwood Library project.

The representative from the Member of Congress' office testified that in order to ensure a rezoning that benefits existing residents, it is imperative that opportunities to provide additional affordable housing in Inwood and Washington Heights with preference for existing residents be identified.

The representative from MAS expressed concerns about impacts that future development could have on available school seats and cultural and natural resources, and the potential for low-income family and local small business displacement. The speaker requested that adequate safeguards be put in place to protect Inwood's community and character.

Representatives from the MET Council on Housing expressed concerns about displacement of existing residents and the legal demolition of rent regulated units within the Commercial U. advocating for additional public services, tenant protections and affordable housing that is affordable for the existing residents.

The representative from NMIC recognized the need for affordable housing development, but was concerned about the displacement of existing residents and recommended increased tenant protections.

Representatives from local advocacy groups expressed concerns about the displacement of existing residents, small businesses and the automotive industry, development in the flood zone, traffic and transit impacts, creating housing that is affordable to existing residents and having sufficient schools seats to serve the increased population. These speakers recommended that the proposed density be decreased to mitigate potential impacts and that a plan be established to ensure that developers hire contractors with responsible practices.

One local property owner expressed support for the proposal to rezone property at 5030 Broadway in the Upland Wedge to C6-2A but stated that permitting self-storage uses as-of-right in that C6-2A zoning district is critical to the continued success of the existing mixed-commercial and self-storage building. Local property owners also expressed their concerns about

displacement of businesses and for the proposed zoning on Dyckman Street west of Broadway, explaining that the proposed zoning would not encourage redevelopment and would make it difficult for existing businesses to operate and expand.

Residents who testified in opposition expressed concerns about losing the Inwood Public Library and rent regulated housing, displacement of existing residents and small businesses, and having sufficient schools seats and other public services. Some questioned the integrity of the environmental review associated with the proposed actions.

In addition to the oral testimony, written testimony in opposition was submitted by residents who expressed concerns similar to those raised in the oral testimony described above.

There was no other testimony, and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 180204(A) ZMM) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 *et seq.*). The designated WRP number is 16-017.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the proposed zoning map amendment (C 180204(A) ZMM), in conjunction with the applications for the related actions (N 180205(A) ZRM, as modified, C 180206 PPM, C 180207 PQM, C 180208 HAM and C 180073 MMM), is appropriate.

The Commission supports the Inwood NYC planning initiative, which accomplishes several

objectives within and for the Inwood community through the series of proposed actions. The proposed actions present an opportunity to create the potential for new housing development, including affordable housing; preserve areas with strong existing built context through the application of contextual zoning; promote economic development by providing opportunities for commercial and community facility uses in appropriate areas; create more inviting, pedestrian-friendly streets by establishing ground floor design regulations in key areas; and promote opportunities for public access to the Harlem River waterfront. The Commission believes that the proposed actions build on the existing strengths of the neighborhood and provide an opportunity to promote a vibrant mix of uses east of Tenth Avenue, an area that currently includes many vacant or underutilized lots and is zoned for manufacturing, precluding opportunities for new housing.

The Commission acknowledges that the Inwood NYC planning initiative extends beyond the realm of zoning. The Inwood NYC planning initiative emerged from a community engagement process that began in 2015. A series of information sessions, open houses, and workshops were held to identify current needs and opportunities. Informed by the community engagement, EDC, in collaboration with key City agencies, released the Inwood NYC Action Plan in 2017. The Inwood NYC Action Plan consists of a series of strategies and actions to support affordable and mixed-income housing, create a comprehensive zoning framework, improve neighborhood infrastructure and invest in the community. Though many of the strategies and actions identified in the Inwood NYC Action Plan are not directly related to zoning and land use, and are therefore beyond the scope of the proposed actions, the Commission acknowledges and lauds the breadth of these efforts.

The Commission heard testimony about the need for new affordable housing. The Commission believes that creating the capacity to build new affordable housing for a mix of incomes is crucial to address the pressing demand. The Commission recognizes that Inwood has seen very little new residential development, with only 200 units of housing having been constructed in the last two decades. The proposed actions include a text amendment to establish an MIH area, in which new developments would be required to designate a minimum of 25 percent of the residential floor

area as affordable to households at an average of 60 percent of AMI or 30 percent of the residential floor as affordable to households at an average of 80 percent of AMI. The residential floor area subject to MIH will be permanently affordable. The Commission recognizes the testimony from HPD that its financing programs are designed to reach a range of incomes and that when HPD funds a project in the Inwood rezoning area, a minimum of an additional 15 percent of units of permanently affordable housing will be required. The Commission also recognizes HPD testimony that the proposed actions would result in projects exceeding the MIH affordability requirements, including the Inwood Library project with its expected 175 units of deeply affordable housing and a project at West 207th Street and the Harlem River where HPD is working with a developer to finance a 100 percent affordable development with approximately 600 affordable housing units. Further, the Commission notes that HPD is committed to working with sister agencies to assess the feasibility of development on additional public sites.

The Commission also heard testimony about the need for tenant protection and preservation of the neighborhood's existing rent regulated housing. The Commission observes that measures to protect tenants and preserve existing affordable housing are as much an integral part of the Mayor's housing plan as efforts to increase the supply of housing at a range of income levels, and recognizes testimony from HPD that outlined strategies to combat displacement and for preservation of existing affordable housing. The Commission notes that HPD has financed the preservation of affordable homes in Inwood and Washington Heights and is continuing its outreach efforts to promote the City's preservation efforts. The Commission also notes HPD's role in the City Agency Tenant Harassment Protection Task Force, which investigates and brings enforcement actions against landlords who are found to be harassing tenants. The Commission welcomes implementation of the Certificate of No Harassment program in Inwood, where it will provide an additional degree of protection against unlawful treatment of tenants. The Commission also recognizes testimony from HRA that the City has committed funding city-wide for tenant legal service programs, including free legal advice, assistance and representation.

The Commission heard testimony about the need to protect small businesses. The Commission acknowledges that measures to address these concerns extend beyond the purview of zoning, and

recognizes testimony from SBS that outlined strategies for investments for small businesses and job seekers in Inwood. SBS highlighted the Neighborhood 360 grant, which awarded \$1.4 million in funding to the Washington Heights Business Improvement District to work in partnership with several Inwood community based organizations to implement a plan to support local commercial uses in the area. The Commission also notes that SBS provides free business services to all small businesses, including business education, access to capital, free legal resources and commercial lease review.

The Commission heard testimony about the existing and future school needs in Inwood. The Commission notes that a 15-year time frame was used to conservatively estimate the amount of new development reasonably expected to occur as a result of the proposed actions and that the FEIS finds that there will be sufficient school capacity. The Commission recognizes that the projected development will occur over time, with a gradual effect on schools, and that the School Construction Authority will continue to monitor school enrollment through its capital planning process.

Zoning Map Amendments

The Commission believes the proposed zoning map amendments are appropriate. The Commission recognizes that zoning in the 59-block rezoning area has been almost entirely unchanged since it was put into place in 1961, and does not believe that it provides adequate capacity for growth to meet housing and economic development needs in Inwood. The Commission notes that there has been very little residential development in Inwood, with only 200 units of housing built in the last two decades and that the existing condition along and to the east of Tenth Avenue consists primarily of underutilized and vacant land, and that existing zoning does not permit residential development. Additionally, the Commission notes that existing zoning along major corridors west of Tenth Avenue limits the ability to provide mixed-use buildings. Further the Commission notes that existing residential zoning districts in the rezoning area are subject to height factor rules, and that the neighborhood would benefit from the more predictable streetscape, bulk and height regulations imposed by contextual districts.

The Commission recognizes that the proposed zoning promotes development opportunities

around transit stations, along major corridors, at the convergence of two wide streets and along the Harlem River Waterfront. The Commission believes that the proposed zoning districts will promote new development that is balanced and targeted in appropriate areas, with heights and densities that are suitable for the proposed locations.

The Commission believes that the proposed mapping of R7A and C4-4A districts in the Upland Core is appropriate. The proposed zoning will provide bulk and height regulations in areas currently subject to height-factor rules that are consistent with the existing built context, thereby ensuring that any new development is appropriately scaled for this area that has a remarkably consistent built form.

The Commission believes that the proposed zoning in the Commercial U -- C4-5D districts along Dyckman Avenue, Broadway and West 207th Street, with nodes of C4-4D districts at the intersections -- is appropriate. Dyckman Avenue, Broadway and West 207th Street are vibrant retail corridors, located on wide streets, with potential for additional growth, particularly at the convergence of two wide streets near transit stations where C4-4D districts are proposed. The proposed rezoning will provide opportunities for greater quantity and diversity of commercial and retail uses to serve the community. The proposed zoning will also introduce more predictable bulk and height regulations, and will permit residential as well as commercial uses, which will contribute to a vibrant mix of uses.

The Commission believes that the proposed zoning in the Upland Wedge is appropriate. In the modified zoning map amendment application, a C6-2A district is proposed at a site located at 5030 Broadway, modified from the C4-4D district proposed in the original application. The C6-2A district responds to the existing condition of the block, which contains a building that occupies the entire block and contains self-storage, commercial and community facility uses. The proposed zoning district promotes opportunities for commercial and community facility uses that generates jobs and serve community needs, and responds to a recommendation of Community Board 12. C4-4D zoning districts are proposed along the remainder of Tenth Avenue that is currently zoned for heavy commercial and automotive-related uses. The Commission believes that the proposed C4-4D zoning district will encourage a mix of uses that would better match the surrounding

residential area to the west. The proposed R7D zoning along Broadway, which is a wide street, in the Upland Wedge will serve as a transition between the proposed C4-4D to the east and the R7A to the east.

The Commission believes the proposed zoning in the Tip of Manhattan is appropriate to provide for further economic development opportunities in the area. The proposed C6-2 district, in the southeast portion of the subdistrict, will introduce the potential for residential development in this area, which includes a City-owned lot. The M1-4 and M1-5 districts in the northwest portion of the subdistrict, with the accompanying modifications to use and bulk regulations, will make possible a range of job-generating uses including institutional uses, and the bulk regulations will be modified in the SID to allow larger floor plates that accommodate these uses.

The Commission believes the proposed zoning in Sherman Creek is appropriate. Much of the Sherman Creek subdistrict consists of land that is underutilized or vacant and is currently zoned for manufacturing, which does not permit residential or certain desirable commercial uses. The proposed zoning will encourage a mix of uses, similar to the existing context west of Tenth Avenue. R8 districts are mapped along the waterfront where additional height and density is more appropriate. Additionally, R8A districts are proposed along major corridors and an R9A district area proposed at the convergence of West 207th Street and Ninth Avenue, two wide streets. R7A will be mapped on the mid-blocks between Ninth and Tenth avenues from West 206th Street to West 203rd Street, much of which is zoned for height-factor development today. The R7A zoning will be consistent with the existing built context in much of the proposed district. M1-4/R7A and M1-4/R9A districts will be mapped at the southwest portion of Sherman Creek, providing relocation space for wholesale businesses existing along Ninth Avenue, aligning with one of the Borough President's recommendations. Additionally, the mixed-use districts will act as a transition between the existing manufacturing districts that are to remain in the southern portion of the subdistrict and the proposed residential districts. The proposed M2-4 district along the waterfront between West 204th and West 202nd streets will allow for the rationalization of Con Edison's footprint in the subdistrict.

The proposed map amendments will eliminate portions of existing C1-3 and C1-4 commercial

overlays or replace them with C2-4 commercial overlays. New C2-4 commercial overlays will also be established in the portions of proposed R7A, R7D, R8, R8A, and R9A districts. The Commission believes that the C2-4 commercial overlays are appropriate and will support the development of mixed residential and commercial uses, and will bring many existing nonconforming local retail and other commercial uses into conformance.

Zoning Text Amendments

Mandatory Inclusionary Housing

The Commission believes that the proposed zoning text amendment to designate portions of the Inwood neighborhood as an MIH area is appropriate.

The zoning text amendment will designate an MIH area that encompasses portions of the proposed rezoning area that will be rezoned to C4-4A, C4-4D, C4-5D, C6-2, C6-2A, R7D, R8A, R8, R9A, M1-4/R7A, and M1-4/R9A, as well as some portions rezoned to R7A from M1-1. Options 1 and 2 are proposed, which will require a minimum of 25 percent of the residential floor area be designated as affordable to households at an average of 60 percent of AMI or 30 percent of the residential floor area be designated as affordable to households at an average of 80 percent of AMI. The proposed text amendment will ensure that a portion of all new residential development within Inwood will be permanently affordable. The Commission believes that having both Option 1 and Option 2 available within Inwood will provide appropriate flexibility to address the area's need for low, moderate and middle income housing in order to support the area's economic diversity.

Special Inwood District (SID)

The Commission believes that the establishment of the SID, as modified herein, is appropriate in conjunction with the proposed zoning map amendments to establish suitable bulk, use and urban design controls that will result in appropriately configured, scaled and programmed developments within the rezoning area.

Bulk Regulations

The Commission notes that the rezoning proposal includes features to address several types of

constrained sites, including those located on or near the waterfront, sites along the elevated rail tracks on Tenth Avenue, and sites in the Commercial U in close proximity to the windows of existing buildings.

To address the site constraints along the elevated rail, the SID will permit lower base heights and greater total height than allowed by the underlying district, which the Commission believes will result in better building design, an improved interior environment for residents, and a more pedestrian-friendly streetscape.

To address the prevalence of existing buildings with windows close to lot lines in the Commercial U, the SID will permit new development to set back from adjoining property with lawfully created windows, and rise an additional story. The Commission believes that this bulk modification is an appropriate complement to the establishment of contextual zoning districts within the area, and will allow new contextual development to occur without decreasing access to light and air for residents of these existing buildings.

The SID will modify the bulk regulations on waterfront blocks for C6-2 and R8 districts within the Tip of Manhattan and Sherman Creek. Lots developed together with waterfront public access areas will have a maximum FAR of 7.2 and a more flexible bulk envelope, while lots that do not improve the shoreline with public access will follow R7A bulk regulations. As much of the property adjacent to the waterfront consists of City-owned lots that are by themselves too narrow and irregularly shaped to accommodate public access to the waterfront and recreational use, the Commission believes that these modifications are appropriate and will encourage larger, more flexible development sites and the joint development of waterfront public access areas by merging privately-owned lots with the adjacent City-owned lots. Further, the Commission understands that the disposition agreement between the City and Spectrum Communications to rationalize boundaries in the Tip of Manhattan will obligate Spectrum Communications to develop and maintain publicly accessible waterfront open space without merging with the City-owned lot. The Commission recognizes that the intent of these bulk modifications is to encourage the creation of appropriately sized and configured publicly accessible waterfront open space, whether through zoning lot merger or through other mechanisms that enable the construction of

a contiguous public waterfront access area. Accordingly, the Commission is modifying the SID text to permit the maximum R8 FAR of 7.2 and more flexible envelope for lots on waterfront blocks without 100 feet adjacent to the shoreline, provided that the lot is adjacent to the waterfront lot and that the owner of that adjacent lot has entered into a binding agreement to develop and maintain publicly accessible waterfront open space that will justify additional density on the site.

Additional modifications to street wall location, maximum building height and rear yard requirements will be adjusted by the SID to provide design flexibility. The transfer of floor area will be permitted between certain zoning districts to respond to site constraints, provide design flexibility and trigger the development of publicly accessible waterfront open space in the Tip of Manhattan. In addition, on waterfront blocks in Sherman Creek, floor area will be permitted to be transferred within a zoning lot across zoning district boundaries, enabling site planning flexibility while maintaining appropriate limits on bulk through specific height and setback limitations. The Commission notes that the modifications and waivers associated with the SID will provide design flexibility for better building design and are appropriate.

Following comments regarding height and density in certain areas to be rezoned expressed during the public review process, the application filed on April 18, 2018 (N 180205(A) ZRM) included zoning text to modify maximum allowable commercial FAR, from 2.0 to 3.5, for a portion of a commercial overlay mapped within R8A and R9A districts in Sherman Creek; maximum allowable community facility FAR, from 4.2 to 4.0, in the R7D district proposed in the Upland Wedge; and maximum allowable community facility and commercial FARs, from 6.5 to 4.2 and from 3.4 to 4.2 respectively, in portions of C4-4D districts in the Commercial U and in the Upland Wedge. Upon further evaluation of the merits of each proposed modification and with the exception of the proposed FAR modification in Sherman Creek, which is intended to promote important economic development, the Commission believes that the as-of-right floor area ratios in the aforementioned zoning districts are appropriate as proposed in the original application and does not find sufficient land use rationale to further modify these FARs. Accordingly, the Commission is modifying the SID text of the modified application to remove the changes to the maximum allowable community facility FAR in the R7D district proposed in the Upland Wedge

and the maximum allowable community facility and commercial FARs in portions of C4-4D districts in the Commercial U and in the Upland Wedge.

Use Regulations

The SID will provide certain use modifications that allow for existing uses to continue as conforming uses, to rationalize Con Edison property and to encourage a desirable mix of uses. The Commission believes that these modifications are appropriate and will allow for the continued operation of existing successful uses.

The Commission heard testimony regarding a site at 5030 Broadway, an existing mixed-use building containing self-storage and office uses on a full block, where self-storage uses will become non-conforming as a result of the proposed zoning. The Commission also notes the recommendation of the Community Board to avoid making self-storage uses non-conforming at this site. The Commission understands that this is a successful existing business that serves the needs of the community and believes that allowing this existing use to continue as a conforming use is appropriate. The Commission is therefore modifying the proposed SID zoning text to allow self-storage uses as-of-right in C6-2A districts within the Upland Wedge.

Ground Floor Design Regulations

The Commission notes that the SID will establish ground floor design requirements to ensure that new development contribute to activating the streetscape along major existing retail corridors and other important pedestrian connections, including new and emerging commercial areas. Type 1 Streets (generally located along much of Ninth Avenue, Broadway and Tenth Avenue south of West 207th Street, and 207th Street between Tenth and Ninth Avenues) require non-residential ground floor uses and minimum levels of transparency. Type 2 Streets (generally located along Broadway north of West 211th Street, along Ninth Avenue in the Tip of Manhattan, and along West 204th and West 206th streets in Sherman Creek) require any parking facility on the ground floor be wrapped by floor area. Type 3 Streets (generally located along Dyckman and West 207th Streets within the Commercial U) require non-residential uses to be located on the ground floor with a minimum of 50 percent dedicated to commercial uses and minimum levels of

transparency.

The Commission believes that ground floor use and design regulations can help foster a vibrant, diverse, and welcoming pedestrian environment. However, the Commission also acknowledges that requirements for ground-floor non-residential use should take into consideration the strength of the market for such type of space in the area and the potential for adverse effects on the viability of development. Specifically, within the Sherman Creek subdistrict, the Commission believes that the ground-floor use requirements along Tenth Avenue, Academy Street and the southernmost portion along Ninth Avenue merit further adjustment because these frontages do not have a consistent built condition with ground-floor commercial activity. Therefore, the Commission is modifying the SID zoning text to require Type 2 Streets along the east frontage of Tenth Avenue and Academy Street between West 205th and West 201st streets and along the west and east frontages of Ninth Avenue between West 204th and West 203rd Streets, where Type 1 Streets were originally proposed.

Parking Regulations

The Commission notes that the SID will reduce the underlying off-street accessory parking requirements for residential uses to 20 percent throughout the SID, and will waive the commercial and community facility parking requirements for mixed-use buildings in C2-4, C4-4D or C4-5D districts. The SID will also allow unused accessory parking spaces to be made available to the public. The Commission believes that these modifications are appropriate to accommodate mixed-income, mixed-use development in a transit-accessible area where automobile ownership is low and commercial uses can be accessed by public transportation, and will accommodate a vibrant mix of uses without requiring the development of costly structured parking. Under the proposal, developments that elect to provide accessory parking can also serve broader neighborhood needs as a public parking resource.

Transit Easements

The Commission believes that it is appropriate to require lots adjacent to the West 207th Street and West 215th Street No. 1 train subway stations and the Dyckman Street A train subway station

to coordinate with the MTA and the Chair of the City Planning Commission prior to development to determine if an easement or sidewalk widening would be needed for station access improvements in the future. This modification would ensure that future improvements, such as the addition of elevators, will be in the most advantageous location. Further, the Commission notes that any floor area utilized by the MTA for station access will be exempted from FAR calculations. The Commission believes that it is appropriate to permit any development required to provide an easement to rise an additional story to ensure that there is no loss of development potential and a sufficiently flexible envelope to accommodate all permitted floor area.

The Commission received a letter from the MTA dated June 6, 2018, indicating that they have considered the potential for station access improvements on the site of the proposed Inwood Library project (Block 2233, Lot 13 and part of Lot 20), and have determined that the site need not be included in the Transit Improvement Zone. Accordingly, the Commission is modifying the SID to remove the site of the Inwood Library project from the Transit Improvement Zone.

Waterfront Access Plan (WAP)

The WAP will cover the entirety of the Tip of Manhattan subdistrict waterfront, as well as the entirety of the waterfront proposed to be rezoned in the Sherman Creek subdistrict. As the Harlem River waterfront is largely inaccessible, the WAP is intended to create a framework for a continuous shore public walkway over time through a mix of public and private investments.

The Tip of Manhattan subdistrict is an area with narrow, irregularly-shaped lots and limited potential for connections to the North, due to the Broadway Bridge, and the South, due to major infrastructural uses such as a bus depot and the MTA Railyards. Due to the irregular nature of the lots, the shore public walkway requirement was originally proposed to be reduced from the standard 40 feet to 20 feet, in exchange for an equal amount of contiguous waterfront open space on the same lot. The WAP will designate visual corridors at West 218th Street, West 220th Street and Ninth Avenue to ensure strong visual connections down to the Harlem River waterfront. Three supplemental public access areas will also be designated in the Tip of Manhattan located generally between West 220th and West 218th streets. In addition, the WAP will require upland connections along West 218th and West 220th streets to facilitate a direct connection from the upland

neighborhood to the waterfront.

In the Sherman Creek sub-district rezoning area, the proposed WAP will ensure that all sites partially within 40 feet of the shoreline build out waterfront open space connections. On these sites, which would not typically be required to build out WPAA, a minimum 14-foot wide walkway with a 10-foot clear pathway will be required to be built out within 40 feet of the shoreline. Sites with a shoreline of at least 100 feet will follow standard WPAA guidelines. The WAP will require the waterfront lot located between West 207th and West 208th streets to provide an easement to enlarge adjoining mapped streets, and will waive the SPAA requirements for this site. The WAP will also require that the primary circulation path be elevated to 7.5 feet to respond to sea level rise.

The Commission believes that the WAP will benefit the community by facilitating public access to the Harlem River waterfront, however, the Commission does not believe that the irregular nature of the lots within Parcel 2/3 (Block 2197, Lots 75 and 47) in the Tip of Manhattan precludes the ability to provide the standard 40-foot shore public walkway. Accordingly, the Commission is modifying the proposed WAP zoning text to require a 40-foot shore public walkway for Parcel 2/3 (Block 2197, Lots 75 and 47) in the Tip of Manhattan.

In addition to the modifications to the SID and WAP discussed above, the Commission is modifying the proposed text to incorporate minor clarifying edits to language.

Disposition of City-owned Property

The Commission believes that the proposed disposition of City-owned properties is appropriate.

The proposed disposition of the portion of the City-owned lot (Block 2185, Lot 36) along the Harlem River waterfront will facilitate the creation of future public open space by allowing the lot to merge with the adjacent privately-owned site, thereby creating enhanced opportunities for the creation of public waterfront open space and access and connecting upland portions of the Inwood neighborhood to contiguous areas of the Harlem River waterfront.

The proposed disposition of Block 2197, Lots 75 and 47, in the Tip of Manhattan, is intended to

facilitate the reconfiguration of two irregularly shaped lots, one with no street frontage (Lot 75, owned by the City) and one with no waterfront frontage (Lot 47, owned by Spectrum Communications). Both lots will be reconfigured to generally establish an east-west lot boundary, which will provide both lots with street frontage, facilitating the opportunity for future development and public waterfront access. The reconfiguration of these zoning lots will be subject to a future certification pursuant to Section 62-812 of the Zoning Resolution, which provides that requirements for public access must be assigned to the reconfigured zoning lots in a manner that ensures that they will be provided. In addition, the Commission is approving the disposition with the condition that future development of the current City-owned property for a non-exempt use would trigger a requirement to improve and provide for the maintenance of public access areas along the adjacent City-owned portion of the shoreline.

Acquisition of Property

The Commission believes the proposed acquisition of property is appropriate.

In connection with the proposed disposition actions for Block 2197, Lots 75 and 47, the proposed acquisition of Block 2197, Lot 47 is intended to reconfigure adjacent City-owned and Spectrum Communications-owned irregularly shaped lots in the Tip of Manhattan subdistrict to provide both owners with developable lots.

In the Commercial U subdistrict, the proposed acquisition, in connection with the proposed UDAAP designation and project approval and disposition of City-owned land, of the condominium unit will allow the City to replace the Inwood branch of the NYPL in a planned mixed-use development for a site located at Block 2233, Lot 13 and part of Lot 20.

The proposed acquisition of portions of Block 2183, part of Lot 1 and Block 2184; part of Lot 1 is intended to establish public access easements to facilitate the creation of future public open space along the waterfront between West 202nd and Academy streets.

UDAAP Designation and Project Approval and Disposition of City-owned Property

The Commission believes that the proposed UDAAP designation and project approval and

disposition of City-owned property is appropriate for a site located at Block 2233, Lot 13 and part of Lot 20 for the development of a mixed-use building with affordable housing is appropriate. The proposed mixed-use building will rise to height of 14 stories and would include 175 deeply affordable units of housing, a new public library to be owned and operated by NYPL featuring community programming through an onsite ACTS Center and a new Pre-K for All facility operated by the DOE. The Commission believes that the proposed UDAAP designation and project approval and disposition of City-owned property will result in the creation of much-needed affordable housing and public services.

City Map Amendments

The Commission believes that the proposed City Map amendments to eliminate portions of Academy Street east of Tenth Avenue; West 208th Street at the North Cove; and Exterior Street between West 202nd and West 205th streets and from West 206th to West 208th streets will allow for these properties to be redeveloped as publicly accessible waterfront open space and are appropriate.

The Commission believes that the proposed City Map amendments to eliminate a portion of West 201st Street east of Ninth Avenue and a volume of the street above West 203rd Street will allow for the rationalization of the Con Edison properties and are appropriate.

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on June 14, 2018, with respect to this application (CEQR No. 17DME007M), and the Technical Memorandum, dated June 22, 2018, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

2. The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those project components related to the environmental and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS and the Technical Memorandum dated June 22, 2018, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action will not substantially hinder the achievement of and Waterfront Revitalization Program (WRP) policy and hereby determines that this proposed action is consistent with WRP polices; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section Nos. 1b, 1d, 3a and 3c:

1. eliminating from within an existing R7-2 District a C1-3 District bounded by West 207th Street, a line 100 feet northwesterly of Ninth Avenue, West 206th Street, and a line 100 feet southeasterly of Tenth Avenue;
2. eliminating from within an existing R7-2 District a C1-4 District bounded by:
 - a. Payson Avenue, a line 100 feet northwesterly of Dyckman Street, a line 100 feet northwesterly of Broadway, West 204th Street, Broadway, Academy Street, a line 100 feet southeasterly of Broadway, a line 200 feet northeasterly of Dyckman Street, Broadway, and Dyckman Street;

- b. Cooper Street, a line 150 feet northeasterly of 207th Street, a line 100 feet northwesterly of Broadway, Isham Street, Broadway, West 213th Street, a line 100 feet southeasterly of Broadway, Isham Street, a line 100 feet southeasterly of Broadway, a line 150 feet northeasterly of West 20th Street, Tenth Avenue, a line 100 feet southwesterly of West 207th Street, Broadway, the northeasterly boundary line of a Park (Dyckman House Park), a line midway between Cooper Street and Broadway, and a line 100 feet southwesterly of West 207th Street;
 - c. a line 100 feet northwesterly of Broadway, West 215th Street, Broadway, and a northeasterly boundary line of a Park;
 - d. a line 100 feet northwesterly of Sherman Avenue, a line midway between Dyckman Street and Thayer Street, Nagle Avenue, and Thayer Street;
 - e. a line 100 feet northwesterly of Nagle Avenue, a line midway between Dyckman Street and Thayer Street, Sherman Avenue, and Thayer Street;
 - f. Sherman Avenue, West 204th Street, a line 100 feet southeasterly of Sherman Avenue, and Academy Street; and
 - g. Tenth Avenue, a line midway between West 205th Street and West 206th Street, a line 100 feet southeasterly of Tenth Avenue, and a line midway between West 203rd Street and West 204th Street;
3. changing from an R7-2 District to an R7A District property bounded by:
- a. Staff Street, a line 100 feet southwesterly of Dyckman Street, Seaman Avenue, and Riverside Drive;
 - b. the northeasterly centerline prolongation of Staff Street, the southwesterly and southeasterly boundary lines of a Park (Inwood Hill Park), the southeasterly boundary lines of a Park (Isham Park) and its north easterly prolongation, West 218th Street, a line 125 feet northwesterly of Broadway, West 215th Street, Broadway, West 213th Street, a line 100 feet northwesterly of Tenth Avenue, Sherman Avenue, Isham Street, a line 100 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, a line 100 feet northeasterly of West 207th Street, a line 125 feet northwesterly of Broadway, West 207th Street, a line 100 feet southeasterly of Cooper Street, a line 100 feet northeasterly of West 204th Street, a northwesterly boundary line of a Park (Dyckman House Park) and its southwesterly prolongation, West 204th Street, a line 100 feet southeasterly of Cooper Street, Academy Street, a line 125 feet northwesterly of Broadway, and Dyckman Street;

- c. Broadway, a line midway between Dyckman Street and Thayer Street, Nagle Avenue, and Thayer Street;
 - d. a line midway between Vermilyea Avenue and Broadway, a line 100 feet southwesterly of West 207th Street, Tenth Avenue, Nagle Avenue, and a line 200 feet northeasterly of Dyckman Street; and
 - e. a line 100 feet southeasterly of Tenth Avenue, West 206th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 203rd Street and West 204th Street;
4. changing from a C4-4 District to an R7A District property bounded by a line midway between Broadway and Vermilyea Avenue, a line 200 feet northeasterly of Dyckman Street, Nagle Avenue, and a line 100 feet northeasterly of Dyckman Street;
 5. changing from a C8-3 District to an R7A District property bounded by:
 - a. a line 100 feet northwesterly of Tenth Avenue, a line 300 feet northeasterly of Isham Street, and Sherman Avenue;
 - b. a line 125 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street; and
 - c. a line 100 feet southeasterly of Sherman Avenue, Isham Street, a line 150 feet southeasterly of Sherman Avenue, and a line 150 feet northeasterly of West 207th Street;
 6. changing from an M1-1 District to an R7A District property bounded by a line 100 feet southeasterly of Tenth Avenue, a line midway between West 203rd Street and West 204th Street, a line 100 feet northwesterly of Ninth Avenue, and West 203rd Street;
 7. changing from a C8-3 District to an R7D District property bounded by a line 100 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street;
 8. changing from an M1-1 District to an R8 District property bounded by the northeasterly street line of former West 208th Street, the U.S. Pierhead and Bulkhead Line, West 207th Street, and a line 100 feet southeasterly of Ninth Avenue;
 9. changing from an M3-1 District to an R8 District property bounded by:
 - a. West 207th Street, the U.S. Pierhead and Bulkhead Line, West 206th Street, and a line 100 feet southeasterly of Ninth Avenue; and

- b. West 205th Street, the U.S. Pierhead and Bulkhead Line, West 204th Street, and Ninth Avenue;
10. changing from an R7-2 District to an R8A District property bounded by Post Avenue, a line 100 feet northeasterly of West 207th Street, Tenth Avenue, West 207th Street, a line 100 feet northwesterly of Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Tenth Avenue, a line midway between West 203rd Street and West 204th Street, Tenth Avenue, and a line 100 feet southwesterly of West 207th Street;
 11. changing from an M1-1 District to an R8A District property bounded by:
 - a. Tenth Avenue, a line midway between West 203rd Street and West 204th Street, a line 100 feet southeasterly of Tenth Avenue, and West 203rd Street;
 - b. a line 100 feet northwesterly of Ninth Avenue, West 206th Street, Ninth Avenue, and West 203rd Street; and
 - c. a line passing through a point at angle 35 degrees to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, West 207th Street, and a line 180 feet southeasterly of Tenth Avenue;
 12. changing from an M3-1 District to an R8A District property bounded by Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, and West 205th Street;
 13. changing from an M1-1 District to an R9A District property bounded by a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of West 207th Street, Ninth Avenue, the northeasterly Street line of former West 208th Street, a line 100 feet southeasterly of Ninth Avenue, West 207th Street , Ninth Avenue, and West 206th Street;
 14. changing from an M3-1 District to an R9A District property bounded by Ninth Avenue, West 207th Street, a line 100 feet southeasterly of Ninth Avenue, and West 206th Street;
 15. changing from a C8-3 District to a C4-4A District property bounded by Staff Street, Dyckman Street, Seaman Avenue, and a line 100 feet southwesterly of Dyckman Street;
 16. changing from an R7-2 District to a C4-4D District property bounded by:
 - a. a line 125 feet northwesterly of Broadway, Cumming Street, Broadway, a line 150 feet southwesterly of Academy Street, a line midway between Vermilyea Avenue and Broadway, a line 200 feet northeasterly of Dyckman Street, Broadway, and Dyckman Street;

- b. a line 100 feet southeasterly of Cooper Street, West 207th Street, a line 125 feet northwesterly of Broadway, a line 100 feet northeasterly of West 207th Street, a line midway between Broadway and Vermilyea Avenue and its northeasterly prolongation, and a line 100 feet southwesterly of West 207th Street; and
 - c. a line 150 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, Tenth Avenue, and a line 100 feet northeasterly of West 207th Street;
17. changing from a C4-4 District to a C4-4D District property bounded by:
- a. Broadway, a line 200 feet northeasterly of Dyckman Street, a line midway between Vermilyea Avenue and Broadway, and a line midway between Thayer Street and Dyckman Street; and
 - b. a line midway between Post Avenue and Nagle Avenue and its southwesterly prolongation, a line 100 feet northeasterly of Dyckman Street, Nagle Avenue, and a line midway between Thayer Street and Dyckman Avenue;
18. changing from a C8-3 District to a C4-4D District property bounded by:
- a. Broadway, West 218th Street, Tenth Avenue, and West 214th Street; and
 - b. a line 100 feet northwesterly of Tenth Avenue, West 213th Street, Tenth Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, Isham Street, Sherman Avenue, and a line 300 feet northeasterly of Isham Street;
19. changing from an R7-2 District to a C4-5D District property bounded by:
- a. a line 100 feet northwesterly of Broadway, Academy Street, a line 100 feet southeasterly of Cooper Street, West 204th Street, the northwesterly boundary lines of a Park (Dyckman House Park), a line 100 feet southeasterly of Cooper Street, a line 100 feet southwesterly of West 207th Street, a line midway between Broadway and Vermilyea Avenue, a line 150 feet southwesterly of Academy Street, Broadway, and Cumming Street; and
 - b. a line midway between Broadway and Vermilyea Avenue, a line 100 feet northeasterly of West 207th Street, Post Avenue, and a line 100 feet southwesterly of West 207th Street;

20. changing from a C4-4 District to a C4-5D District property bounded by a line midway between Vermilyea Avenue and Broadway and its southwesterly prolongation, a line 100 feet northeasterly of Dyckman Street, a line midway between Post Avenue and Nagle Avenue and its southwesterly prolongation, and a line midway between Thayer Street and Dyckman Street;
21. changing from an M1-1 District to a C6-2 District property bounded by Broadway, a line midway between West 218th Street and West 219th Street, a line 100 feet northwesterly of Ninth Avenue, West 219th Street, Ninth Avenue, and West 218th Street;
22. changing from an M2-1 District to a C6-2 District property bounded by Ninth Avenue, the south easterly centerline prolongation of West 218th Street, the U.S. Pierhead and Bulkhead Line, and the southeasterly prolongation of a line 22 feet northeasterly of the southwesterly street line of West 218th Street;
23. changing from an M3-1 District to a C6-2 District property bounded by Ninth Avenue, the southeasterly centerline prolongation of West 220th Street, a line 110 feet southeasterly of Ninth Avenue, a line 50 feet southwesterly of the southeasterly centerline prolongation of West 220th Street, the U.S. Pierhead and Bulkhead Line, and the southeasterly centerline prolongation of West 118th Street;
24. changing from a C8-4 District to a C6-2A District property bounded by Broadway, West 214th Street, Tenth Avenue, and West 213th Street;
25. changing from an M2-1 District to an M1-4 District property bounded by Broadway, the U.S. Pierhead and Bulkhead Line, the southeasterly centerline prolongation of West 220th Street, and Ninth Avenue;
26. changing from an M3-1 District to an M1-4 District property bounded by the southeasterly centerline prolongation of West 220th Street, the U.S. Pierhead and Bulkhead Line, a line 50 feet southwesterly of the southeasterly centerline prolongation of West 220th Street, and a line 110 feet southeasterly of Ninth Avenue;
27. changing from an M1-1 District to an M1-5 District property bounded by Broadway, Ninth Avenue, West 219th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 218th Street and West 219th Street;
28. changing from an M3-1 District to an M2-4 District property bounded by Ninth Avenue, West 204th Street, the U.S. Pierhead and Bulkhead Line, and West 202nd Street;
29. changing from an M1-1 District to an M1-4/R7A District property bounded by a line 100 feet southeasterly of Tenth Avenue, West 203rd Street, a line 300 feet southeasterly of Tenth Avenue, and West 202nd Street;

30. changing from an M1-1 District to an M1-4/R9A District property bounded by Tenth Avenue, West 203rd Street, a line 100 feet southeasterly of Tenth Avenue, West 202nd Street, a line 150 feet southeasterly of Tenth Avenue, and West 201st Street;
31. establishing within a proposed R7A District a C2-4 District bounded by:
 - a. Payson Avenue, a line 100 feet northeasterly of Dyckman Street, a line 125 feet northwesterly of Broadway, and Dyckman Street;
 - b. a line 100 feet northwesterly of Sherman Avenue, a line midway between Thayer Street and Dyckman Street, a line 100 feet southeasterly of Sherman Avenue, and Thayer Street;
 - c. a line 100 feet northwesterly of Nagle Avenue, a line midway between Thayer Street and Dyckman Street, Nagle Avenue, and Thayer Street;
 - d. a line 100 feet northwesterly of Sherman Avenue, a line 250 feet northeasterly of Dyckman Street, a line 100 feet southeasterly of Sherman Avenue, and a line 100 feet northeasterly of Dyckman Street;
 - e. Vermilyea Avenue, Academy Street, a line 100 feet northwesterly of Vermilyea Avenue, a line 100 feet northeasterly of Academy Street, a line 100 feet southeasterly of Vermilyea Avenue, and a line 100 feet southwesterly of Academy Street;
 - f. a line 100 feet northwesterly of Sherman Avenue, a line 100 feet northeasterly of Academy Street, Sherman Avenue, a line 100 feet southwesterly of West 204th Street, a line 100 feet northwesterly of Sherman Avenue, West 204th Street, Sherman Avenue, a line 100 feet southwesterly of West 207th Street, a line 100 feet southeasterly of Sherman Avenue, and Academy Street;
 - g. a line 100 feet northwesterly of Post Avenue, a line 100 feet northeasterly of West 204th Street, Post Avenue, and West 204th Street;
 - h. a line 100 feet northwesterly of Nagle Avenue, Academy Street, Nagle Avenue, and a line 100 feet southwesterly of Academy Street;
 - i. Cooper Street, a line 150 feet northeasterly of West 207th Street, a line 100 feet northwesterly of Broadway, a line 100 feet northeasterly of Isham Street, Broadway, West 213th Street, a line 100 feet southeasterly of Broadway, West 211th Street, Broadway, Isham Street, a line 100 feet southeasterly of Broadway, a line 150 feet northeasterly of West 207th Street, a line 100 feet northwesterly of Sherman

Avenue, a line 100 feet southwesterly of Isham Street, Sherman Avenue, Isham Street, a line 100 feet southeasterly of Sherman Avenue, a line 150 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, a line 100 feet northeasterly of West 207th Street, a line 125 feet northwesterly of Broadway, West 207th Street, a line 100 feet southeasterly of Cooper Street, and a line 100 feet southwesterly of West 207th Street;

- j. a line 100 feet northwesterly of Sherman Avenue, a line 175 feet northeasterly of Isham Street, Sherman Avenue, and Isham Street;
 - k. a line 100 feet northwesterly of Broadway, West 215th Street, Broadway, and a northeasterly boundary line of a Park;
 - l. Indian Road, West 218th Street a line 150 feet southeasterly of Indian Road, and a line 100 feet southwesterly of West 218th Street;
 - m. a line 100 feet southeasterly of Tenth Avenue, West 206th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 205th Street and west 206th Street; and
 - n. a line 100 feet southeasterly of Tenth Avenue, a line midway between West 204th Street and West 205th Street, a line 100 feet northwesterly of Ninth Avenue, and a line midway between West 203rd Street and West 204th Street;
32. establishing within a proposed R7D District a C2-4 District bounded by a line 100 feet northwesterly of Broadway, West 218th Street, Broadway, and West 215th Street;
33. establishing within a proposed R8 District a C2-4 District bounded by:
- a. a line 100 feet southeasterly of Ninth Avenue, the southwesterly street line of former West 208th Street, the U.S. Pierhead and Bulkhead Line, and West 206th Street; and
 - b. Ninth Avenue, West 205th Street, the U.S. Pierhead and Bulkhead Line, and West 204th Street;
34. establishing within a proposed R8A District a C2-4 District bounded by:
- a. Post Avenue, a line 100 feet northeasterly of West 207th Street, Tenth Avenue, and a line 100 feet southwesterly of West 207th Street;
 - b. a line 100 feet southeasterly of Tenth Avenue, West 207th Street, a line 180 feet southeasterly of Tenth Avenue, a line passing through a point at angle 35 degrees

to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, and West 206th Street;

- c. a line midway between West 205th Street and West 206th Street, a line 100 feet southeasterly of Tenth Avenue, West 203rd Street, and Tenth Avenue; and
 - d. a line 100 feet northwesterly of Ninth Avenue, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, West 205th Street, Ninth Avenue, and West 203rd Street;
35. establishing within a proposed R9A District a C2-4 District bounded by a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of 207th Street, Ninth Avenue, the southwesterly street line of former West 208th Street, a line 100 feet southeasterly of Ninth Avenue, and West 206th Street; and
36. establishing a Special Inwood District (IN) bounded by a line 125 feet northwesterly of Broadway, Academy Street, a line 100 feet southeasterly of Cooper Street, West 204th Street, Broadway, the northeasterly boundary line of a Park (Dyckman House Park) and its southeasterly prolongation, a line 100 feet southeasterly of Cooper Street, West 207th Street, a line 125 feet northwesterly of Broadway, a line 100 feet northeasterly of West 207th Street, a line 150 feet southeasterly of Sherman Avenue, Isham Street, Sherman Avenue, a line 300 feet northeasterly of Isham Street, a line 100 feet northwesterly of Tenth Avenue, West 213th Street, Broadway, West 215th Street, a line midway between Park Terrace East and Broadway, West 218th Street, Broadway, the U.S. Pierhead and Bulkhead Line, the southeasterly prolongation of a line 22 feet northeasterly of the southwesterly street line of West 218th Street, Tenth Avenue, West 207th Street, a line 180 feet southeasterly of Tenth Avenue, a line passing through a point at angle 35 degrees to the northeasterly street line of West 207th Street distant 180 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of West 207th Street and the southeasterly street line of Tenth Avenue, a line 100 feet northwesterly of Ninth Avenue, a line 100 feet northeasterly of West 207th Street, Ninth Avenue, the northeasterly street line of former West 208th Street, the U.S. Pierhead and Bulkhead Line, West 206th Street, a line 100 feet southeasterly of Ninth Avenue, West 205th Street, the U.S. Pierhead and Bulkhead Line, the centerline of former Academy Street, West 201st Street, Tenth Avenue, a line 100 feet southwesterly of West 207th Street, a line midway between Vermilyea Avenue and Broadway, a line 100 feet northeasterly of Dyckman Street, Nagle Avenue, a line 100 feet southwesterly of Dyckman Street, Broadway, and Dyckman Street;

Borough of Manhattan, Community District 12, as shown on a diagram (for illustrative purposes only) dated April 18, 2018.

The above resolution (C 180204(A) ZMM), duly adopted by the City Planning Commission on June 25, 2018 (Calendar No. 5), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

ALLEN P. CAPPELLI, ESQ., ALFRED C. CERULLO, III,

JOSEPH DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,

HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN *Commissioners*

MICHELLE R. DE LA UZ, *Commissioner Voting No*

Exhibit A – (E) Designations

In accordance with the Inwood Rezoning Proposal FEIS

Hazardous Materials (E) Designations

As disclosed in the Inwood Rezoning Proposal FEIS, (E) designation requirement or similar institutional control related to hazardous materials, (E) designation (E-459), would apply to all privately-held projected and potential development sites. The applicable blocks and lots by development site are provided below.

Projected Development Sites

Projected Development Site Number	Tax Block	Tax Lot
1	2214	24
2A	2215	842
	2215	852
	2215	857
	2215	863
	2215	866
2B	2215	877
	2197	67
	2197	71
	2197	74
	2197	174
3	2243	250
	2243	255
4	2197	47
	2197	75
5	2230	21
6	2188	1
	2188	10
7	2203	9
	2203	21
8	2200	15
	2200	21
	2200	29
9	2201	21
10	2185	25
	2185	36
	2185	51
11	2202	1
	2202	5
12	2185	1
	2184	20
13	2199	1
	2199	11
	2199	34
14	2198	1
	2198	5

Projected Development Site Number	Tax Block	Tax Lot
15	2232	18
16	2174	66
17	2174	50
18	224	53
19	2175	49
20	2246	55
21	2246	36
22	2246	20
23	2233	1
24	2233	5
	2233	10
25	2233	13
	2233	20
26	2237	75
27	2237	52
28	2238	35
29	2235	9
30	2236	1
31	2226	17
32	2223	26
	2223	27
33	2197	47
	2197	75

Potential Development Sites

Potential Development Site Number	Tax Block	Tax Lot
A	2219	19
	2219	17
B	2215	801
	2215	806
	2215	807
C	2214	35
	2214	39
	2214	41
D	2243	261
	2243	264
	2243	266
E	2229	25
	2229	32
F	2243	247
G	2232	1
	2232	4
	2232	5
	2232	13
	2232	14
H	2243	270
	2243	273
I	2187	1
	2187	5
	2187	7
	2187	20
J	2228	32
K	2223	34
L	2214	1
M	2189	60
N	2203	3
	2203	5
	2203	7
O	2202	25
Q	2202	17
	2202	21

Potential Development Site Number	Tax Block	Tax Lot
17	2186	1
18	2200	5
19	2200	1
20	2200	35
21	2174	65
	2174	61
	2174	60
	2174	64
22	2174	42
23	2220	54
	2220	50
24	2220	1
25	2175	74
	2175	70
26	2175	66
27	2175	60
	2175	61
	2175	63
28	2233	52
29	2246	65
30	2246	28
31	2234	1
	2234	4
32	2235	1
33	2235	7
	2235	5
34	2235	20
	2235	22
35	2235	28
36	2227	33
37	2223	30
38	2224	49
39	2224	1

The (E) designation text related to hazardous materials (E-459) is as follows:

Task 1- Sampling Protocol

The applicant submits to OER, for review and approval, a Phase 1 of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2- Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling, and disposal of suspect lead paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) would need to be followed should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill.

Air Quality (E) Designations

As disclosed in the Inwood Rezoning Proposal FEIS, the (E) designation or similar institutional control requirements related to Air Quality (E) designation (E-459) would be assigned as part of the Proposed Actions for a total of 21 projected and potential development sites (including 9 projected and 12 potential development sites). These designations would specify the various restrictions, such as type of fuel to be used, the distance that the vent stack on the building roof must be from its lot line(s), and/or the above-grade stack height.

The descriptions and requirements of the proposed (E) Designations for these sites with respect to HVAC systems are presented in the tables below.

Projected Sites Required (E) Designations – Proposed Actions

Site #	Tax Block	Tax Lot	(E) Designation
5	2230	21	Any new residential and/or commercial development on Block 2230, Lot 21 must ensure that no operable windows or fresh air intakes are provided for spaces with windows located along the eastern façade for a distance of 120 feet as measured from the northeast lot corner and to a distance of 30 feet from the eastern lot line, between 100 and 130 feet above grade.
7	2203	9	Any new residential and/or commercial development on Block 2203, Lots 9 and 21 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 178 feet above grade and at least 200 feet away from the lot line facing Ninth Avenue.
		21	
8	2200	15	Any new residential and/or commercial development on Block 2200, Lots 15, 21, and 29 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 148 feet above grade; at least 45 feet away from the lot line facing Ninth Avenue; and at least 48 feet away from the lot line facing West 204th Street.
		21	
		29	
9	2201	21	Any new residential and/or commercial development on Block 2201, Lot 21 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 148 feet above grade and at least 45 feet away from the lot line facing Ninth Avenue.
12	2185	1	Any new residential and/or commercial development on Block 2185, Lot 1 and, Block 2184 Lot 20 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 63 feet above grade; at least 35 feet away from the lot line facing Ninth Avenue; and at least 118 feet away from the lot line facing West 204th Street.
	2184	20	
17	2174	50	Any new residential and/or commercial development on Block 2174, Lot 50 must ensure that the heating system boilers fire only natural gas.
18	2224	53	Any new residential and/or commercial development on Block 2224, Lot 53 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 118 feet above grade and at least 55 feet away from the lot line facing Vermilyea Avenue.
29	2235	9	Any new residential and/or commercial development on Block 2235, Lot 9 must ensure that the heating system boilers fire only natural gas.
31	2226	17	Any new residential and/or commercial development on Block 2226, Lot 17 must ensure that the heating system boilers fire only natural gas.

Potential Sites Required (E) Designations – Proposed Actions

Site #	Tax Block	Tax Lot	(E) Designations
I	2187	20	Any new residential and/or commercial development on Block 2187, Lots 20, 7, 5, and 1 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 249.3 feet above grade and at least 91 feet away from the lot line facing West 207 th Street.
		7	
		5	
		1	
M	2189	60	Any new residential and/or commercial development on Block 2189, Lot 60 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 178 feet above grade and at least 43 feet away from the lot line facing Ninth Avenue.
Q	2202	21	Any new residential and/or commercial development on Block 2202, Lots 21 and 17 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 148 feet above grade and at least 51 feet away from the lot line facing West 206 th Street.
		17	
R	2186	1	Any new residential and/or commercial development on Block 2186, Lot 1 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 148 feet above grade and at least 46 feet away from the lot line facing West 206 th Street.
U	2200	1	Any new residential and/or commercial development on Block 2200, Lot 1 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas.
V	2200	35	Any new residential and/or commercial development on Block 2200, Lot 35 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 98 feet above grade and at least 13 feet away from the lot line facing Tenth Avenue.
W	2174	65	Any new residential and/or commercial development on Block 2174, Lots 65, 61, 60 and 64 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas.
		61	
		60	
		64	
X	2174	42	Any new residential and/or commercial development on Block 2174, Lot 42 must ensure that the heating system boilers fire only natural gas.
AA	2175	70	Any new residential and/or commercial development on Block 2175, Lots 70 and 74 must ensure that the heating system boilers fire only natural gas.
		74	
AB	2175	66	Any new residential and/or commercial development on Block 2175, Lot 66 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 126.3 feet above grade.

AJ	2235	20	Any new residential and/or commercial development on Block 2235, Lots 20 and 22 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 148 feet above grade and at least 35 feet away from the lot line facing West 207 th Street.
		22	
AK	2235	28	Any new residential and/or commercial development on Block 2235, Lot 28 must ensure that the heating system boilers be fitted with low NOx (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest rooftop of the building at a minimum of 118 feet above grade and at least 62 feet away from the lot line facing Broadway.

Noise (E) designations

As disclosed in the Inwood Rezoning Proposal FEIS, the (E) designation or similar institutional control requirements related to noise, (E) designation (E-459), would apply 30 out of the 33 projected development sites and 34 of the 39 potential development sites specifying the appropriate amount of window wall attenuation.

The text of Noise (E) designation (E-459) for window/wall attenuation of 35 dBA or less would be as follows:

To ensure an acceptable interior noise environment, the building façade(s) or future development must provide minimum composite building façade attenuation as shown in Appendix H of the *Inwood Rezoning Proposal Environmental Impact Statement* in order to maintain an interior L₁₀ noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial uses. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the building without degrading the acoustical performance of the building façade(s) must also be provided.

The text of Noise (E) designation (E-459) for window/wall attenuation greater than 35 dBA would be as follows:

To ensure an acceptable interior noise environment, the building façade(s) or future development must provide minimum composite building façade attenuation as shown in Appendix H of the *Inwood Rezoning Proposal Environmental Impact Statement* in order to maintain an interior L₁₀ noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial uses. To achieve up to 43 dBA of building attenuation, special design features that go beyond the normal double-glazed windows are necessary and may include using specifically designed windows (i.e., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.), and additional building attenuation. To maintain a closed-window condition in these areas, an alternate means of ventilation that brings outside air into the building without degrading the acoustical performance of the building façade(s) must also be provided.

The specific development sites subject to the (E) designation requirements are outlined in the table below.

Projected Development Sites

Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L ₁₀ Noise Level in dBA	CEQR Minimum Required Attenuation in dBA ¹
1	2214	24	2	72.4	28
2A	2215	842	1	80.9	36
	2215	852			
	2215	857			

Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L ₁₀ Noise Level in dBA	CEQR Minimum Required Attenuation in dBA ¹
	2215	863			
	2215	866			
2B	2215	877	1	80.9	36
	2215	885			
	2197	67			
	2197	71			
	2197	74			
	2197	174			
3	2243	255	3	75.4	31
	2243	250			
4	2197	75	2	72.4	28
	2197	47			
5	2230	21	9	87.2	43
6	2188	10	5	76.9	33
	2188	1			
7	2203	9	5, 10, 12	78.0 ³	35
	2203	21			
8	2200	15	7, 10	71.8 ³	28
	2200	21			
	2200	29			
9	2201	21	6, 7, 10	72.4 ³	28
10	2185	25	6, 7	72.6	28
	2185	36			
	2185	51			
11	2202	1	10	86.5	42
	2202	5			
12	2185	1	7	72.6	28
	2184	20			
13	2199	1	7, 8	74.2	31
	2199	11			
14	2198	1	7, 8	74.2	31
	2198	5			

Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L ₁₀ Noise Level in dBA	CEQR Minimum Required Attenuation in dBA ¹
15	2232	18	3, 4	84.6	40
16	2174	66	11	79.6	35
17	2174	50	11, 16	70.7 ³	28
18	2224	53	16	70.5	28
19	2175	49	15, 16	74.0	31
20	2246	55	18	69.1	N/A ²
21	2246	36	18	69.1	N/A
22	2246	20	18	69.1	N/A
23	2233	1	15	74.0	31
24	2233	5	15	74.0	31
	2233	10			
25	2233	13	15	74.0	31
	2233	20			
26	2237	75	15	74.0	31
27	2237	52	15	74.0	31
28	2238	35	14, 15	75.5	31
29	2235	9	14	75.5	31
30	2236	1	13, 14	75.5	31
31	2226	17	13	73.9	31
32	2223	26	12	77.3	33
	2223	27			
33	2197	75	2	72.4	28
	2197	47			

<i>Potential Development Sites</i>					
Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L ₁₀ Noise Level in dBA	CEQR Minimum Required Attenuation (in dBA)
A	2219	19	10, 12	79.8 ³	35
	2219	17			
B	2215	801	1	80.9	36
	2215	806			
	2215	807			
C	2214	41	1, 2	75.4 ³	31
	2214	35			
	2214	39			

D	2243	266	3, 4	79.9 ³	35
	2243	261			
	2243	264			
E	2229	25	9	87.2	43
	2229	32			
F	2243	247	3	75.4	31
G	2232	1	3, 4	84.6	40
	2232	4			
	2232	5			
	2232	13			
	2232	14			
H	2243	273	1, 3, 4	81.2 ³	37
	2243	270			
I	2187	20	5	76.9	33
	2187	7			
	2187	5			
	2187	1			
J	2228	32	9	87.2	43
K	2223	34	9, 12	87.2	43
L	2214	1	1, 2	80.9	36
M	2189	60	5, 12	70.5 ³	28
N	2203	3	10, 12	86.5	42
	2203	5			
	2203	7			
O	2202	25	5, 6, 10	73.2 ³	31
P	2199	34	7, 8	74.2	31
Q	2202	21	5, 6, 10	74.4 ³	31
	2202	17			
R	2186	1	5, 6	76.9	33
T	2200	5	8	74.2	31
U	2200	1	8	74.2	31
V	2200	35	7, 8	74.2	31
W	2174	65	11	73.4 ³	31
	2174	61			
	2174	60			
	2174	64			
X	2174	42	11, 16, 17	69.7 ³	N/A
Y	2220	54	11, 16, 17	69.8 ³	N/A
	2220	50			
Z	2220	1	16, 17	70.5	28
AA	2175	74	16, 17	70.5	28
	2175	70			
AB	2175	66	16	70.5	28
AC	2175	60	16	70.5	28
	2175	61			
	2175	63			
AD	2233	52	16	70.5	28
AE	2246	65	18	69.1	N/A
AF	2246	28	18	69.1	N/A
AG	2234	1	14, 15	75.5	31
	2234	4			

Potential Development Sites (cont.)

Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L ₁₀ Noise Level in dBA	CEQR Minimum Required Attenuation (in dBA)
AH	2235	1	14	75.5	31
AI	2235	7	14	75.5	31
	2235	5			
AJ	2235	20	14	75.5	31
	2235	22			
AK	2235	28	13	73.9	31
AL	2227	33	13	73.9	31
AM	2223	30	12, 13	69.5 ³	N/A

AN	2224	49	16, 17	70.5	28
AP	2224	1	16	70.5	28
Notes:					
⁽¹⁾ The above attenuation values are for residential dwellings; commercial uses would be 5 dBA less.					
⁽²⁾ "N/A" indicates that the highest calculated L ₁₀ is below 70 dBA. The <i>CEQR Technical Manual</i> does not specify minimum attenuation guidance for exterior L ₁₀ values below this level.					
⁽³⁾ Represents adjusted maximum calculated total L ₁₀ noise level based on distance correction formulas presented in Chapter 17, "Noise," Table 17-11					

<i>Projected Development Sites</i>					
Site	Block	Lot	Governing Noise Receptor	Maximum Calculated Total L_{dn} Noise Level in dBA	HUD Required Attenuation (in dBA)
25	2233	13	15	71.0	30
		p/o 20			
Notes:					
⁽¹⁾ The above attenuation values are for residential dwellings; commercial uses would be 5 dBA less.					
⁽²⁾ "N/A" indicates that the highest calculated L ₁₀ is below 70 dBA. The <i>CEQR Technical Manual</i> does not specify minimum attenuation guidance for exterior L ₁₀ values below this level.					

Exhibit B – Environmental Impacts and Mitigation

In accordance with the Inwood Rezoning Proposal FEIS

Open Space

As discussed in Chapter 5, “Open Space,” while no significant adverse open space impacts were identified for the larger non-residential and residential study areas or the Tip of Manhattan sub-district study areas in accordance with *City Environmental Quality Review (CEQR) Technical Manual* impact criteria, the Proposed Actions would result in a significant adverse impact on total and active open space resources in the Sherman Creek sub-district residential study area. Possible measures that could mitigate the Proposed Actions’ significant adverse open space impact in the Sherman Creek sub-district may include: expanding existing parks; creating new open space on publicly-owned sites; pursuing opportunities to encourage owners of large privately-owned sites to create new open space as part of their redevelopment; making playgrounds accessible to the community after school hours through the Schoolyards to Playgrounds program, establishing new pedestrian plazas in streets through the City’s Plaza Program, and/or improving existing parks to allow for more diverse programming and enhanced usability. These potential mitigation measures were explored by the Office of the Deputy Mayor for Housing and Economic Development (ODMHED), which is the lead agency, in coordination with the New York City Economic Development Corporation (NYCEDC) and the New York City Department of Parks and Recreation (NYC Parks).

Although many of the mitigation measures considered could substantially increase the amount and usability of open space resources for the additional population introduced by the Proposed Actions, it is infeasible to create new publicly-accessible open space resources in sufficient amounts (i.e., approximately 5.43 acres) within the Sherman Creek sub-district to fully mitigate the identified significant adverse open space impact. The creation of 1.31 acres of publicly accessible open space along the Harlem River waterfront, Academy Street, and West 208th Street (as a result of the proposed Waterfront Access Plan [WAP]) would provide partial mitigation of this identified impact. However, absent the identification and implementation of other feasible mitigation measures, the Proposed Actions would continue to result in a significant adverse open space impact within the Sherman Creek sub-district.

Shadows

As discussed in Chapter 6, “Shadows,” the Proposed Actions would result in significant adverse shadows impacts at three open space resources (P.S. 18 Schoolyard, Broadway/West 215th Street Greenstreet, and the Sherman Creek Street End Park at West 205th Street) and one potential historic architectural resource (Good Shepherd RC Church). The analysis determined that the P.S. 18 Schoolyard and the Sherman Creek Street End Park at West 205th Street would experience significant incremental shadow coverage, duration, and/or periods of complete sunlight loss that would have the potential to adversely affect open space utilization or enjoyment. The Broadway/West 215th Street Greenstreet would not

receive adequate sunlight during the growing season (at least the four- to six-hour minimum specified in the *CEQR Technical Manual*) as a result of incremental shadow coverage and vegetation at this resource would be significantly impacted. Therefore, significant adverse shadow impacts would occur on these open space resources. Possible measures that could mitigate significant adverse shadow impacts on open spaces may include relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; undertaking additional maintenance to reduce the likelihood of species loss; or providing replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space site plan to provide for replacement facilities, vegetation, or other features. These measures were explored between the DEIS and FEIS by ODMHED (the lead agency), NYCEDC, and NYC Parks and were found to be impracticable for the resources affected by the Proposed Actions; therefore, the potential significant adverse shadow impacts to the aforementioned resources remain unmitigated.

As project-generated incremental shadows would reach a maximum of nine of Good Shepherd RC Church's 28 stained glass windows at any one time, incremental shadows would not result in the complete elimination of direct sunlight on all sunlight-sensitive features of the church. However, as these incremental shadows may have the potential to affect the public's enjoyment of this feature for a duration of approximately three hours on December 21, a significant adverse shadow impact would occur on this historic resource, as per *CEQR Technical Manual* criteria. The *CEQR Technical Manual* guidance discusses strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of a proposed development that would create the significant adverse shadow impact. The anticipated future development on projected development site 30 would generate the incremental shadows on the State/National Register of Historic Places- (S/NR-) eligible Good Shepherd RC Church. Projected development site 30 is a privately owned site that is expected to bring a significant amount of new housing, including affordable housing to the neighborhood. To minimize incremental shadow coverage on the Good Shepherd RC Church, the maximum building height of projected development site 30 would have to be reduced to approximately 95 feet (compared to a maximum height of 155 feet under the Proposed Actions). Such a reduction in height would substantially limit the development potential on this site. As the Proposed Actions were developed to meet the long-term needs of the community, including providing opportunities for high quality, permanent affordable housing, reducing the residential development capabilities of projected development site 30 would be inconsistent with the goals of the of the Proposed Actions and is, therefore, impracticable.

For shadow-related historic resource impacts, a potential mitigation measure may include the use of artificial lighting to simulate sunlight conditions, i.e., mounting floodlights on the historic resource or adjacent structures aimed at the stained glass windows at a certain appropriate angle. Artificial lighting could be used to simulate lost sunlight conditions at the affected stained glass windows of Good Shepherd RC Church during certain parts of the year. However, as projected development site 30 is a privately owned site with no currently known development plans, the potential implementation of this mitigation measure cannot be properly confirmed at this time. Furthermore, there is no mechanism in place to require a developer to design and mount floodlights as a mitigation measure in the future, when development on this site proceeds. Therefore, because potential mitigation measures for shadow impacts on the S/NR-eligible Good Shepherd RC Church have been determined impracticable at this time, and because there are no available enforcement mechanisms to guarantee the installation of

mitigation measures by a future developer, the significant adverse shadows impacts identified for this resource remain unmitigated.

Historic and Cultural Resources

As described in Chapter 7, “Historic and Cultural Resources,” the Proposed Actions have the potential to result in significant adverse archaeology impact associated with potential prehistoric and/or historic archaeological remains on projected development sites 1, 2, 4 (partial), 5, 6 (partial), 7 (partial), 8 (partial), 12, 13 (partial), 25 (partial), and 33 (partial) and potential development sites B (partial), E, G (partial), I (partial), J, and Q (partial), which are expected to experience new in-ground disturbance compared to No-Action conditions. Except for projected development site 25, all of these sites are currently privately-owned, and therefore, there are no mechanisms in place to require developers to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist, in the future with the Proposed Actions.

Projected development site 25 (Block 2233, Lot 13 and part of Lot 20) is City-owned, and therefore, the New York City Department of Housing Preservation and Development (NYCHPD) would ensure that further archaeological testing is conducted to confirm the presence or absence of archaeological resources on a portion of Lot 20 would be required through the Land Disposition Agreement (LDA) between NYCHPD and the selected site developer. The LDA would ensure that Phase IB testing (and any required follow-up procedures as according to the 2014 *CEQR Technical Manual*) with review and oversight by the appropriate City agency(s) would be undertaken by the selected site developer. With these measures in place, the Proposed Actions would avoid, minimize, or mitigate significant adverse impacts on archaeological resources during construction on projected development site 25 to the maximum extent practicable.

In addition, it is anticipated that future development on projected development site 4 (which would be City-owned following the reconfiguration of Block 2197, Lots 75 and 47 described in Chapter 1, “Project Description”) would include a mechanism for ensuring that further archaeological testing is conducted to confirm the presence or absence of archaeological resources prior to site development. Plans for developing this future City-owned site are not known at this time. If the site should be developed by a private applicant, the City or NYCEDC would ensure that Phase IB testing (and any required follow-up procedures as according to the 2014 *CEQR Technical Manual*) would be required through legally-binding documents between the site’s future developer and the City or NYCEDC. As such development on projected development site 4 would incorporate measures to avoid, minimize, or mitigate potential significant adverse impacts on archaeological resources to the greatest extent practicable.

For all other sites identified above, all of which are privately-owned, there is no mechanism in place to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist. In the event that human remains are encountered during the construction of an as-of-right project, it is expected that the developer would contact the New York City Police Department (NYPD) and the New York City Office of the Chief Medical Examiner. However, because there is no mechanism to ensure that the potential impacts would be avoided or mitigated in full at the nine projected and six potential development sites listed above, the Proposed Actions would

result in unmitigated significant adverse impacts to archaeological resources and would therefore be considered unavoidable.

Transportation

Traffic

As described in Chapter 14, “Transportation,” the Proposed Actions would result in significant adverse traffic impacts at 47 study area intersections (34 signalized and 13 stop-controlled) during one or more analyzed peak hours. Significant adverse impacts were identified to 73 lane groups at 41 intersections during the weekday AM peak hour, 50 lane groups at 31 intersections in the weekday midday peak hour, 68 lane groups at 39 intersections in the weekday PM peak hour, and 53 lane groups at 32 intersections during the Saturday peak hour. Implementation of traffic engineering improvements such as the installation of new traffic signals, signal timing changes to existing traffic signals, changes to lane configurations, and modifications to curbside parking regulations would provide mitigation for many of the anticipated traffic impacts. Absent the identification and implementation of feasible mitigation measures that would mitigate the traffic impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse traffic impacts.

Implementation of traffic mitigation measures (recommended traffic engineering improvements), is subject to review and approval by NYCDOT and will be based on the findings of a traffic monitoring program (TMP) developed in collaboration with ODMHED (the lead agency) and NYCEDC. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified.

Table 21-1 shows that significant adverse impacts would be fully mitigated at 18 lane groups during each of the weekday AM and Saturday peak hours, 21 lane groups during the weekday midday peak hour, and 17 lane groups during the weekday PM peak hour. Intersections where all impacts would be fully mitigated would total 15 during the AM peak hour and 14 during each of the midday, PM, and Saturday peak hours. Table 21-2 provides a more detailed summary of the intersections and lane groups that would have unmitigated significant adverse traffic impacts. In total, impacts to one or more approach movements would remain unmitigated in one or more peak hours at 29 intersections.

TABLE 21-1
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	229/66	156/25	73/41	18/15	55/26
Weekday Midday	226/66	176/35	50/31	21/14	29/17
Weekday PM	229/66	161/27	68/39	17/14	51/25
Saturday	226/66	173/34	53/32	18/14	35/18

Transit

SUBWAY STATIONS

The Proposed Actions would result in a significant adverse PM peak hour impact to south-facing street stair S2 to the northbound platform at the 207th Street (1) station on the Broadway-Seventh Avenue Line. Stairway widening is the most common form of mitigation for significant stairway impacts, provided that New York City Transit (NYCT) deems it practicable; i.e., that it is worthwhile to disrupt service on an existing stairway to widen it and that a given platform and sidewalk affected by such mitigation are wide enough to accommodate the stairway widening. Another common potential mitigation measure would be to add vertical capacity (i.e., adding an elevator, escalator, or additional stairways) in the vicinity of the impacted stairway.

TABLE 21-2
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	Weekday Midday	Weekday PM	Saturday
Signalized Intersections				
Dyckman St & Seaman Ave	EB-LR	EB-LR	EB-LR	EB-LR, SB-TR
Riverside Dr/Dyckman St & Broadway	EB-LTR, WB-LTR, SB-R (to Riverside Dr)		EB-LTR, SB-R (to Riverside Dr)	
West 207th St & Broadway	WB-L, SB-LTR			
West 211th St & Broadway			SB-LTR	
West 225th & Broadway			WB-L, NB-TR	WB-L
West 218th & Broadway/Tenth Ave	EB-LTR, NB(10 Ave)-TR, SB-TR	EB-LTR, NB(10 Ave)-TR	EB-LTR, NB(10 Ave)-TR	EB-LTR, NB(10 Ave)-TR
Dyckman St & Sherman Ave	EB-LTR, WB-LTR, NB-TR, SB-L		EB-LTR, WB-LTR, NB-L, NB-TR, SB-TR	EB-LTR, WB-LTR, NB-L, NB-TR, SB-L, SB-TR
West 207th St & Sherman Ave	SB-L	SB-L	WB-L, NB-TR, SB-L, SB-TR	SB-L
Dyckman St & Post Ave	EB-LT, SB-LR			
West 207 th & Post Ave			EB-TR	
Broadway & Nagle Ave/Hillside Ave	WB-L, WB-LT, NB-LT, NB-R, SB-LTR	WB-L, WB-LT, NB-LT, NB-R, SB-LTR	WB-L, WB-LT, NB-LT, NB-R, SB-LTR	WB-L, WB-LT, NB-LT, NB-R, SB-LTR
Dyckman St/Ft. George Hill Rd & Nagle Ave	WB-L, SB-Defl	SB-Defl	SB-Defl	SB-Defl
Dyckman St/Harlem River Dr & Tenth Ave	EB-L, EB-T, WB-T, WB-R,		EB-L, WB-T, WB-R, SB-TR	
West 204th St & Tenth Ave	EB-R			
West 207th St & Tenth Ave	WB-LTR, WB-R, NB-R	WB-LTR, WB-R, NB-R, SB-T	WB-Defl, WB-R, NB-R	WB-LTR, NB-R
Sherman Ave & Tenth Ave	NB-LT, SB-TR	SB-TR	SB-TR	SB-TR
West 211th St & Tenth Ave	SB-TR	SB-TR	SB-TR	
West 215th St & Tenth Ave	WB-LTR, NB-LTR	WB-LTR, NB-LTR	WB-LTR, NB-LTR	
West 207th St & Ninth Ave	EB-LT, WB-L, WB-TR, NB-R, SB-LTR	EB-LT, WB-TR	EB-LT, WB-L, WB-TR, NB-R	EB-LT, WB-L, WB-TR, NB-R
University Heights Bridge/W. Fordham Rd & Major Deegan Expwy SB	EB-TR	EB-TR	EB-TR, SB-LTR	EB-TR
University Heights Bridge/W. Fordham Rd & Major Deegan Expwy NB	EB-L, NB-LTR		EB-L, NB-LTR	EB-L, NB-LTR
Unsignalized Intersections				
West 216th St & Broadway	WB-LR	SB-LT, WB-LR	WB-LR	WB-LR
West 219th St & Broadway	SB-LT	SB-LT	SB-LT	SB-LT
West 205th St & Tenth Ave	WB-LR		WB-LR	WB-LR
Isham St & Tenth Ave	EB-LR	EB-LR	EB-LR	EB-LR
West 216th St & Tenth Ave	WB-LTR, EB-LTR	WB-LTR, EB-LTR	WB-LTR, EB-LTR	WB-LTR, EB-LTR
West 203rd St & Ninth Ave	EB-LTR		EB-LTR	
West 205th St & Ninth Ave	NB-LTR, EB-LTR	NB-LTR		EB-LTR

West 220th St & Ninth Ave	EB-LTR	EB-LTR	EB-LTR	
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Notes:

NB – northbound, SB – southbound, EB – eastbound, WB – westbound
L – left-turn, T – through, R – right-turn, DefL – defacto left-turn

As noted in Chapter 1, “Project Description,” the Proposed Actions would include a zoning text amendment to facilitate improvements to subway stations in the study area, to increase access for the disabled and improve circulation for all users. Specifically, for lots adjacent to the West 215th Street (1) and West 207th Street (1) subway stations on the Broadway-Seventh Avenue Line, and the Dyckman Street (A) subway station on the Eighth Avenue Line, property owners would be required to coordinate with the Metropolitan Transportation Authority (MTA) and the City Planning Commission (CPC) Chairperson prior to development to determine if an easement or sidewalk widening within the lot would be needed for station improvements. Any floor area utilized by MTA for station circulation improvements would be exempted from floor area ratio (FAR) calculations, and any development required to provide an easement for an improvement would be allowed to rise an additional story (ten feet).

Rezoning that add a few units of housing or commercial space over many building lots are rarely able to mitigate transit impacts as there is not a single developer responsible for the impact. Any mitigation to the significant stair impact at the 207th Street (1) station would require that the station is in compliance with the Federal Transit Administration’s (FTA’s) interpretation of the Americans with Disabilities Act (ADA). The easement language in the text would facilitate the mitigation in the future by providing space to build elevators at the station. Thus, NYCT and ODMHED (the lead agency) have determined that the implementation of this zoning framework to accommodate necessary improvements to train stations in the study area would constitute partial mitigation of the Proposed Actions’ significant PM peak hour stair impact at the 207th Street (1) station on the Broadway-Seventh Avenue Line. However, since the impact cannot be fully mitigated, it remains an unmitigated significant adverse transit impact.

BUS

The Proposed Actions would result in capacity shortfalls of 15 spaces and 51 spaces on the northbound and southbound Bx7 services, respectively, in the AM peak hour, and three spaces on the northbound Bx7 in the PM peak hour. These significant adverse impacts to Bx7 local bus service could be fully mitigated by adding one northbound and one southbound Bx7 bus in the AM peak hour, and one northbound Bx7 bus in the PM peak hour. The general policy of NYCT is to provide additional bus service where demand warrants, taking into account financial and operational constraints. Absent the implementation of the proposed mitigation measures, which would mitigate the transit (bus) impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse transit (bus) impacts.

Pedestrians

As shown in Table 21-3, incremental demand from the Proposed Actions would significantly adversely impact a total of seven pedestrian elements in one or more peak hours, including two sidewalks, four crosswalks, and one corner area. Recommended mitigation measures to address these impacts are discussed below. The findings of the TMP would be used by NYCDOT as the basis for determining whether the future volume projections presented in the EIS are occurring at the rate assumed in the

FEIS, and whether the mitigation measures proposed are warranted and appropriate. Absent the identification and implementation of feasible mitigation measures that would mitigate the pedestrian impacts to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse pedestrian impacts. Implementation of proposed mitigation measures would be subject to review and approval by NYCDOT, as well as NYC Parks if a street tree is to be removed. If, prior to implementation, NYCDOT or NYC Parks determine that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified.

SIDEWALKS

As shown in Table 21-3, two of the 73 analyzed sidewalks are expected to be significantly adversely impacted by the Proposed Actions including one in the AM peak hour and two in each of the midday and PM peak hours. Eliminating illegal vehicle parking on the north sidewalk on West 218th Street between Broadway and Ninth Avenue through increased enforcement, which is expected in the future as development occurs and the neighborhood becomes more residential, would fully mitigate the significant adverse impacts to this sidewalk in the midday and PM. Also, removing a tree pit at the most constrained point on the south sidewalk on West 218th Street between Broadway and Ninth Avenue would fully mitigate the significant adverse impacts to this sidewalk in all three analyzed peak hours. No unmitigated significant adverse sidewalk impacts would remain upon incorporation of the recommended mitigation measures.

CROSSWALKS

As shown in Table 21-3, four of the 52 analyzed crosswalks would be significantly adversely impacted by the Proposed Actions, including two in the AM peak hour, three in the midday peak hour, and one in the PM peak hour. Widening these crosswalks by from one to 4.5 feet in conjunction with signal timing changes for traffic mitigation purposes would fully mitigate the significant adverse impacts to three of the four impacted crosswalks. However, no practicable mitigation was identified for the Proposed Actions’ significant impacts to the east crosswalk on West 207th Street at Tenth Avenue in the midday and PM peak hours, and these pedestrian (crosswalk) impacts would remain unmitigated.

**TABLE 21-3
Summary of Significant Pedestrian Impacts**

Corridor/Intersection	Impacted Element	Total Significant Impacts			Unmitigated Impacts		
		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour
Sidewalks							
W.218th St between Broadway & Ninth Ave	North		X	X			
W.218th St between Broadway & Ninth Ave	South	X	X	X			
Crosswalks							
Broadway and Dyckman Street	North	X	X	X			
Broadway and W.218th St	East		X				
Tenth Ave and W.207th St	East		X			X	X
Tenth Ave and W.204th St	South	X					
Corner Areas							

Tenth Ave and W.206th St	Northeast	X		X			
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CORNER AREAS

As shown in Table 21-3, one of the 61 analyzed corner areas—the northeast corner at Tenth Avenue and West 206th Street—would be significantly adversely impacted by the Proposed Actions in the AM and PM peak hours. To address these impacts, it is proposed to install a six-foot-wide sidewalk extension (bulb out) along both Tenth Avenue and West 206th Street at the corner area. No unmitigated significant adverse corner impacts would remain with implementation of this recommended mitigation measure.

Construction

Historic and Cultural Resources

As described in Chapter 7, “Historic and Cultural Resources,” two S/NR-eligible historic resources are located in close proximity (i.e., within 90 feet) of projected or potential development sites that would not be redeveloped under the No-Action condition: P.S. 52 and P.S. 98. To avoid any construction-related impacts to the S/NR-eligible P.S. 52, it is anticipated that additional protection measures would be required by NYCHPD during the construction of adjacent projected development site 25. These additional protection measures would be required through the LDA between NYCHPD and the selected site developer, and therefore construction-related impacts to P.S. 52 would be avoided. For the other potential historic resource (P.S. 98), if it is designated or listed in the future, prior to the initiation of construction, the protective measures of New York City Department of Buildings (NYCDOB) Technical Policy and Procedure Notice (TPPN) #10/88 would apply and indirect significant adverse impact from construction would be avoided. Should P.S. 98 remain undesignated/unlisted, however, the additional protective measures of TPPN #10/88 would not apply, and the potential for significant adverse construction-related impacts from developments within 90 feet (on projected development site 5 and potential development sites E and J), would be likely and not be mitigated.

In the absence of site-specific discretionary approval, there is no mechanism that would ensure implementation and compliance, since it is not known and cannot be assumed that owners of these properties would voluntarily implement this mitigation. ODMHED, the lead agency, explored potential mitigation measures in coordination with NYCEDC and the NYCLPC between the DEIS and FEIS and determined that there were no feasible and practical mitigation measures to fully mitigate the identified significant adverse construction-related impact. Absent the identification and implementation of feasible mitigation measures that would mitigate the construction (historic and cultural resources) impact to the greatest extent practicable, the Proposed Actions would result in unmitigated significant adverse construction (historic and cultural resources).

Noise

As discussed in Chapter 20, “Construction,” construction activities associated with the Proposed Actions have the potential to result in significant adverse impacts at residential, open space, and community facility sensitive receptors. Future construction by private entities in the proposed rezoning area would be required to follow the requirements of the New York City Noise Control Code for construction noise control measures. Specific noise control measures would be incorporated in (a) noise mitigation plan(s)

required under the New York City Noise Code. These measures could include a variety of source and path controls. Partial mitigation for construction noise impacts could include noise barriers, use of low noise emission equipment, locating stationary equipment as far as feasible away from receptors, enclosing areas, limiting the duration of activities, specifying quiet equipment, scheduling of activities to minimize impacts (either time of day or seasonal considerations), and locating noisy equipment near natural or existing barriers that would shield sensitive receptors. The specific measures that would be implemented at particular sites are not within the direct control of the lead agency because each developer has flexibility in developing noise mitigation measures that comply with the New York City Noise Code that are suitable to the specifics of their individual project. The proposed measures discussed above are considered partial mitigations only. Consequently, these construction (noise) impacts would not be fully mitigated and would therefore constitute an unavoidable significant adverse construction (noise) impact.



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Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

March 23, 2018

Hon. Marisa Lago, Chairperson
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

RE: Inwood Rezoning, Uniform Land Use Review Procedure Application – Application No: 180073MMM, 18204ZMM, 180205 ZRM, 180206 PPM, 180207 PQM and 180208 HAM

Dear Chairperson Lago:

At the General Meeting of Community Board 12 Manhattan, held on Tuesday, March 20, 2018, the following resolutions passed with a vote of 37 in favor, 0 opposed, and 2 abstentions.

Whereas: The NYC Economic Development Corporation ("EDC") together with the Department of Housing Preservation and Development ("HPD"), the Department of Citywide Administrative Services ("DCAS"), the Department of Parks and Recreation ("NYC Parks"), and the Department of Small Business Services ("SBS") are proposing a series of land use actions to advance the Mayor's Housing New York: Five-Borough Ten-Year Plan and to implement the Inwood NYC Action Plan. The proposed land use actions (the "Proposed Actions") are outlined in Uniform Land Use Review Procedure ("ULURP") Application numbers 180073MMM, 18204ZMM, 180205 ZRM, 180206 PPM, 180207 PQM and 180208 HAM (the "ULURP Applications"). The Proposed Actions include:

1. Zoning Map Amendments to change all or portions of various existing zoning districts, change portions of existing zoning overlays, establish new zoning overlays, and map a Special Inwood District;
2. Zoning Text Amendments to establish a Special Inwood District, a Mandatory Inclusionary Housing (MIH) area, and a Waterfront Access Plan;
3. Site Disposition authority for certain city-owned lots to facilitate the development of future open space along the Harlem River waterfront (Block 2185, part of Lot 36), the creation of property with both street and waterfront frontage to allow for subsequent development (Block 2197 / Lot 75), and for the creation of affordable housing, a new public library, and Universal Pre-K classrooms (Block 2233 / Lot 13 and part of Lot 20);
4. Site Acquisition by the City of properties at Block 2197 / Lot 47 to facilitate the creation of property with both street and waterfront frontage, a condominium within a future development on Block 2233/ Lot 13 and part of Lot 20 for use as a library, and portions of Block 2183 and part of Block 2184 / Lot 1 to facilitate the creation of future open space along the waterfront between West 202nd Street and Academy Street.
5. Designation of city-owned Block 2233 / Lot 13 and part of Lot 20 as an Urban Development Action Area (UDAA) and Urban Development Action Area Project (UDAAP)

approval and disposition of these sites to facilitate the development of affordable housing, a new public library, and Universal Pre-K classrooms; and

Whereas: The Special Zoning District would modify the underlying zoning regulations, establish additional requirements, and allow for greater variety in the type and shape of development. More specifically, the Special Zoning District would:

- i) require a Special Permit for new hotels in zoning districts that permit hotels;
- ii) permit as-of-right additional community facility and commercial uses in manufacturing districts;
- iii) limit retail and heavy manufacturing uses to the ground floor;
- iv) permit commercial or utility parking as-of-right in C6-2 zoning districts; permit as-of-right commercial uses on the second floor in R7 and R8 zoning districts with a C2-4 commercial overlay;
- v) limit the FAR on waterfront sites in M-zones to 2 and allow for the transfer of development rights from waterfront blocks to upland blocks in M-zones;
- vi) require a five-foot street-wall set-back for new developments on West 218th Street in C6-2 districts;
- vii) require supplemental height and set-back requirements for lots along the shoreline or within 100 feet of the elevated rail line;
- viii) require a 15-foot set-back from the side lot property line for all new development that share a lot-line with buildings built prior to the 1961 zoning resolution and have legally-required side windows within 15-feet of the lot-line;
- ix) provide for supplemental ground floor regulations to the ground floor of residential buildings in certain zoning districts along major thoroughfares to include non-residential (i.e., commercial or community facility) uses;
- x) modify rear yard and rear yard equivalent requirements on certain M-zone sites in the Sherman Creek sub-district;
- xi) reduce off-street parking requirements for residential uses, allow for off-street accessory parking to be made available for public use, and permit as-of-right roof-top parking on M-zone sites in the Sherman Creek sub-area;
- xii) modify screening and enclosure requirements for commercial and manufacturing uses in the Sherman Creek sub-area while maintaining strict performance standards for developments next to residential uses; and

Whereas: The MIH area would establish the proposed C4-4D, C4-5D, C6-2, R7D, R8A, R8, R9A and a portion of the proposed R7A zoning districts as MIH areas that would require a percentage of new housing to be permanently affordable; and the Waterfront Access Plan would create a framework for the creation of new public waterfront open space along the Harlem River; and

Whereas: HPD is a co-applicant only for the UDAA and UDAAP. DCAS is a co-applicant only for the acquisition actions that are related to the HPD actions. NYC Parks is a co-applicant only for the acquisition actions related to future public open space along portions of the waterfront; and

Whereas: EDC advises that the Proposed Actions are part of a comprehensive neighborhood plan that will shape the future of Inwood for many years to come, that the City will make substantial investment in both capital projects and programmatic initiatives to implement the plan, and that Community Board 12, Manhattan ("CB12M") and the community have a special opportunity to guide these City investments; and

Whereas: It is CB2M's position that any comprehensive neighborhood planning, zoning and/or development initiative in Washington Heights and Inwood must protect existing neighborhood character; protect the existing stock of affordable housing (including a significant number of privately-owned, rent-stabilized buildings); create and support opportunities for the development of new affordable

housing; protect existing small businesses, support new economic and business development opportunities, preserve open spaces and landmarked views, and support increased demand on transit, education, recreation, and infrastructure; and

Whereas: CB12M understands that the Proposed Actions are for the most part not a development plan, that there is no guarantee that all or any of the projected development will occur, and that the development that may be realized will not occur at once but over a period of 15 years or more. However, since zoning sets the legal framework for what can be built and may be used to incentivize development, CB12M wishes to ensure that any rezoning is consistent with its vision for what constitutes positive neighborhood change; and

Whereas: Although the Proposed Actions are for the most part not a development plan, two of the Proposed Actions would facilitate a development project, i.e., redevelopment of the Inwood Public Library (the "Inwood Library Project") as a mixed-use building that includes affordable housing, a new public library, and Universal Pre-K classrooms. Community residents have expressed significant concern and intense opposition to the Inwood Library Project. The Inwood Public Library Project raises several important questions pertaining to library services during the construction period such as where the temporary library will be located, how large it will be and which programs and services currently provided at the Inwood Library will be provided at the temporary library, and additional questions pertaining to the services and availability of and physical access to books, periodicals, and reference materials and journals in the permanent library. These and other questions and considerations must be thoroughly reviewed independent of the Proposed Actions and in conjunction with the review and approval of the developer designated by HPD and its development proposal for the Inwood Library Project; and

Whereas: Although CB12M has advocated for both contextual rezoning and a comprehensive updating of the zoning in Washington Heights and Inwood, the Proposed Actions are not a result of any CB12M action or request. The Proposed Actions initially concentrated on the geographic area (the "Rezoning Area") generally from 10th Avenue to the Harlem River and included a strong economic development focus. The Rezoning Area expanded to include areas west of 10th Avenue as a result of range of comments from community residents and local elected officials; and

Whereas: The Broadway corridor south of Dyckman Street to Nagle/Hillside/Bennett Avenues historically has been considered part of Inwood but is excluded from the study area, despite repeated requests by CB12M to include that corridor in an analysis for contextual zoning, including in resolutions dated October 2012 and July 2016; and

Whereas: The Proposed Actions generally divide the Rezoning Area in two – east and west of 10th Avenue, and then into five sub-areas – the Upland Core, the Commercial U, Sherman Creek, the Upland Wedge, and the Tip of Manhattan. The focus in the Upland Core, except for the blocks referred to as the "Upland Wedge," is on contextual zoning to respect and preserve the existing built fabric. The focus for the Upland Wedge and the area east of 10th Avenue is encouraging commercial, residential and community facility development. Within the area west of 10th Avenue, the "Commercial U" i.e., Dyckman Street, Broadway, and West 207th Street, the emphasis is on greater commercial density, including permitting 2nd floor commercial activity, not just on the street level. MIH is proposed in areas east and west of 10th Avenue; and

Whereas: Respecting and preserving neighborhood character involves more than contextual zoning considerations; it also includes historic preservation. The Landmarks Preservation Commission is not among the city agencies involved in the Inwood NYC Action Plan nor is any consideration given to the historic designation of individual buildings or historic districts, despite persistent advocacy on the part of CB12M and local residents; and

Whereas: There are several sites, areas, and structures within CD12 which are worthy of preservation and which, without attention, will become endangered due to neglect and disrepair; and

Whereas: There are a variety of ecologically sensitive areas at the shoreline along the eastern edge and the Tip of Manhattan including not only Sherman Creek but also the North Cove (above 207th Street), itself a reclaimed dump that is now a fragile natural bird habitat and wildlife sanctuary. Also, the eastern area of Inwood is within a flood zone identified by the New York City Panel on Climate Change; and

Whereas: The existing residential zoning in the Upland Core is R7-2, a medium density zoning district with an allowable FAR of 3.44 to a maximum of 4 under Quality Housing. Unless Quality Housing is used, R7-2 has no maximum building height limits. Apart from the Dyckman Houses, the building type envisioned by R7-2 zoning is dissimilar to the built fabric of the Upland Core. Indeed, the existing built environment pre-dates the current 1961 zoning. EDC proposes to rezone this area to predominantly R7A, as requested by many community residents. R7A allows building height and density similar to the existing housing stock. In general, R7A is an appropriate contextual zoning district for the Upland Core, but further review and dialogue is required to ensure that rezoning in the Upland Core is carefully tailored and not a blanket application. For example, R7A would dramatically reduce the ability of Holy Trinity Church Inwood to propose for review and consideration by CB12M and other stakeholders a mixed-use development of residential and community facility uses at the density currently permitted by the R7-2 zoning. Also, there are houses on Payson and Seaman Avenues and on 217th and 218th Streets for which R7A is in fact not contextual and might be treated differently; and

Whereas: Rezoning to allow for adaptive reuse of the existing buildings on Dyckman Street west of Broadway for a mix of commercial and community facility uses in addition to new residential development should be considered as it may be a better option than the proposed R7A zoning with MIH. This area is currently zoned C8-3, which is generally for automotive and heavy commercial uses; housing is not permitted. CB12M passed a resolution asking for C8-3 districts within Washington Heights and Inwood to be rezoned. While the Proposed Actions do that, the proposal is for R7A with MIH to encourage new development. However, this area is a sensitive location given its proximity to major landmarks, Fort Tryon Park and the Cloisters, and the importance of maintaining scenic view corridors both of and from the Park. Rezoning to encourage adaptive reuse mitigates against the potential for blocking views. Any rezoning that encourages new development must be carefully considered to ensure that new buildings permitted as-of-right will not obstruct views of the Cloisters or intrude on views from the Park; and

Whereas: The "Commercial U" currently has C4-4 zoning and R7-2 zoning with commercial overlays. Under the Proposed Actions the existing zoning is replaced with R7D zoning with MIH, R8A zoning with MIH, C4-4D and C4-5 D zoning. While the zoning districts proposed are contextual zoning and impose height limits, further study is needed with respect to appropriateness of the contextual zoning districts selected and the height limits associated therewith. The 11-story maximum building height allowed under R7D with MIH might compromise views of the Cloisters. The 14-story maximum building height allowed under R8A zoning with MIH proposed for the corner of Broadway and 207th Street and the C4-4D zoning with MIH proposed for the corner of Broadway and Dyckman Street might compromise or compete with views of the Cloisters. In contrast, any potential new construction near the Dyckman Houses or 207th Street and 10th Avenue would need to respond to physical conditions and contextual concerns that are not focused on view corridors but rather the elevated train which creates a condition where it makes sense to set buildings back, have non-residential uses on the first two floors and allow the residential units to rise above the level of the elevated tracks; and

- Whereas: EDC should explore if rezoning is the most effective way to spur and support business activity within the Commercial U or if targeted deployment of SBS programs and incentives might be more appropriate and effective for the immediate and near-term needs of small businesses; and
- Whereas: Excessively tall buildings on Broadway within the “Commercial U” would provide a precedent for buildings on Broadway south of Dyckman Street dramatically to exceed the current contextual heights, threatening the scenic landmarked views of and from Fort Tryon Park, which development is directly contrary to prior resolutions of CB12M; and
- Whereas: The “Tip of Manhattan” area east of Broadway presents an exciting opportunity for planned mixed-use development. The proposed commercial, residential and community facility uses and transforming the area into a place to live, work and visit should be encouraged. However, more of the waterfront should be dedicated to residential uses instead of M1-4, residential buildings should not be dominated by commercial or institutional buildings, and the height of residential buildings, currently proposed at up to 29 stories, should approximate the height of the Dyckman Houses; and
- Whereas: The Proposed Actions seek to encourage a more diverse mix of uses in the “Upland Wedge” and to make 10th Avenue more pedestrian friendly. While these are reasonable planning objectives, uniformly allowing a building height of up to 16 stories is excessive; the maximum building height should be reduced to approximately 10 to 12 stories. Also, the R7D with MIH proposed for the west side of Broadway between 215th and 218th Streets which allows 11 stories is problematic as it allows new buildings on Broadway that rival of the height of nearby buildings on Park Terrace East, masking the legibility of the urban fabric that results from development on the area’s hilly topography and blocking views. The maximum building height along this section of Broadway should be limited to approximately eight stories. Also, further study is required to determine rezoning options that will not reduce the ability of 5030 Broadway, which has become a center for small businesses and non-profits that serve the community, to be used for commercial or self-storage purposes. The Proposed Actions would reduce the allowable FAR in this existing building and would make self-storage, an existing business operation, non-conforming; and
- Whereas: The “Sherman Creek” section of the area east of 10th Avenue has the greatest potential for new development if an agreement can be reached with Con Edison, the owner of the largest privately-owned sites with development potential in addition to those owned by the City of New York. While there is an existing residential section in Sherman Creek, housing is not permitted as of right under the current zoning. There is limited public access to the waterfront. The R7A zoning (eight stories) and R7A zoning with MIH (nine stories) proposed for Sherman Creek is reasonable, but the proposed R8A zoning with MIH (24 stories), and R9A zoning with MIH (estimated at up to 29 stories) is excessive. New development in the Sherman Creek area should create a streetscape that respects Inwood’s mid-rise scale and limit the maximum height of taller buildings or sections of buildings so that they are similar in height to the Dyckman Houses, not towering over them; and
- Whereas: Any development that may occur in the Sherman Creek and the Tip of Manhattan areas will be new development in the 21st century, not mid-20th century development, on sites that are being re-envisioned for new uses. A new urban environment will be created. The planning, design and development of that new environment must respond to a broader neighborhood context, but must also explore and conform to what is required of good urban form in the 21st century; and
- Whereas: CB12M has for two decades requested that the City invest in a state-of-the-art Technology Hub focused on economic development and education, with job training, job search, resources for entrepreneurs and start-ups, workspace with flexible leasing, classroom and event/breakout space, and a modern cultural center to support artists and arts organizations in Northern Manhattan as

well as promoting the community's culturally rich history. Manhattan's only full-service jobs technology center is near Times Square, far away from and unused by the uptown community that needs it most. There is no cultural center in Inwood, and a dearth of such resources disparately located within CD12 despite a large and vibrant arts community; and

Whereas: Slave, African-American, and Native American burial grounds lie beneath the land currently occupied by the MTA rail yards as well as other developed sites within the "Tip of Manhattan" and "Upland Wedge" areas, and care must be exercised not only in terms of not disturbing remains but also preserving and memorializing the cultural heritage and historical significance of these sites; and

Whereas: Developing new affordable housing is a priority for Washington Heights and Inwood, but affordability must be defined by what is affordable to local residents, not by the area median income ("AMI") for the New York City or the New York City metropolitan region. The median income for households in Washington Heights and Inwood, based on the Inwood NYC Action Plan, is \$41,687, compared to \$72,871 for all of Manhattan and \$53,373 for all of New York City. The income for 28% of local households is less than \$24,500 (less than 30% AMI), the income for 18% of local households is between \$24,501 and \$40,800 (31%-50% AMI), the income for 18% of local households is between \$40,801 and \$62,250 (51% - 80% AMI), the income for 9% of local households is between \$62,251 and \$81,600 (51%-100% AMI), and the income for 27% of local households is \$81,601 or more (over 100% AMI). These income ranges and associated percentages define affordability for Washington Heights and Inwood ("Local Affordability"). The distribution of local household income evidences that Washington Heights and Inwood is home to households of diverse income ranges, affordable housing must address tiers of affordability, and that there is a significant need for affordable housing for households in the lower income brackets; and

Whereas: Although MIH generally requires only 25-30% of units developed to be permanently affordable, when HPD updated its term sheets in 2017, it included a requirement that if a project is built to include MIH, either by virtue of being in a neighborhood rezoning area or it is a singular site that is being rezoned, and uses HPD subsidies, then the project must provide an additional 15% of units as permanently affordable; and

Whereas: Implementation of the Proposed Actions and the Inwood NYC Action Plan will have significant impacts on local transportation and utility infrastructure, but it is unclear in particular if the Metropolitan Transportation Authority ("MTA") is actively engaged with EDC and the Mayor's Office in the planning and implementation of improvements to its system, and

Whereas: Implementation of the Proposed Actions and the Inwood NYC Action Plan will have significant impacts on current conditions of traffic congestion and deficient parking capacity, but it is unclear what provisions have or will be considered to mitigate these adverse impacts; and

Whereas: Implementation of the Proposed Actions and the Inwood NYC Action Plan will have as yet unknown near- and long-term impacts on local small businesses and therefore must include protections for existing small businesses, promote job development, strengthen business development activities, and diversify the local economic base to address retail shrinkage; and

Whereas: Implementation of the Proposed Actions and the Inwood NYC Action Plan will generate additional use of and demand for programs and services in local parks, schools, community facilities, uniformed services, sanitation, and other municipal services. Funding must be provided to support existing facilities, program and services, expand services, and build additional facilities; and

Whereas: Implementation of the Proposed Actions and the Inwood NYC Action Plan will increase the population served by existing uniformed services. Funding must be allocated to ensure that these services, the facilities from which these services are provided, and the staff providing them can keep up with increased demand without any decrease in the level of service; and

Whereas: The Proposed Actions were presented to committees of CB12M on various occasions throughout 2017 as well as in January, February, and March 2018. CB12M commented on the Draft Scope of

Work for the Draft Environmental Impact Statement (“DEIS”) for the Proposed Actions in October 2017, and will comment in a separate resolution on the DEIS released for review and comment in January 2018. CB12M held a public hearing attended by approximately 500 people on February 22, 2018 to obtain community input on the ULURP Applications. Throughout the course of discussions of the Proposed Actions, CB12M and community residents have expressed deep concern with aspects of the scale of new development permitted under the proposed rezoning; the potential for displacement of low-income residents, rent-regulated tenants, and small businesses; the affordability levels proposed for affordable housing; the adequacy of utility infrastructure to accommodate new development, and the accuracy and adequacy of the DEIS; and

Whereas: The stated goals and objectives of the Inwood Action Plan are to Support Affordable Housing, Create a comprehensive zoning framework, Improve Neighborhood Infrastructure, and Invest in people. These are worthwhile goals and objectives, but CB12M questions how well the Proposed Actions will realize them, and believes that the Proposed Actions should be modified to advance these goals in a way that is more appropriate for Inwood; and

Whereas: CB12M is not opposed to rezoning, having passed various resolutions supporting contextual rezoning and rezoning C8-3 zoning districts, or to new development, but requires any rezoning or new development to respect the urban fabric of Washington Heights and Inwood, thoughtfully consider how new urban interventions impact the existing built environment, and carefully balance new development with the preservation of neighborhood character; now, therefore, be it

Resolved: CB12M does not support the Zoning Map Amendments as proposed and recommends that the City Planning Commission and the City Council modify the Zoning Map Amendments as follows:

1. Modify, as needed, the R7A zoning proposed for the Upland Core to address Holy Trinity Church Inwood’s development plans.
2. Revise the zoning proposed for the C8-3 area west of Broadway to ensure that maximum building heights do not compete with view corridors to and from the Cloisters and Fort Tryon and Inwood Hill Parks and to allow for adaptive reuse of the existing buildings for a mix of commercial, retail and community facility uses in addition to new residential development.
3. Reduce the maximum building height allowed for new construction in the Commercial U to avoid competing with view corridors of the Cloisters and from Fort Tryon Park, and to relate more sympathetically to existing buildings.
4. Reduce the height of buildings in the Upland Wedge to 10-12 stories except for buildings along Broadway between 215th and 218th Streets, where the maximum height should be limited to eight stories.
5. Revise the zoning proposed for the Upland Wedge to avoid reducing the allowable commercial FAR at 5030 Broadway and making self-storage business operations non-conforming.
6. Reduce the maximum height of new construction in the Tip of Manhattan and Sherman Creek sections of the Rezoning Area to relate to the scale of the Dyckman Houses.
7. Reduce the maximum of height allowed for new construction in the Upland Wedge, Upland Core, and Tip of Manhattan to ensure that there is no visual encroachment to or from, or shadowing of, Inwood Hill or Isham Parks; and be it further

Resolved: In addition to these modifications to the Zoning Map Amendments, CB12M recommends that the City modify zoning or enact legislation, as appropriate, to limit within the rezoning area the size of new retail establishments, except for supermarkets, to approximately 3,000 square feet; and be it further

Resolved: CB12M supports the Zoning Text Amendment to establish a Waterfront Access Plan; and be it further

- Resolved: CB12M supports the Zoning Text Amendment to establish a Special Inwood District on the condition that any reduction to off-street parking requirements for residential uses is subject to a mandatory, project-specific parking study to assess the impact of any reduction and identify actions to mitigate adverse impacts; and be it further
- Resolved: CB12M supports the Zoning Text Amendments to establish a Mandatory Inclusionary Housing area on the condition that any affordable housing developed is required to use the deep affordability MIH option to ensure Local Affordability , and on the condition that EDC, HPD and the Mayor's Office facilitate the allocation of HPD subsidies to any project developed under MIH to ensure that a higher percentage of units, i.e., an additional 15%, must remain permanently affordable; and be it further
- Resolved: CB12M calls upon EDC, HPD and the Mayor's Office to require any residential development on city-owned property to be 100% affordable at the income range of Inwood residents; and be it further
- Resolved: CB12M calls upon EDC, HPD and the Mayor's Office to require any residential development built under MIH to use the affordability option that requires deep affordability, and be it further
- Resolved: CB12M supports the Site Disposition and Site Acquisition actions required to facilitate the development of future open space along the Harlem River waterfront, to create property with both street and waterfront frontage to allow for subsequent development and to create future open space along the waterfront between West 202nd and Academy Streets; and be it further
- Resolved: CB12M does not support the Site Disposition, Site Acquisition, UDAA or UDAAP actions required to facilitate the creation of affordable housing, a new public library, and Universal Pre-K classrooms as they should be addressed independently from the Proposed Actions and in the context of review and approval of the developer designated by HPD and its development proposal for the Inwood Library Project; and be it further
- Resolved: CB12M calls upon EDC and the Mayor's Office to engage the Landmarks Preservation Commission to give priority attention to the designation of properties in Washington Heights and Inwood consistent with various resolutions passed by CB12M, paying particular attention to the effects of development on CB12M's parks and their perimeters; and be it further
- Resolved: CB12M calls upon EDC and the Mayor's Office to engage the Landmarks Preservation Commission to give priority attention to designation of areas of importance and significance related to African and to Native American heritage, and to also engage with the Department of Transportation and other City and State agencies as necessary to provide informational and way-finding signage to areas designated related to African and Native American heritage, memorialize these sites, where practical restore these sacred sites, and provide public access to these sites; and be it further
- Resolved: CB12M calls upon EDC and the Mayor's Office to actively engage the MTA and continue to engage the Department of Environmental Protection, Con Ed and telecommunications providers to make significant investments in and modernization of Washington Heights and Inwood's transportation and utility infrastructure including electrical, gas, water and sewer drainage system infrastructure, and all traffic signal and alert systems where demand would exceed deliverable capacity; and be it further
- Resolved: CB12M calls upon EDC and the Mayor's Office to undertake a neighborhood-wide traffic and pedestrian safety study, with special attention given to pedestrian safety for senior citizens, and to identify and implement safety and streetscape improvements; and be it further
- Resolved: CB12M calls upon EDC and the Mayor's Office to undertake a neighborhood-wide public health and safety study to identify and implement operating and capital funding required to support the Proposed Actions as their implementation reaches critical threshold levels; and be it further
- Resolved: As previously requested by CB12M in resolution passed in October 2012 and July 2016, CB12M again calls upon the Department of City Planning to initiate, before year-end 2018, the process to develop a contextual zoning plan for Washington Heights and Inwood beginning with the area

generally bordered by West 180th Street on the south, the Henry Hudson Parkway on the west, Academy Street on the north, and the Harlem River Drive on the east (the "Target Area"), with the understanding that the plan would be extended to include the entire community district as soon as work in this area is completed; and be it further

Resolved: CB12M recommends that the Mayor's Office and the City agencies commit to and in fact undertake the following projects, programs and initiatives (the "Programs, Projects and Initiatives") as part of implementing the Inwood NYC Action Plan:

1. Strengthen administrative rules for tenant protections and consistently provide adequate funds to aggressively enforce housing laws, building codes, and anti-displacement initiatives;
2. Include the zip codes of all Washington Heights and Inwood in the Right to Counsel program prior to the implementation of any rezoning, seek legislation from the City Council to increase eligibility from 200% and under of the 2018 Federal Poverty Guidelines to a higher percentage that is more inclusive of low-income residents in Washington Heights and Inwood, and increase funding to legal services for rent regulated tenants who are not eligible for the Right to Counsel program;
3. Ensure permanent funding for the Certificate of No Harassment program and all other programs that protect residents against harassment and discrimination;
4. Continue funding and support for the Human Rights Administration's Anti-Harassment and Tenant protection programs;
5. Provide funding to the Dyckman Houses to address capital improvement and deferred maintenance needs;
6. Enact anti-harassment policies and penalties to protect small business owners;
7. Enact legislation, such as the Small Business Jobs Survival Act, to protect and strengthen the negotiating position of small businesses;
8. Create incentives to encourage landlords to offer affordable lease renewals to small businesses;
9. Allocate a percentage of all new retail space in buildings developed on city-owned land or with city subsidies or other financing to current small business lease holders who are displaced due to landlords exercising demolition and new construction lease clauses;
10. Require a "Conditional Use Application" that requires a DCP public hearing for any chain store (formula retail use) that seeks to open in a rezoned area;
11. Construct or facilitate the construction of community facilities to accommodate a variety of users and uses including such as youth, fitness, senior citizens, day-care, and arts and culture inclusive of multimedia theatre, exhibition galleries, and multi-use rehearsal and workshop space;
12. Support the establishment and operation of incubator space for start-up businesses and work space for artists;
13. Reduce the poverty level among local residents, which currently stands at approximately 25%, through increased availability of and funding to vocational training, adult education, literacy, and other related programs;
14. Establish, monitor, and enforce aggressive MWBE participation goals for all new construction and renovation projects in the rezoned area, including professional service and construction contracts and with emphasis on creating opportunities for minority developers;

15. Study the apparent need for more space for the existing student population in the local public schools, determine the need for additional classroom, laboratory, auditorium, and gymnasium space required for the new residents in the rezoned area, identify sites in the rezoned area for any such additional schools, and provide the necessary capital and operating funding for these schools;
16. Invest in fiber-optic broadband, bio-technology and genomic research laboratories, health sciences and STEM education;
17. Structure transactions for the City- and/or Con Ed-owned sites in the Sherman Creek area to facilitate the development of residential or mixed-use developments that include 100% affordable housing consistent with prior representations, promises and/or agreements made to CB12M by Con Edison. Provide low-income tax credits, HPD subsidies, HDC financing and real estate tax abatements to these developments to ensure deeper affordability;
18. Complete and publish a survey of vacant city-owned land in Washington Heights and Inwood, identify sites suitable for residential or mixed-use development that includes 100% affordable housing, and facilitate the development of these sites through RFPs that allocate HPD subsidies to the development projects;
19. The City is encouraged to review the proposal set forth by Congressman Espaillat which envisions the development of 5,000 units of affordable housing, including 1,000 units dedicated to seniors, and work with the Congressman to refine the proposal into an action plan that can be implemented consistent with the neighborhood planning principles and concerns outlined in this document;
20. Include established community-based organizations as community sponsors in the development team for any project developed on city-owned land or that receives city-subsidies;
21. Engage the MTA to ensure that it undertakes projects to enhance ADA-compliance at subway stations on both the A, C and 1 lines in Manhattan Community District 12;
22. Increase funding to support and maintain local public parks, construct additional playground and other recreational space to serve the new residents, and encourage housing developers to provide recreational space for their residents;
23. Monitor the delivery of public safety and emergency response and preparedness services over the course of implementing the Proposed Actions and the Inwood NYC Action Plan and provide additional capital and operating funds as required to maintain at current or enhanced levels these services, the facilities from which they are provided, and the staff dedicated to providing them;
24. Complete the Harlem River waterfront greenway to provide enhanced public access to the waterfront, with attention to pursuing environmentally sensitive design approaches to preserve and protect the ecological integrity of the waterfront and to provide comprehensive flood mitigation and buffer measures incorporating natural methods such as marsh, grassland development, parkland, and oyster beds;
25. Require all new construction to include sustainable and universal design features and pursue sustainable and universal design retrofits for existing buildings;
26. Aggressively deploy the Participation Loan Program ("PLP"), 8A loan program and other HPD capital funding programs to finance required capital improvements in existing rent-

- stabilized housing stock and, through the execution of new regulatory agreements associated with this financing, further protect the long-term affordability of existing rent-stabilized housing;
27. Aggressively deploy SBS programs and services to local small business owners to make them aware of available programs and services and to facilitate businesses accessing these programs and services;
 28. Develop an economic development strategy to attract new businesses and employers to Washington Heights and Inwood and to assist local residents to secure jobs with these new businesses/employers;
 29. Create incentives for employers in diverse fields citywide, including City government, to provide skills enhancement and training to entry-level employees;
 30. Hold real estate taxes for properties within the rezoning area at current levels for three to five years after enacting the Proposed Actions to allow commercial landlords and tenants time to assess the impacts of the rezoning;
 31. Maintain and increase affordable off-street parking capacity;
 32. Study and pursue options for implementing resident-only parking during certain hours in residentially zoned districts within the rezoning area that do not have commercial overlays;
 33. Offer tax incentives for landlords to renew affordable leases to existing parking garages and to those who want to expand parking capacities;
 34. Give priority to small business enterprises for new ground-floor retail space created in new residential and commercial developments;
 35. Preserve ecologically sensitive areas including the North Cove (above 207th St.), bird habitats and migratory paths;
 36. Improve Monsignor Kett Playground at Tenth Avenue and 204th Street;
 37. Add areas for public barbecuing and community gardening;
 38. Engage private property owners to facilitate restoration and preservation of the Seaman-Drake Arch, William A. Hurst House, and other sites of historic significance;
 39. A state-of-the-art Technology Hub focused on economic development and education with job training, job search, resources for entrepreneurs and start-ups, workspace with flexible leasing, classroom, and event/breakout space, etc. and be it further

Resolved: CB12M calls upon City Council Member Ydanis Rodriguez, Manhattan Borough President Gale Brewer and their successors to work closely and diligently with CB12M and the local community to ensure that CB12M's recommended zoning modifications and all the other above resolutions and recommendations are implemented, and that the Mayor's Office and City agencies follow through on the implementation of the Programs, Projects and Initiatives; and be it further

Resolved: CB12M calls upon the New York State Legislature to strengthen existing rent regulations to stem the loss of rent-regulated units and protect the availability of currently affordable units in existing buildings; and be it further

Resolved: CB12M calls upon the Mayor's office and indeed all city elected officials to continue to work with members of New York City's congressional representatives to aggressively oppose federal cuts to programs for affordable housing, public housing, education, healthcare, community services, mass transportation, environmental preservation, and community development, all of which are critical to the well being of residents of Washington Heights and Inwood, and without which the Proposed Actions and the Inwood NYC Action Plan cannot be realized in a manner beneficial to local residents.

Sincerely,



Shahabuddin A. Ally, Esq.
Chairperson

cc: Hon. Andrew Cuomo, Governor
Hon. Bill de Blasio, Mayor
Hon. Gale Brewer, Manhattan Borough President
Hon. Scott M. Stringer, Comptroller
Hon. Letitia James, Public Advocate
Hon. Charles E. Schumer, US Senator
Hon. Kirsten Gillibrand, US Senator
Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator
Hon. Marisol Alcantara, State Senator
Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Edith Hsueh, Director, DCP
Hon. James Patchet, President, NYC EDC
Charlie Samboy, NYC EDC

Borough President Recommendation

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Fax # (212) 720-3488

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Applications: C 180073 MMM C 180204 ZMM C 180208 HAM N 180205 ZRM C 180206 PPM C 180207 PQM

Docket Description:

C 180073 MMM

IN THE MATTER OF an application submitted by The New York City Economic Development Corporation pursuant to Section 197-c and 199 of the New York City and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

1. The elimination, discontinuance and closing of Exterior Street between West 202nd Street and West 208th Street;
2. The elimination, discontinuance and closing of Academy Street between the U.S. Pierhead and Bulkhead Line and West 201st Street;
3. The elimination, discontinuance, and closing of West 201st Street and West 208th Street between the U.S. Pierhead and Bulkhead Line and Ninth Avenue; and
4. The elimination, discontinuance, and closing of a volume of a portion of West 203rd Street between Ninth Avenue and U.S. Pierhead and Bulkhead Line;
5. The adjustment of grades and block dimensions necessitated thereby;

Including authorization for any acquisition or disposition of real property related thereto in Community District 12, Borough of Manhattan, in accordance with Map No. 30254 dated January 11, 2018 and signed by the Borough President

Borough of Manhattan, Community District 12.
(See Continued)

COMMUNITY BOARD NO: 12

BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached

John A. Brewer

April 26, 2018

BOROUGH PRESIDENT

DATE

C 180073 MMM, N 180204 ZMM, N 180205 ZRM, C 180206 PPM, and C 180207 PQM C 180208 HAM – Inwood Rezoning Proposal

Cover Sheet – Page 2 of 2

C 180204 ZMM

IN THE MATTER OF an application submitted by the New York City Department of Economic Development pursuant to Section 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map of the City of New York, Section Nos. 1b, 1d, 3a, and 3c:

Changing all or portions of existing M1-1, M2-1, M3-1, C8-3, C8-4, and R7-2 districts within the proposed 59-block rezoning area to M1-4, M1-5, M2-4, C4-4D, C4-5D, C6-2, R7A, R7D, R8, R8A, R9A district; change portions of existing C1-3 and C1-4 overlays to C2-4 overlays and establish new C2-4 overlays; and map the Special Inwood District (SID)

N 180205 ZRM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to proposed Article XIV, Chapter 2 (Special Inwood District) and Appendix F to apply the Mandatory Inclusionary Housing program to the rezoning area where zoning changes are promoting new housing, and to establish the Waterfront Action Plan within Inwood, Community District, Borough of Manhattan.

C 180207 PQM

IN THE MATTER OF an application pursuant to Section 197-c of the New York City Charter, submitted by the Department of Citywide Administrative Services, to acquire approximately 18,000 square feet of space located at 4780 Broadway (Block 2233, Lot 13 and part of Lot 20) for use as a library; to acquire property along the Harlem River (Block 2197, Lot 47) to enlarge an existing City-owned property (Block 2197, Lot 75) to establish street and waterfront frontage; and by the Department of Citywide Administrative Services and the Department of Parks and Recreation, for the acquisition of property located along the Harlem River (Block 2183, Part of Lot 1; Block 2184, Part of Lot 1) for use public open space and waterfront access, Borough of Manhattan, Community District 12.

C 140185 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 302 to 314 West 127th Street (Block 2981, Lots 36, 37, 38, 39, 40, and 41) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property as an Urban Development Action Area to a developer to be selected by HPD;

to facilitate development of affordable housing and community facility space in Borough of Manhattan, Community District 12.



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

April 25, 2018

Recommendation on ULURP Application No. C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM

The Inwood Rezoning Proposal by New York City Economic Development Corporation

SUMMARY OF RECOMMENDATION

It is beyond dispute that the prospect of the city's rezoning proposal has generated enormous concerns and fears among Inwood residents. Residents, many of whom are at income levels below the city's average and many of whom are immigrants, are concerned that this rezoning proposal will at worst cause, and at best hasten, circumstances that will lead to the loss of their homes, the loss of small businesses that sustain them and their families, and the loss of a thriving, diverse community

These concerns are not irrational. Inwood has the highest concentration of rent regulated apartments in Manhattan with over 60 percent of apartments subject to rent regulation. It has a "downtown strip," identified as the Commercial "U," reminiscent of a neighborhood's main street. And, unlike in other parts of the city where development is already rapidly underway, Inwood is gentrifying more slowly through the attrition of affordable housing and the influx of newer residents searching for more affordable Manhattan rents. These circumstances make resistance to, and skepticism about, a rezoning plan completely rational and make it critical that any rezoning plan must contribute significantly more to the solution of these problems than to their exacerbation. However, the trends of the loss of affordable housing and severe rental pressures on tenants and small local businesses are accelerating. In addition, approximately 30 percent of stabilized rental units in Inwood are subject to preferential rents which means that at any lease renewal time, the residents of these apartments could be subject to large -- and in many cases unaffordable -- rent increases.

The administration's proposal for the rezoning of Inwood would: (1) Rezone the Sherman Creek section of Inwood generally east of Tenth Avenue between West 202nd and West 207th Street to permit the conversion of manufacturing uses to medium and high density residential uses; (2) Rezone the area named the Commercial "U" subdistrict, Inwood's "Main Street" consisting of many one and two story commercial buildings, to allow commercial and residential buildings with medium density mixed residential and commercial buildings and designate it a Mandatory Inclusionary Housing Area (MIHA); (3) Rezone the Upland Wedge subdistrict to convert from

heavy commercial uses like auto repair shops to high density residential uses; (4) Rezone the area of West 218th Street between Tenth Avenue and the Harlem River and the area between the Harlem River and Ninth Avenue from West 218th Street to West 220th Street, the so-called Tip of Manhattan subdistrict, to permit the conversion of manufacturing uses to high density residential uses; and (5) Contextually zone the “Upland Core” area to preserve the current neighborhood context of mid-rise buildings. All areas receiving significant increases in residential development capacity would be designated MIH Areas with requirements to provide 25 to 30 percent of the residential area for affordable housing. According to the Draft Environmental Impact Statement (DEIS) released in coordination with this Land Use Application, it is projected that approximately 4,000 units of new housing will be constructed in the next 15 years in the rezoning areas and approximately 1,200 of these units would be affordable. In addition, on the Broadway arm of the Commercial “U,” at the site of the current Inwood Library, the proposal would redevelop the library by replacing the existing building with a 14-story building containing a new library, 175 units of affordable housing, and Universal Pre-K classrooms.

While I do support a rezoning of Inwood, I cannot support the rezoning as proposed. The argument for accepting this plan is that if we do nothing and current trends continue, at some point in the not-too-distant future, the huge number of preferential rents will disappear, making these units unaffordable to current residents, rent stabilized apartments will continue to leave stabilization because laws over which the city has no control will continue to permit this, local businesses will continue to face increasing rents as businesses all over the city do and will eventually be replaced, and all this will occur without the construction of any new permanent affordable housing. This is quite possibly what will happen. But no one can expect a neighborhood to accept a rezoning that raises the specter of displacement in the short and medium term, because it is not nearly as bad as what is likely to happen in the longer term. Rezoning needs to happen in Inwood but the current plan, as proposed, needs to be sufficiently revamped so that it is clear that there are significant "pluses" for the neighborhood in the shorter and medium term to make it -- on the whole -- a worthwhile undertaking.

While no plan can ensure displacement doesn't occur, a plan must be created that arrives at equitable solutions. For an equitable solution to be achieved here, the balance of this plan must swing significantly more toward the goals of the community than the current proposal. To that end, the city must work to craft a plan that: (1) Creates significantly more new affordable housing with more of it accessible to the average current Inwood resident; (2) Identifies and funds programs to allow current tenants to remain in their homes; (3) Provides help for small local businesses to remain in the community; and (4) Provides opportunities for new local businesses, employment, and cultural resources to maintain Inwood's diversity and local character.

The current plan, as written, does not strike this balance. In order to achieve what we believe is an acceptable balance, it cannot be adopted without significant changes. The changes I recommend will help ensure that there is a balance between new affordable and market rate housing stock, and a real commitment to assisting local small business owners remain in the neighborhood. I recommend the following:

1. The removal, or at a minimum, the phase-in of the rezoning of the Commercial “U” (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS would be required to develop and fund Inwood- specific programs that work directly with small businesses in the Commercial “U” and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city would be responsible for the creation of temporary space for businesses that may be able to return to the Commercial “U” as well as an incubator space for emerging businesses;
2. Include zoning text that would limit store frontages to 40 feet and bank frontages to 25 feet and require a minimum number of stores in zoning lots meeting a threshold of street frontage, similar to what was implemented on the Upper West Side of Manhattan. This would ensure neighborhood retail space to maintain the local character of Inwood’s business community and provide space for relocation or return of displaced local businesses;
3. The use of a city-owned lot currently occupied by the Department of Transportation (DoT) at Sherman Creek between 205th and 206th streets (Block 2186, Lot 9), currently the site of bridge maintenance equipment storage, for a 100 percent affordable housing development which could result in approximately 500 units of permanent affordable housing at income bands reflective of current Inwood residents;
4. The use of city-owned land located at Block 2197, Lot 75 currently occupied by Charter Communications for its service vehicles in the Tip of Manhattan subdistrict, for a 100 percent affordable housing development which could result in approximately another 500 units of affordable housing at income bands reflective of Inwood residents;
5. A serious effort by the city to assist developers seeking to acquire properties and build 100 percent affordable developments at levels of affordability reflective of current Inwood residents like the one proposed along Broadway at 218th street;
6. A serious effort by the city to review every soft site in the rezoning area and its vicinity including those on the list circulated by Congressperson Espaillat and the federally-owned site at 5051 Broadway;
7. The use of Option One, which requires 25 percent of all residential floor area to be dedicated to residents with incomes averaging 60 percent AMI in combination with the Deep Affordability option of the MIH program which requires 20 percent of the residential floor area to be dedicated to housing for residents with incomes averaging 40 percent AMI, making significantly more units affordable to the current average Inwood resident;
8. In addition to funding the Right to Counsel program and inclusion of Inwood in the Certificate of No Harassment Program, substantial funding in the fiscal year 2019 city budget for Inwood-targeted programs including additional legal services to ensure that every rent stabilized tenant with a harassment, eviction or preferential rent legal problem has access to counsel and a tenant organizing and affirmative litigation program to find and address issues with stabilized apartments with unlawfully registered rents.
9. The selection of a “brick and mortar,” centrally-located, and fully-accessible location for an interim library which will be open the same hours as the current library, provide all core services and be able to provide a significant portion of the programs and services

- currently provided, so that the Inwood Library Project and its 175 units of permanently affordable housing (for all practical purposes) can proceed;
10. Provision of expense and capital funding for Dyckman Houses, whose residents will be impacted by the rezoning;
 11. Good faith efforts by the city to include the car wash site adjacent to the Inwood Library into the project so that more affordable housing may be created;
 12. Implementation of the plan I have fought for to relocate the warehouse businesses to the newly proposed M1-4 district in Sherman Creek and best efforts by the city to assist Flair Beverages in finding suitable space in northern Manhattan;
 13. Best efforts by EDC and SBS to relocate the automotive repair businesses to a concentrated area in Inwood or the immediately surrounding areas as is being done with the wholesale businesses and, in the absence of this, the city must give serious consideration to including language in the special district text that would allow automotive repair businesses below residential development wherever practicable;
 14. The study and application of more tailored contextual zoning districts in certain areas that will be contextually rezoned where the proposed R7A zoning designation is not the most appropriate;
 15. Special District text permitting the transfer of community facility development rights from sites located in the Tip of Manhattan Subarea B2 to Subarea B1 to be used for cultural or arts-related spaces, with the grantee of such floor area to be required to improve and maintain the grantor site pursuant to the Waterfront Action Plan.
 16. Preservation and commemoration of significant historic sites in Inwood including Native American Burial and artefact sites and African slave burial sites; and
 17. Provision of art and cultural performance space and artistic workspace to support Inwood's thriving artistic community.

Revamping the proposal along these lines would approximately double the amount of projected permanent affordable housing in the plan, significantly address the attrition of rent stabilized apartments and displacement of current residents, and provide significant opportunity for local businesses to remain in the neighborhood. Without such changes the plan provides inadequate benefits to the current residents and businesses of Inwood. These changes would move the plan significantly toward the goals expressed by the hundreds, if not thousands, of residents and business owners my office has heard from over the last two years.

PROPOSED ACTIONS

The New York City Economic Development Corporation (NYCEDC), together with the Department of Housing Preservation and Development (HPD), the Department of Citywide Administrative Services (DCAS), the Department of Parks and Recreation (NYC Parks), and the Department of Small Business Services (SBS) is proposing a series of land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor's Housing New York: Five-Borough, Ten-year Plan ("Housing New York") and to begin to implement the Inwood NYC Action Plan. The proposed land use actions include zoning map amendments, zoning text amendments to create the Special Inwood District (SID), a proposed Waterfront Action Plan (WAP), establishment of a Mandatory Inclusionary Housing Area (MIHA), City

Map changes, site acquisition and disposition by the City of New York, and an Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval (collectively, “Proposed Actions”).

Generally, any changes to the zoning map should be evaluated for consistency and accuracy, and given the land use implications, appropriateness for the growth, improvement and development of the neighborhood and borough. In evaluating the text amendments, this office must consider whether an amendment is appropriate and beneficial to the community and consistent with the goals of the MIH program.

The Inwood Rezoning Proposal must also be evaluated based on the comments made by community members over the past two years and at our public hearing held on April 10, 2018. The period leading up to the filing of the instant Land Use Applications as well as the public notice and comment period since, has elicited a set of requests and demands that this office has synthesized for the purpose of my recommendation. Of those requests and demands, the following is a list of the most significant: permanent affordable housing, the preservation of existing affordable units, respect for the existing neighborhood character including its cultural landmarks, improvements to the pedestrian experience, public access to the waterfront, the creation of community and cultural space, the creation of new commercial space to support job creation and improvements to current transit nodes and infrastructure.

GOALS OF THE INWOOD REZONING PROPOSAL

Collectively, the actions that make up the Rezoning Plan purport to reflect EDC’s goal to achieve the following land use objectives:

- a) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers, and visitors;
- b) to encourage well-designed development that complements and enhances the built character of the neighborhood;
- c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied income;
- d) to maintain and establish physical and visual public access to and along the waterfront;
- e) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the city;
- f) to take advantage of the waterfront along the Harlem River, Sherman Creek, and the North Cove and create a public open space network;
- g) to focus higher-density development in appropriate locations along wide, mixed-use corridors with good access to transit;
- h) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; and
- i) to promote the most desirable use of land and development in accordance with the District Plan for the Inwood waterfront, and thus conserve and enhance the value of land and buildings, and thereby protect the city’s tax revenues.

BACKGROUND

Inwood

The neighborhood of Inwood, as defined by EDC, is the northernmost portion of the island of Manhattan, encompassing the area north of Dyckman Street. It makes up the northern half of CD12 which is bounded by the Harlem River on the east and on the north, the Hudson River on the west, and West 155th Street on the south. Additionally, Inwood includes Inwood Hill Park, Isham Park, and Harlem River Park. As of 2015, Inwood had a population of approximately 42,676 residents with a median income of \$42,260, 16 percent less than the citywide median income. The area is characterized by multi-family residential and mixed residential/commercial properties (low to mid-rise multi-family walk-up and elevator buildings), and some light manufacturing, wholesale, and auto-related businesses.

Previous Inwood Neighborhood Planning Studies

Since 2003 there have been several studies conducted by Community Board (CB) 12, DCP, EDC, and various city agencies geared toward defining land use and zoning priorities in Inwood including the Harlem River waterfront. In 2003, several city agencies joined together to conduct a year-long study regarding planning and development in Sherman Creek. As a result, the Sherman Creek Study was published in 2004 and EDC in collaboration with NYC Parks worked to implement the study's recommendations regarding waterfront access, parks, and recreation. CB 12's neighborhood planning and land use study was conducted from 2005 to 2007. A ground work for land use and planning priorities was developed for the entire community district. Finally, the Sherman Creek Waterfront Esplanade Master Plan was published in 2011.

Sherman Creek Study

In 2003, a DCP-led team of city agencies conducted a year-long study of a portion of Inwood between Dyckman Street to the south, West 207th Street to the north, and Broadway and the Harlem River to the west and east respectively. The goal was to determine any challenges to and opportunities for development. A report was generated that contained several recommendations related to residential and commercial development, traffic and pedestrian safety, and public access to the waterfront.

Work by EDC in collaboration with NYC Parks was then conducted to implement some of the study's recommendations. As a result, clean-up efforts of the upland area south of the Sherman Creek inlet were performed, a pedestrian trail next to P.S. 5 was made, a local elementary school was created, and five street-end open spaces at the Harlem River were created at West 202nd, West 203rd, West 204th, West 205th, and West 206th streets.

Neighborhood Planning and Land Use Study

Between 2005 and 2007 a land use and planning study was conducted by CB12 with the assistance of the City College Architecture Center (CCAC), an outreach and technical assistance program of the School of Architecture, Urban Design and Landscape Architecture at The city College of New York, working in collaboration with Urban Planner Rex Curry of ReidCurry Consulting. The purpose of the study was to aid in identifying priorities and in establishing consensus around a set of criteria for evaluating proposed and future development.

The study does not represent a comprehensive plan for CB12. Instead, it provided CB12, other community leaders and residents with background information and criteria for making action-plans of their own. The stated goal of the study was for stakeholders to weigh the potential impacts of proposed actions within the context of the district overall and against broader trends and policies. The results of the study became the foundation upon which future planning studies would be built.

Sherman Creek Waterfront Esplanade Master Plan

The Sherman Creek Waterfront Esplanade Master Plan was an EDC initiative launched in 2009. Its intended goal was to identify a shared vision for the Sherman Creek waterfront. The initiative spanned two years and consisted of a number of small meetings with community members and elected officials in addition to larger public forums. The result was a conceptual design for the esplanade and an implementation strategy.

Inwood NYC Action Plan

The Inwood NYC Action Plan emerged as a result of the mayor's call to conduct fifteen neighborhood studies citywide for the purpose of identifying neighborhoods that offered opportunities for new affordable housing. According to EDC, Inwood was selected as one of the first studies because of the previous planning work that was referred to above as well as numerous requests from the community board and elected officials to study the area for opportunities to create new affordable housing and improved access to the waterfront.

After two years of community engagement, the Inwood NYC Action Plan and the Inwood Rezoning Proposal were issued. Just over a year ago I, along with Councilmember Ydanis Rodriguez, sent a letter to EDC requesting that the scope of the rezoning be expanded to include the area west of Tenth Avenue so that a contextual zoning framework could be created. As a result, the city decided to expand the rezoning to its current extent which spans from the Harlem River to the east, the Sherman Creek inlet, Thayer Street, Riverside Drive, and Dyckman Street to the south, Payson Avenue, Seaman Avenue, Broadway and Indian Road to the west, Broadway Bridge and West 218th Street to the north.

AREA CONTEXT

The Project Area encompasses the northernmost portion of the island of Manhattan, encompassing the area north of Dyckman Street in Manhattan Community District 12. The rezoning area encompasses 62 blocks bounded by the Harlem River, Broadway Bridge and West 218th Street to the north, Dyckman Street to the south, the Harlem River to the east, and Payson Avenue, Seaman Avenue, Broadway and Indian Road to the west. The predominant land use in the Project Area is residential with a New York City Housing Authority (NYCHA) development and multi-family walk-up and elevator buildings. There are also a number of mixed commercial and residential developments, commercial and office spaces, public facilities and institutions including: The New York Public Library, CUNY in the Heights, Dyckman Farmhouse, New York Presbyterian Allen Hospital, and Columbia University Baker Field Athletic Complex. The area is well served by mass transit with the No. 1 train stations at Dyckman Street, West 207th Street, and West 215th Street. There is also A subway line train stops at Dyckman and 207th streets. There are also several bus lines present in the neighborhood including the: Bx 12 Select Bus Service, Bx7, Bx20, and M100. Outside of the Project Area but in close proximity, there are two metro-north train stations. One is located across the Harlem River at University Heights and the other across Spuyten Duyvil Creek at Marble Hill.

The Project Area has five distinct sub-districts which EDC has named the following:

- Tip of Manhattan
- Upland Wedge
- Sherman Creek
- The Commercial U
- The Upland Core

The Tip of Manhattan

The Tip of Manhattan Subdistrict is located north of West 218th Street, east of Broadway. The zoning in this subdistrict is currently a mix of M1-1 (located along West 218th Street between Ninth Avenue and Broadway), M2-1 (located along a portion of the waterfront between Broadway and West 220th Street), and M3-1 (located along the waterfront between West 218th and West 220th streets) zoning districts.

The “M” in the aforementioned zoning districts refers to “manufacturing,” a term used to describe the nuisance-creating uses permitted in such districts. An M1-1 zoning district generally allows single story and two story warehouses, and light industrial use. Wholesale service facilities, self-storage facilities, and hotels are permitted uses in an M1 zoning district. Heavy industrial uses are permitted in this district, however, they must meet the highest performance standards to mitigate the nuisances (ie. noise, pollutants, traffic) associated with these uses. M2-1 districts are a middle ground between the M1 light industrial uses and M3 heavy industrial uses. Performance standards in M2 districts are lower than in M1 districts. As a result, higher levels of noise and vibrations are permitted, smoke is permitted, and industrial activities are not required to be entirely enclosed. M3-1 districts are designated for heavy

industrial uses that generate noise, traffic, and pollutants. Typically, you will find solid waste transfer stations, power plants, and fuel supply depots in these districts. Greater levels of noise, traffic, and other nuisances are permitted in M3 districts and minimum performance standards are required to mitigate nuisances associated with these uses.

The Tip of Manhattan subdistrict is made up entirely of “M” zoning districts. As such, the area is comprised of a mix of parking garages, heavy commercial uses like auto repair and car washes, and institutions like P.S. 18, The Paula Hedbavny School. Of note is the fact that a Metropolitan Transit Authority (MTA) bus depot, a Department of Sanitation of New York (DSNY) garage and an MTA rail yard are located directly south of this subdistrict between West 207th Street and West 218th Street.

This sub-district contains the highest percentage of parking, utility, and public facility uses in the neighborhood. There are no residential uses in the Tip of Manhattan Subdistrict. It is zoned for low density manufacturing which does not permit residential use as-of-right and limits commercial development. Parking uses however are the predominant use in the sub-district. According to EDC, they comprise slightly more than 43 percent of the sub-district’s lots and nearly 50 percent of the lot area. Parking uses are comprised almost entirely of surface accessory parking lots with little to no built floor area.

The second most prevalent use in the subdistrict is transportation and utility. They comprise 30 percent of the lots in the subdistrict and include a waterfront lot owned by the city which is currently being used for vehicle storage.

The Upland Wedge

This sub-district is located along Broadway north of West 215th Street and along the west side of Tenth Avenue between West 207th and West 218th streets. The area is zoned C8-3 and C8-4 which permits heavy commercial and auto-related uses. Residential uses are not permitted, but Community Facility uses are permitted with an FAR of 6.5. Typical uses found in C8 districts are automobile showrooms, repair shops, gas stations, car washes, self-storage facilities, and community facilities.

Despite the Upland Wedge’s C8 zoning designation, the area is characterized by a mix of uses some of which are mixed use buildings containing residential units with auto related businesses or restaurants on the ground floor. The sub-district serves as a transitional area between the light manufacturing and heavy commercial districts, transportation and utility uses to the east of Tenth Avenue and the residential mixed use retail commercial districts to the west of Tenth Avenue.

Residential and mixed commercial/residential buildings make up 23 percent of the zoning lots in the sub-district. Retail uses are concentrated along Broadway. However, low FAR auto-related uses including parking lots and facilities dominate the sub-district. Two such businesses (both are auto repair shops), are located on Broadway amidst several retail commercial establishments. Parking facilities make up 20 percent of the lots in the sub-district and there are two gas stations located within the subdistrict. The No. 1 subway also runs along Tenth Avenue.

The most prominent building in the Upland Wedge sub-district is the Inwood Center at 5030 Broadway. The building occupies the entire city block bounded by West 214th Street to the north, West 213th Street to the south, Broadway to the west, and Tenth Avenue to the east. 5030 Broadway is the site of Manhattan Mini Storage, CUNY in the Heights and additional commercial tenants.

Sherman Creek

The Sherman Creek sub-district is located east of Tenth Avenue between Academy Street to the south, and West 208th Street to the north. Sherman Creek contains a mix of manufacturing and residential zoning districts with commercial overlays. M1-1 zoning districts are located generally west of Ninth Avenue. As previously stated, M1-1 zoning districts generally allow one and two-story light industrial buildings like repair shops and wholesale facilities. They also permit a limited subset of community facility uses at a maximum FAR of 2.4. Heavy industrial uses are permitted if they meet the highest performance standards to account for nuisances like noise, noxious matter emissions and odors. The Sherman Creek subdistrict also contains an M3-1 zoning district between West 202nd and West 207th streets. Here, minimum performance standards are required. M3-1 zoning districts permit heavy industrial uses that generate noise and pollutants. As previously stated in the Tip of Manhattan subsection above, M3 zoning districts typically include power plants, solid waste transfer stations, and recycling plants. No residential or community facility uses are permitted.

According to EDC's analysis, no one use represents more than 25 percent of the sub-district's lots. None of the lots are designated open space. The Sherman Creek sub-district includes the highest percentage of warehouse and wholesale uses in the neighborhood. Wholesale uses make up 11 percent of the sub-district's built floor area. The largest and most well-known wholesale business is Flair Beverages, which is located on Ninth Avenue between West 206th Street and West 207th Street. Commercial Office uses are the most prevalent uses in the sub-district. They represent 25 percent of the lots. There is also a cluster of nightlife establishments and eating and drinking establishments located between Ninth and Tenth avenues and West 202nd Street and West 203rd Street. There are also several auto-related businesses located in that section of the sub-district.

The Sherman Creek subdistrict also contains four blocks zoned R7-2, a residential zoning district. R7-2 is a medium density residential zoning district with a maximum FAR of 3.44 for height factor buildings and 4.0 for buildings constructed under Quality Housing standards located on wide streets outside of the Manhattan Core. Buildings constructed pursuant to Quality Housing have a maximum residential FAR of 3.44. C1-3, C1-4, C2-4 commercial overlays are mapped on portions of the R7-2 zoned blocks. Typical retail uses found in the commercial overlays are neighborhood grocery stores, repair shops, barber shops, and a pharmacy.

It is worth mentioning the utility uses in the Sherman Creek area. Two sites have been excluded from the rezoning proposal. First is a site owned by NYC Department of Transportation located

C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM

on the eastern portion of the block located between Ninth Avenue and the Harlem River and between West 205th and West 206th streets. This site is used for vehicle and equipment storage. Con Edison currently occupies the property on the east side of Ninth Avenue between West 203rd and West 204th streets. This site is also used for vehicle and open storage uses.

There are also several street end open spaces owned by the Parks Department fronting the Harlem River from West 202nd through West 206th streets.

Commercial “U”

The Commercial “U” sub-district is located along Dyckman Street between Nagle Avenue and Broadway, Broadway between Thayer and West 207th streets, and West 207th Street between Broadway and Tenth Avenue. The area is zoned R7-2, a medium density residential district with commercial overlays along Broadway between Dyckman Street and West 207th Street and West 207th Street between Broadway and Tenth Avenue. This subset of the Commercial “U” also contains C1-2 and C2-4 commercial overlays which permit ground-floor retail. Typical retail uses in the commercial overlays are neighborhood grocery stores, restaurants, and beauty parlors.

The Dyckman Street subsection of the Commercial “U,” between Nagle Avenue and Broadway is zoned C4-4. C4-4 districts are intended for larger stores and permit residential uses with a maximum FAR of 3.44. Community facility uses are also permitted with an FAR of 6.5.

This sub-district contains the highest percentage of commercial and mixed use residential and commercial buildings in the neighborhood. According to EDC, approximately 56 percent of the lots in the sub-district consist of commercial uses. 30 percent of the sub-district’s lots are comprised of mixed commercial and residential use buildings. The commercial uses prevalent in the Commercial “U” are local retailers, banks, restaurants, grocery stores, pharmacies, clothing stores, and some medical and vision care offices. While the residential uses in the Commercial “U” make up a great portion of the built floor area, residential uses are only located on four out of the 84 lots contained within the sub-district.

There are several public facilities and institutions on the Commercial “U” sub-district. The Inwood Branch of the New York Public Library (NYPL) is located on Broadway between Dyckman and Academy streets. A portion of I.S. 52 is also located on the same block as the Inwood Library, and the W. Haywood Burns School is located on Broadway between Academy and West 204th streets. The Dyckman Farmhouse is located less than one half block northwest of the Haywood Burns School on Broadway between West 204th and West 207th streets.

Upland Core

The Upland Core sub-district consists of all areas west of Tenth Avenue excluding the Upland Wedge and the Commercial “U” sub-districts. It is bounded by Tenth Avenue to the east, Thayer Street and Riverside Drive to the south, Payson and Seamen avenues and Indian Road to the west, and West 218th Street to the north. This subdistrict is predominantly zoned R7-2, a

medium density residential district (See R7-2 residential zoning district explained in Commercial “U” subsection above). The portion of the Upland Core located on the south side of Dyckman Street west of Broadway is zoned C8-3 (See C8-3 commercial zoning district explained in the Upland Wedge subsection above).

The Upland Core contains the most residential uses in the neighborhood. According to EDC, 75 percent of the lots in this sub-district are occupied by residential buildings. An additional 15 percent are mixed use residential and commercial buildings. Along the south side of Dyckman Street west of Broadway are heavy commercial uses. The area includes a bike shop, a light manufacturing use owned by Magic Novelty and a parking facility owned and operated by Edison Properties.

The majority of the residential buildings present in the sub-district are five to eight-story multi-family walk-up buildings. Twenty-two lots in the sub-district are occupied by one- and two-family buildings. This represents one percent of the Upland Core’s building area. Multi-family walk-up and multi-family elevator buildings represent the greater percentage of residential building area than any other land use present.

PROJECT DESCRIPTION / PROPOSED ACTIONS

As previously stated, NYCEDC, together with HPD, DCAS, NYC Parks, and SBS is proposing a series of land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor’s Housing New York: Five-Borough, Ten-year Plan (“Housing New York”) and to begin to implement the Inwood NYC Action Plan. The proposed land use actions include zoning map amendments, zoning text amendments to create the Special Inwood District (SID), a proposed Waterfront Action Plan (WAP), establishment of a Mandatory Inclusionary Housing Area (MIHA), City Map changes, site acquisition and disposition by the City of New York, and an Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval (collectively, “Proposed Actions”).

The proposed actions include a zoning map amendment that would establish the Special Inwood District, change all or portions of current M1-1, M2-1, M3-1, C8-3, C8-4, and R7-2 districts, and change portions of C1-3 and C1-4 overlays to C2-4 overlays and establish new C2-4 overlays in areas being rezoned for residential uses within the rezoning area. The zoning map amendments would establish R7A, C4-4D, C4-5D, C6-2, R7D R8A, R8, and R9A. These proposed districts as well as one portion of an R7A district would also be established as Mandatory Inclusionary Housing Areas.

In addition to zoning map amendments, zoning text amendments are proposed to establish the Special Inwood District, establish a Mandatory Inclusionary Housing Area which would require a percentage of new housing to be permanently income restricted where new housing capacity would be created, and to establish a Waterfront Action Plan to create a framework for the creation of waterfront open space along the Harlem River. The zoning text amendment establishing the Special Inwood District would also modify the underlying zoning districts,

establishing additional requirements, and allowing for greater variety in the type and shape of development.

The proposed actions also include the disposition of property at the city-owned Block 2185, Lot 36 to facilitate the creation of open space on the waterfront, Block 2197, Lot 75, to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue, and Block 2197, Lot 47 (following its acquisition by the city) located along the Harlem River to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue. Finally, the proposed actions seek the disposition of Block 2233, Lot 13 and part of Lot 20 for the purpose of facilitating new income restricted housing, a new public library and Universal Pre-K classrooms.

Additionally, the proposed actions include the acquisition of Block 2197, Lot 47 to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue, a condominium unit within a future development on Block 2133, Lot 13 and a part of Lot 20 for use as a public library, and portions of Block 2183, Lot 1, and Block 2184, part of Lot 1 to facilitate the creation of future public open space along the waterfront between West 202nd Street and Academy Street.

Finally, the proposed actions would designate city-owned Block 2233, Lot 13 and part of Lot 20 as an Urban Development Action Area and Urban Development Action Area Project, so that approval and disposition will facilitate the development of income restricted housing, a new public library, and Universal Pre-K classrooms.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on March 20, 2018, Manhattan Community Board 12 (CB 12) adopted a negative resolution with suggested modifications related to this application. The vote for the resolution was 37 in favor, none opposed, and 2 abstentions. CB 12 stated that the proposed actions had been presented to various committees of the Community Board throughout 2017 as well as in January, February and March of 2018. On February 22, 2018 CB 12 held a public hearing on the proposed rezoning attended by approximately 500 people.

CB 12 expressed its own and the community's serious concerns with (1) certain aspects of the scale of new development that the proposed rezoning would allow; (2) the potential displacement of low-income and rent regulated residents, as well as small businesses; (3) the proposed levels of affordability of newly constructed affordable housing; (4) the ability of current utility infrastructure to accommodate the proposed new development; and (5) the accuracy and sufficiency of the DEIS.

In conclusion, CB 12 recommended disapproval of the Proposed Actions and recommended a set of extensive and detailed modifications including the following (grouped according to four subject areas):

Affordable Housing:

1. Ensure that the MIH option employed in establishing the Mandatory Inclusionary Housing Area employ the deep affordability AMI bands and that the administration facilitate HPD subsidies for the MIH projects to obtain an additional 15 percent permanently affordable housing;
2. Require all residential development on city-owned land to be 100% affordable to Inwood residents;
3. Separate from this application the site disposition and related actions relating to the library site project for the creation of affordable housing, a new Inwood Library and Universal Pre-K classrooms;

Initiatives to Preserve Affordable Housing:

1. Strengthen rules for tenant protections and provide adequate funding to enforce housing and building requirements and for anti-displacement initiatives;
2. Ensure the zip codes for Washington Heights and Inwood are formally included in the Right to Counsel Program prior to the implementation of any rezoning, increase the eligibility level of the program and provide funding for rent-regulated tenants who are not eligible for the program;
3. Ensure funding for programs to protect tenants from harassment and discrimination including the Certificate of No Harassment Program;
4. Ensure continued funding and support for the Human Rights Administration's Anti-Harassment and Tenant Protection programs;
5. Provide funding to Dyckman Houses for capital improvements and deferred maintenance;
6. Use HPD capital funding programs including the Participation Loan Program and 8A loan program to finance capital improvements in rent stabilized apartments and use resulting new regulatory agreements to ensure longer-term affordability;

Initiatives to Help Small Businesses:

1. Enact anti-harassment programs for small businesses;
2. Enact legislation to enhance the lease negotiating position of small businesses such as the Small Business Jobs Survival Act;
3. Allocate space in new developments on city-owned land or city subsidized developments for current small businesses displaced by the effects of the rezoning;
4. Give small businesses priority for new ground floor retail space;
5. Require a City Planning hearing for the opening of any chain retail store in the rezoning area;
6. Ensure the development of community facilities for youth, fitness, seniors, daycare, arts and culture including media and theater;

C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM

7. Support an incubator space for arts and start-up businesses;
8. Ensure aggressive outreach by SBS to educate and make services available to small businesses;
9. Pursue a technology hub that will provide incubator space and skills training:

Height Limitations:

1. Revise the zoning for the C8-3 area west of Broadway to ensure that building heights do not obstruct view corridors to and from the Cloisters and Fort Tryon and Inwood Parks;
2. Reduce the maximum allowable building heights in the Commercial U to avoid obstruction of view corridors to and from the Cloisters and Fort Tryon Park and to better maintain the existing neighborhood context;
3. Reduce the maximum allowable building height in the Upland Wedge to 10 to 12 stories except for the blocks on Broadway between 215th Street and 218th Street where maximum heights should not exceed eight stories; and
4. Reduce the maximum allowable height at the Tip of Manhattan and Sherman Creek to one that would relate to the scale of the Dyckman Houses (which are 14 stories).

In addition, the resolution called for the fulfillment of a number of conditions in additional areas including:

1. Workforce development: including initiatives to reduce poverty and provide jobs skills through vocational training, education, employer incentives and other programs;
2. Efforts to landmark eligible properties including those related to African and Native American heritage;
3. Undertake significant infrastructure upgrades to utilities, mass transit, streetscape improvements, certain parks/playgrounds and ecologically sensitive areas; and
4. Conduct neighborhood wide transportation, pedestrian, health and safety studies to identify and implement improvements.

BOROUGH PRESIDENT’S HEARING

On Tuesday, April 10, 2018, the Manhattan Borough President conducted a public hearing at IS 218 on the NYC EDC plan to rezone Inwood (Nos. N 180205 ZRM, C 180204 ZMM, C 180206 PPM, C180207 PQM, C180208 HAM). Approximately 450 people attended and approximately 75 people presented testimony. Prior to the public hearing, the Borough President’s Office mailed a brochure to every residential and commercial postal address in Inwood 10034 zip code inviting residents, businesses and property owners to the public hearing (approximately 19,000 pieces in total). The mailer also served as an effective educational piece communicating, in

Spanish and English, information on the ULURP process, including a map of the impacted area with highlights of proposed zoning changes. An extensive social media campaign was conducted and leafleting at neighborhood locations was undertaken. Members of the public were afforded the opportunity to submit written and/or video testimony before, during and after the hearing as well.

The overwhelming majority of those who testified spoke out in opposition to the rezoning plan. Approximately four or five spoke in favor. Most called for wholesale rejection of the plan. Those who testified repeatedly stressed the fear that the plan – by permitting what they believed was a disproportionate number of market rate residences in comparison to affordable units – would only hasten gentrification and displacement of current residents. In addition, many specifically addressed the income levels of the affordable housing that would be produced through the MIH program and expressed concerns that the income levels would be too high to provide a significant amount of housing for the average Inwood family. Small business owners testified that the rezoning could displace them. Several people commented on the deficiency of the DEIS, including the fact that the DEIS claims that there would be no significant residential displacement. Finally, many of the speakers as well as those in the audience, supported the Uptown United platform.

In addition we received a total of 24 video testimonies which were reviewed by staff. Nineteen people expressed general opposition to the Inwood Rezoning and five people expressed general support for the rezoning.

BOROUGH PRESIDENT RECOMMENDATIONS

After careful review, the application in its current form still does not represent a plan that I believe ensures a better future for Inwood and for that reason I cannot support it in its current form.

While the city's proposal shares concerns about the neighborhood's need for permanent affordable housing, the desire to create a lively and attractive built environment while enhancing neighborhood economic diversity, and creating housing for residents of varied incomes, there remain significant areas of concern. Without a more thoughtful approach to implementation of the proposed zoning framework and programs that will precede zoning changes, the residents of Inwood cannot be expected to feel that their fears of displacement will not be realized. In fact, it is my belief that without a more aggressive approach to affordable housing preservation, small business development, and a targeted approach to the implementation of this plan, the city cannot be secure in its belief that residential and small business displacement will not come to pass.

As Borough President, I came into office determined to challenge the top-down planning framework that drove many neighborhood rezoning efforts. I have worked for decision-making models like the East Harlem Neighborhood Plan that approach planning from the bottom-up. The current proposal is the result of a two-year process that involved several community workshops, charettes, and presentations. My staff and I attended every one of these events and EDC should be commended for its efforts in this regard. However, these events do not resemble

the well-coordinated and inclusive process that the residents of East Harlem participated in. As a result, several pieces of this proposal miss the mark of meeting neighborhood needs and addressing residents' legitimate concerns.

I understand that the land use applications constitute just one piece of the neighborhood plan. The Mayor's 10-year housing plan includes a stated commitment to aggressive preservation strategies including legal services, other anti-harassment programs and funding for rehabilitation of existing housing. The allocations of dedicated pools of capital for rezoning areas through the Neighborhood Fund (administered by EDC), the Rezoning Fund (administered by DEP) and the Housing and Acquisition Funds (separate entities, both administered by HPD) and the mayor's statements and housing plan created an expectation that neighborhoods subject to these rezonings like East Harlem, Jerome Avenue, Far Rockaway, and East New York could expect an upfront, targeted and aggressive preservation and capital improvement program in conjunction with any rezoning proposal. The residents of Inwood are now being told that they can expect significant investments in housing preservation and infrastructure. However, the vagueness of these statements does little to instill confidence in this historically underserved community. I will address below where some of these commitments have either been overstated by the city or have been left ambiguous and should be provided in greater detail.

I begin my analysis with what should come before, and continue throughout and beyond the period of any rezoning – the preservation effort. Then, a discussion of proposals for the development of new affordable housing is laid out, followed by a discussion of the need for additional support for the small business community. And, finally, we address other programmatic and infrastructure efforts to strengthen the Inwood Community.

Affordable Housing

Housing Preservation Plan

As we stated in our recommendation on the East Harlem rezoning, if we are concerned about affordable housing for current residents, then protecting the existing housing stock is essential. Approximately 60 to 70 percent of Inwood residents live in rent regulated housing. This number approaches 80 percent if NYCHA residents are included. This proposal needs to lead with a robust preservation strategy because new construction alone is insufficient.

Programs and funding must be in place, sufficient to provide legal and organizing resources necessary to defend tenants in danger of being displaced from regulated housing. The city must, for this plan to be acceptable, commit a minimum of \$7,500,000.00 per year to the legal protection of current regulated low income tenants.

There is no question that Inwood, which has one of the highest percentages of regulated units in New York City, has been under pressure from rising rents even without the pressure of market rate new development. Rents within Community District 12, of which Inwood is a part, rose by 38 percent over the last decade compared to the 24 percent increase city-wide. Ironically, this may be due to the general understanding that Washington Heights and Inwood contain some of the last affordable housing in Manhattan. This odd "market force" has created great incentives

for owners to seek rent increases through whatever means they can – legitimate or otherwise. The city’s commitment to protect existing affordable housing while creating new is put to the test here: The city must take the steps and make the substantial financial commitment to protect the affordable housing – and the existing tenancies.

Relying, improperly I believe, on the CEQR handbook, the DEIS contains no analysis of the potential impact of the rezoning on Inwood residents living in regulated (rent controlled and rent stabilized) housing. As a result of this failure in the DEIS, the Proposal is devoid of measures that will be necessary to protect these tenants as the Proposal, and development thereunder, proceeds. The strategies proposed in the Proposal are vague, weak and not wholly appropriate or likely to be effective in truly protecting tenants and preventing owners from taking whatever actions they can to force tenants from their homes. The Proposal sets forth three strategies to protect tenants:

First, the Proposal sets forth a strategy to “take action” against harassing landlords. We believe, and years of experience has shown, that landlords incentivized to oust tenants by skyrocketing potential rents will only be dis-incentivized to do so by severe and effective legal consequences. While we believe the implementation of the Certification of No Harassment system may deter owners who seek to empty entire buildings, displacement that occurs on an apartment-by-apartment basis, or by deprivation of services, or through illegal rent increases, or individual baseless court proceedings can really only be addressed through expert legal representation combined with effective organizing assistance.

The Proposal’s second strategy is to provide tenants with information regarding their rights. This is also a laudable goal that will not do nearly enough to protect the actual legal rights of tenants whose homes will be put at risk as a result of the rezoning plan. Tenants in rent regulated apartments have many rights that, without expert counsel, they are nearly powerless to enforce. For many years, advocates have demonstrated to the city that tenants, especially low income tenants, need representation to truly access their legal rights. The city, by enacting the Right to Counsel Law for low income tenants has finally recognized this fact. It is unacceptable that this Proposal reverts to the city’s position of years ago-- that low income tenants in danger of eviction, whether through improper actions of the owner, or court proceedings, should be entitled to merely some brief advice to help protect their homes. In addition, in many instances, advocates must work on behalf of tenants to obtain services from the city, or compel necessary action by agencies. It is wholly inadequate to provide only “assistance” from the city itself in place of legal assistance.

The third strategy promised in the Proposal to protect existing affordable housing is too vague and speculative to rely on. It is not clear how the Proposal will “Ensure rent-stabilized tenants are not being charged unlawful rents...” without legal representation. The New York State agency that administers the Rent Stabilization Law is not a party to the plan and it is not clear that they can or will take extraordinary steps within the rezoning area regarding audits and/or investigation of illegal rents.

Further complicating the picture in the rezoning area and compelling additional guarantees of legal assistance is the prevalence of preferential rents. Studies have shown that approximately

3,000 rent stabilized apartments in Inwood have “preferential” rents. This represents one of the highest percentages of such rents in the city. A preferential rent is a rent agreed upon between the landlord and tenant in a rent stabilized apartment that is lower than the rent registered by the owner with DHCR. Rents in stabilized apartments may only be increased pursuant to specific legal amounts: lease renewal percentages, vacancy increases, building-wide MCI increases and Individual Apartment Improvement increases added to the vacancy and lease increases taken between tenancies. Owners are required to register rents annually, specifying *inter alia* the name of the tenant, the dates of the tenancy, and explanation for increases from the prior year’s registered rent. This amount is referred to as the “Legal Registered Rent.” A preferential rent is one lower than the legal registered rent, which is noted in the lease. Unfortunately, since the 2003 change in the Rent Stabilization Law, an owner can revoke the preferential rent at any lease renewal. So the over 3,000 households in the Inwood area who are in apartments with preferential rents are in danger of seeing their rents skyrocket, possibly even above the limit of rent stabilization, within one or two years, depending on the term of their current lease. There is no question that ongoing gentrification and the increase in “market rate” housing that will occur as a result of the planned rezoning will intensify the benefits an owner will realize by removal of a preferential rent. So these tenants face almost certain loss of their current affordable rents.

Tenants facing revocation of preferential leases need expert legal assistance. In a substantial percentage of cases the Legal Registered Rent is in fact not legal, having been increased above allowable legal percentages. While the law provides only a four year “look back” period within which a registered rent must be challenged, in certain circumstances, with expert legal representation, this limitation can be overcome.

As noted above, rents in Inwood have been rising precipitously in recent years. Funding must be available to non-profit community organizations to provide intense outreach and information to tenants before they face direct loss of their home through rent increase or legal proceedings. It is important that the information and outreach be provided by independent entities and not city agencies. In addition, the city must create funding for experienced housing organizers. Strong, supported tenant associations are crucial to defending tenants from harassment, neglect, baseless proceedings and all other methods by which owners would seek to replace current tenants with a cohort that can pay substantially higher rents, and provide greater profits.

Based on the number of households we believe to be at risk, the number of attorneys, supervisors, organizers and outreach workers necessary to prevent displacement, we believe a commitment of at least \$1,000 per eligible household to fund local legal service providers is the minimum appropriate amount to allocate. Calculating that approximately 50 percent of Inwood households have incomes at or below 200 percent of the 2018 Federal poverty level (and would otherwise be eligible for legal representation when facing eviction proceedings), the city should commit at least \$7,500,000 per year to be allocated to local non-profits for the provision of attorneys, supervisors, organizers, community meeting space and outreach.

Development of New Affordable Housing:

It is clear that there is a need for permanently affordable housing in excess of that which will be provided by the city's MIH requirements. In addition, as we have repeatedly heard, the median income of a family in Inwood is approximately \$42,000 per year making MIH options that average 60 percent of AMI too high for the average families. The plan needs to demonstrate significant amounts of additional permanently affordable housing geared to income levels more in keeping with current Inwood residents. In fact, the city should set a target that significantly more than 50 percent of the total dwelling units developed be made affordable with a minimum of 20 percent at an average of 40 percent AMI.

Our best chance of seriously improving the proposal's ability to address the needs for additional and lower-AMI, permanently affordable housing is through the development of publicly owned sites. There is a Department of Transportation (DOT) facility between 9th Avenue and Sherman Creek and 205th Street and 206th Street where bridge maintenance equipment is kept. This lot is approximately 64,000 square feet and could accommodate anywhere from 500 to 700 units of affordable housing. It has not been included in the rezoning due to its necessity to DOT bridge maintenance work. While we recognize the pressure on city agencies occupying land for the storage of essential equipment, the city must get more creative so that large swaths of land in communities desperate for affordable housing are not off limits – especially when rezoning will only add to the pressure to relocate or rearrange these current uses. The city must make every effort to use this lot for 100 percent permanently affordable housing whether by incorporating equipment/vehicle storage into any development or relocating the DOT equipment or some combination. EDC has proposed incorporating specialty and over-sized police vehicles into proposed affordable housing elsewhere in Manhattan.

The Inwood rezoning plan calls for the acquisition by the city of properties at the Tip of Manhattan composed of lots unusually divided with the city owning the back end (Sherman Creek frontage) of the lots and Charter Communications owning the front end (street frontage) of the lots. The city must acquire as much of these lots as it can for use for 100 percent permanently affordable housing. If the city were to obtain 100,000 square feet of lot size it could build an additional 500 units of affordable housing. These two properties alone could almost double the projection for permanently affordable housing from approximately 1400 units to approximately 2500 units. Projects on public sites must be 100 percent affordable and the affordability of any non-MIH units should be made lasting through "practical permanence," including the use, where possible, of mechanisms where the city either retains interest in the property or the property reverts back to the city. In addition, the city should employ every means to maximize the opportunity for lower levels of affordability on public sites where we have more control.

I have recently met with individuals seeking support in their endeavor to create a 100 percent affordable development on Broadway near the intersection of Broadway and West 218th Street. In projects like this, where the developer is committed to working with the city to produce income restricted housing that is reflective of the community, some increases in density are appropriate. The lots in question are uniquely situated behind residential buildings that stand at a higher elevation. Despite containing the same number of floors, those buildings are

approximately four stories taller than the five story building located adjacent to the proposed development site. Therefore, because of the commitment to developing affordable housing, and the physical characteristics of the landscape, an upzoning that would permit a building with 100% affordable housing may be more appropriate. I urge the city to work aggressively to facilitate such developments and think through developing a zoning framework that is more targeted and intentional rather than the blanket zoning districts proposed in many areas of this rezoning proposal.

In facilitating affordable housing developing, the city should work toward the acquisition of additional lots for 100 percent affordable housing developments. At 5051 Broadway (Block 2243, Lot 255) there is a federally owned parking lot (Department of Justice) which the city should work to acquire. In this vein, the city should leave no stone unturned in its search for development sites for 100 percent affordable projects. It should undertake a review of all of the soft sites circulated in a list by Congressman Espaillat in the Inwood/Washington Heights area.

The city should commit to target these sites, for mission-driven developers and community land trust partners who share our goal of creating housing inclusive of all families, regardless of total income. HPD must work with these developers to provide adequate subsidies.

Finally we urge the City Council to ensure that all new affordable housing created pursuant to the MIH requirements employs Option one. Option one provides that 25 percent of the residential floor area be affordable to income bands, the weighted average of which do not exceed 60 percent of AMI. This will ensure units at the lower ends of the affordability scale. Option One should be combined with the deep affordability option to achieve greater levels of affordability. This, together with lower levels of affordability achieved in developments of city-owned sites will go far toward ensuring affordability for current residents.

Inwood Library Project

As previously explained, one of the proposed actions involves the disposition of city owned land at Block 2233, Lot 13, the site of the Inwood Branch of the Public Library. Last month HPD announced that the land will be disposed of to a development team composed of the Community League of the Heights (CLOTH), Ranger Properties, Alembic, and the Children's Village. That team's winning bid calls for the construction of a 14-story building with 175 affordable apartments and a new three-level library branch.

The residential portion of the project will be 100 percent affordable – what I have always called for when developing on city-owned land. The affordability will be made up of the 25 percent permanently affordable required MIH housing and 75 percent of the housing will be done through HPD's Extremely-Low-and-Low-Income Affordability (ELLA) Program. According to HPD, this program provides for a majority of units being available to a combination of formerly homeless individuals and AMI bands ranging from 30 to 60 percent of AMI. In accordance with my oft-repeated mantra that non-MIH affordable units on city property must achieve “practical permanence,” HPD has informed us that the city will maintain an interest in the land which will come back to the city after 99 years. Thus, the city will be in a strong position to ensure continued affordability of all of the units. This is precisely the kind of innovative thinking we

need to use everywhere when developing city-owned land and I urge the city to use similar mechanisms and programs in the projects we are tasking them to undertake at the Spectrum site and the DOT bridge maintenance site.

Critically, the proposed action also includes the acquisition of approximately 18,000 square feet within the future development as well as a portion of Block 2233, Lot 20 for use as a library. When completed, this space will be larger than the current Inwood Library. This space will be a condominium and ownership will remain with the city which is also important.

I support these proposed actions. In my opinion, this is a great example of how the city can best use the land it owns. However, my support is based largely on three things: (1) that the city has creatively thought of a mechanism to secure a future interest in the property and therefore has a tool to maintain practical permanence of the affordable housing; (2) that the project is 100 percent affordable and that the number of affordable units significantly advances the community's needs; and (3) that the depth of affordability reflects the income of Inwood residents.

My only regret is that more affordable units are not being developed at this site. My office has met with the individuals who recently took ownership of the car wash site adjacent to the Inwood Library. They are not part of the development team that submitted the winning bid but I would urge the city to consider incorporating that site into the development so that more affordable units and greater amenities for Inwood residents can be created. 175 affordable units is a good start, but more is needed and creative solutions must be sought.

My support for the library project is conditioned on one thing – but it is critical; that an interim brick and mortar library be located for the duration of the undertaking of the project. The Proposal estimates that construction of the new library will cover a period of three years. That estimate is likely overly optimistic. The city must recognize the vital role that the existing library and its programs play in the life of Inwood residents – especially the youngest, oldest and poorest residents. The neighborhood simply cannot be left for years without the important programs and services currently provided. These services include ESL programs, citizenship assistance, programs to train and encourage caregivers to read to children, various after-school programs, films and cultural programs popular with seniors. Additionally, the library serves as a safe and healthy space for children and seniors who need warmth in winter, cooling in summer and free internet access and access to computers.

For all the above reasons, support for the Library plan is conditioned on the establishment of a brick and mortar temporary location which will provide at least the most important of the services currently provided: First, the city must identify the location of the temporary space as soon as possible, so that the community's worst fears can be assuaged. The location must be near that of the current library, but centrally located near the largest Inwood school campuses. The location must be accessible. The location must be open seven days a week, with the same hours as the current facility. In addition to the core library services of book circulation, the temporary library must have adequate wifi and computers. Most importantly, the temporary library must have sufficient space for at least a portion of the programs and services currently

provided and must have adequate, comfortable facilities for pre-school reading, after-school programs and homework space and be welcoming to seniors.

While I agree with CB12 that it would have been preferable had the library project application not been moved together with the Inwood rezoning, I would not wish to see this project put on hold when the Administration has worked hard to address so many of the pitfalls associated with affordable housing developments on city-owned land, again subject to their announcing an interim, appropriate library site in the community.

Dyckman Houses

The Dyckman Houses is not included in the rezoning area but is located between the Commercial U subdistrict and the Sherman Creek area. The approximately 2,300 residents of this NYCHA complex consisting of seven 14 story buildings will be impacted by the rezoning. As with all the residents of Inwood, NYCHA residents will experience the stress to the neighborhood's infrastructure of additional residents and the effects of the upward pressures on commercial rents. As we stated in East Harlem, the housing preservation component of a neighborhood rezoning must include the preservation of housing for NYCHA residents in the community.

After reaching out to the head of the Dyckman Houses Tenant's Association and reviewing the participatory budget items for Council District 10, I believe it is important that the city provide funding to Dyckman Houses. The complex is in need of new windows, boilers and lighting. Obviously, such basic needs must be provided for regardless of the status of any rezoning.

However, expense funding should also be provided for Police Service Area 6 to patrol and provide security for residents. Capital funding should be provided to: (1) Address flooding and drainage problems including in the community center and basements of buildings where we understand flooding and waste water problems occur; (2) Renovate the senior center and community center (including ADA access) and make improvements to the kitchen of the children's nursery; and (3) Renovate playgrounds and open spaces at certain buildings.

Preservation of Local Small Businesses

The Commercial U

The area along Dyckman Street, Broadway, and West 207th Street, the so-called Commercial "U," functions as Inwood's "Main Street." The importance of Main Street in immigrant communities cannot be overstated. This is the economic and social center for residents. It is where many first generation immigrants obtain their first opportunities for employment, or where entrepreneurial seeds are sown and initial steps toward upward social mobility are taken. It is also the place where they begin their cultural education, where they learn the language, and become part of the life of their community. Main Street in an immigrant community, especially

in New York City, is often the bridge between where one came from and where he or she is headed. The Commercial “U” in Inwood has served and is currently serving as that bridge for many of its residents.

The Commercial “U” subdistrict is both literally and figuratively at the heart of the neighborhood. You cannot travel through Inwood without coming into contact with it. It is rich with an industrious and entrepreneurial spirit; there is a robust organic local culture indigenous to this neighborhood, and it follows in the tradition of local business strips in ethnic enclaves throughout the city where various immigrant groups carved their way to the American dream. And, as an immigrant Main Street so often does, it announces who lives in the area. Many signs read in Spanish. Restaurants line the streets with aromas of traditional Dominican dishes or new twists on old recipes.

Serious and valid concerns have been raised that these businesses, largely immigrant-owned and employing many local residents, will disappear from the community as development pressures drive rents further up and as their buildings are redeveloped. The Inwood Rezoning Plan places the current retail sector of the neighborhood in jeopardy of direct and indirect displacement because many of the businesses are located in single story buildings. Nearly half of the 309 businesses (147) are located on soft sites (1-story or 2-story buildings). This places nearly half of the “Commercial U” labor force (617 to 800 employees) in jeopardy of unemployment.

Here, as in the case of the analysis of residential displacement, the Draft Environmental Impact Statement and its findings related to small business displacement are inadequate. The preliminary assessment found there were no significant adverse impacts due to direct business displacement. This conclusion, however, is based on the deficiency in its analysis, specifically, the data it relies upon. For example, under the Reasonable Worst Case Development Scenario, only 26 businesses located on 12 of the 33 identified projected development sites will be displaced. A walk through of Dyckman Street, Broadway, and West 207th Street reveals a very different set of facts. The facts are that 147 businesses are located on soft sites in this section of the proposed Special Inwood District alone. The loss of employment as these sites undergo redevelopment cannot be classified as insignificant. It is especially significant in Inwood because these businesses employ residents who also reside in the neighborhood. The CEQR Manual refers to business displacement in terms of a neighborhood’s commercial needs, but in this case as in other similarly situated immigrant communities, the commercial center is also a significant source of employment opportunities. We must also make efforts to address the effect that the rezoning could have on the city’s and state’s efforts to promote minority owned businesses.

It is important to preserve the “Main Street” quality of the local retail in Inwood and especially in the Commercial U. The businesses that may be able to relocate should be given time to develop options. The rezoning of the Commercial U, with the exception of the area on Broadway beginning with Block 223, Lot 13, should either be removed from the proposal or, if left in should be phased in after retail has been developed in the other rezoned areas of Inwood. During this phase-in period, the city must redouble its efforts to work directly with each of these businesses to do three things:

First, EDC and SBS must assist as many of them as possible in finding new homes in the neighborhood. This could involve working directly with developers of new retail spaces in Sherman Creek and the Upland areas to ensure the availability of appropriate neighborhood retail space. In addition, SBS must make relocation grants and business loans available to those businesses which can relocate but require additional assistance.

Second, EDC and SBS must ensure that if redevelopment begins along the Commercial U, new developments contain neighborhood retail spaces and that developers are encouraged and/or incentivized to provide such spaces to displaced businesses that wish to return. The A text submitted by EDC which limits bank frontage and maximizes retail space in the Commercial U is a promising start for local retail in the community but does not go far enough. As a councilmember representing the Upper West Side, I worked with the Department of City Planning on a zoning special district to preserve our small storefronts by limiting a property owner's ability to combine small retail spaces into large frontages suited to big box stores. The zoning text requires a minimum of two non-residential establishments for every 50 feet of street frontage for all zoning lots with a lot width of 50 feet or more along Amsterdam and Columbus avenues. There is also a maximum width of 40 feet for all store frontage and 25 feet for bank store frontage. Something similar to this must be made part of the entire Inwood rezoning both to assist displaced local businesses in finding new appropriate spaces as well as to ensure continuation of the diverse and local, organic retail businesses in Inwood.

Third, EDC and SBS must ensure that temporary space is found for businesses that may be able to temporarily relocate. In addition, the space should serve as an incubator space for new and emerging small businesses looking to operate in Inwood.

In order to ensure that small businesses be given every opportunity to remain in the neighborhood and to preserve the "Main Street" quality of the Commercial U, any rezoning of the Commercial "U" – with the exception of that portion located on Broadway between Block 2233, Lot 13 and West 207th Streets, should not become effective until 50 percent of the DEIS projected commercial square footage of neighborhood retail space has been created in new developments in the surrounding rezoned areas and programs are in place to provide targeted financial and relocation assistance to those businesses that can relocate. If possible, the text amendment to map the area as an MIHA, should become effective immediately in anticipation of the phase-in of the rezoning. And, to ensure appropriate local retail spaces are available after redevelopment and to maintain the character of the Commercial U, storefront frontage limitations similar to those on the Upper West Side should be made a part of the proposal.

MI-4 districts to facilitate wholesale business relocation

EDC recently filed an amendment to its instant land use application. The purpose was to address some of the concerns that have been expressed over the past several months and to further some of the city's goals in rezoning the neighborhood. The amendment to the application consists of five zoning map changes and six zoning text changes. I will only cover those changes that I find most relevant for the purposes of my recommendation. I would like to commend EDC for being responsive and submitting these changes but in some instances I feel they do not go far enough to address the concerns they are intended to assuage. This includes the amendments involved in

the mapping of an M1-4 district on portions of Blocks 2198 and 2199 within the Sherman Creek Subdistrict. This is intended to facilitate the relocation of several wholesale businesses located in Sherman Creek that have been in operation there for decades. When I first learned of the plan to rezone Inwood one of my primary concerns was the loss of businesses, especially the wholesale businesses in Sherman Creek.

Last year I met with representatives of these businesses and I expressed my concern about their displacement. Fortunately, my urging has resulted in a plan for these businesses to relocate to a site owned by their current landlord and fellow wholesale distributor. My one remaining concern involves the relocation of Flair Beverages, Inc. The owner of Flair Beverages is also the owner and landlord of the space it currently occupies. I have been told that it requires more space than what is available in Blocks 2198 and 2199. My concern is two-fold: 1) Flair, being owner occupied, continues to operate at its current location and the potential for affordable housing is lost and 2) Flair moves out of the borough of Manhattan taking away a great source of economic activity and employment. I do not want either of these two things to occur so I am asking all parties to arrive at a solution that keeps Flair in the neighborhood of Inwood and opens up opportunities for more affordable housing development.

Automotive Repair Industry

The DEIS fails to appropriately and adequately identify as a significant impact the displacement of an industry from an area. The rezoning plan as proposed will cause the auto repair uses to become non-conforming in the Sherman Creek, Upland Wedge, and the Tip of Manhattan Subdistricts. My staff has spoken with every one of the business owners, and to say that their displacement over time causes no significant impact ignores the positive effect they have had on making Inwood the vibrant neighborhood it is today. Many of the auto repair shops in Inwood have been in business for decades. Over time Inwood became a regional destination for car repairs and the last remaining auto repair district in Manhattan.

The auto repair shops also make up a significant piece of Inwood's economic ecosystem. Between 50 to 70 employees work at these auto repair shops and they are paid better wages than other local businesses pay. They also positively impact the surrounding local businesses. Customers travel from other parts of the city to get their cars serviced and repaired. Before the customers leave, many will shop at local stores, eat at local restaurants, or purchase gas from one of the local gas stations. To say the displacement of this industry is not a significant impact demonstrates the weakness in the CEQR Manual and exemplifies the need for a revision of its methodology.

In our many trips to the various neighborhoods making up the rezoning, we have tried to identify a location where these businesses could be concentrated. We were heartened at the efforts underway that we have pushed for since learning of the rezoning, to relocate the wholesale businesses. We would urge EDC and SBS to devote time and resources to looking for a similar solution for the automotive businesses. In the absence of such a solution we ask them to consider locations where it would be possible to allow automotive repair uses on the floors beneath residential use. Similar special use regulations were employed to allow automotive repair uses below residential uses in a subarea of the Special Clinton District (ZR Section 96-34(b)).

Contextual Zoning Districts That Are More Appropriate

In response to a letter I co-wrote with my colleague Councilmember Ydanis Rodriguez last year, EDC expanded the scope of the rezoning area to contextually zone the area west of Tenth Avenue. While I commend them for remaining open to recommendations and being responsive to community concerns, I am not fully satisfied by the final result. R7A zoning is not appropriate for every portion of the area. While it is appropriate for much of the neighborhood, portions of the community like parts of Park West Terrace and Payson Avenue, areas that are home to two and three story buildings, should receive a zoning district that is more appropriate to its context. For this reason I urge the city to review the neighborhood more closely and apply zoning districts that more appropriately reflect the area's context.

Transfer of Development Rights at the Tip of Manhattan

The current proposal includes a provision that permits the transfer of floor area in Subarea B2 to Subarea B3 in the Tip of Manhattan Subdistrict pursuant to a Chairperson Certification. There are three lots located in Subarea B2 that are currently owned by New York City Transit (Block 2215, Lots 885 and 874; Block 2197, Lot 174). Block 2215, Lot 874 is the only lot with a structure on it; the other two are vacant and currently serve as parking for Spectrum. Two things should be done to fully utilize the development potential of these sites: 1) the Special District text should permit the transfer of development rights from Subarea B2 to Subarea B1; 2) The city should pursue the purchase of the floor area from the MTA for the purpose of using the transferred floor area for development of community facility space on the city owned lot currently located at Block 2197, Lot 75. The city is in the best position to determine the program for such a space but I recommend one of the cultural or arts-related uses listed below.

Preservation and Commemoration of Historic Sites

Native American Burial and Artifact Sites

Scattered throughout the neighborhood of Inwood are several sites where archeologists have identified artifacts and remains going back 8000 years that bear witness to the area's earliest human settlers.

African Slave Burial Site

Located around 10th Avenue and 212th Street, the site was once the final resting place for enslaved Africans laboring for Dutch and English settlers. In 1903, the site was obliterated and the human remains were disinterred and displaced by workmen and contractors building the northern extension of 10th avenue. The desecration was documented by historians and anthropologists and reported in the New York Times. This sacred site is long overdue for a permanent marker that will memorialize it and honor those whose labor built the foundations of the Inwood community and who, even in death, could not escape indignity.

Inwood archaeological sites of both Native American and African populations must be marked with appropriate signage and digital way-finding technology. Such fixtures would serve to educate residents and visitors about the deep history and complicated legacy of Northern Manhattan's communities of color and include these often forgotten groups in our understanding of the neighborhood's past.

Support Arts and Culture in Inwood

Cultural Event Space and Artistic Workspace

Inwood is home to a vibrant arts and culture ecosystem sustained by an impressive array of non-profit arts organizations producing and presenting the work of local creative and performing artists and arts professionals. Inwood arts groups have produced cultural content that showcases the neighborhood's writers, musicians and visual artists, garnering critical acclaim and amassing die-hard loyal audiences. To name but a few:

- a. The Northern Manhattan Arts Alliance NoMAA: year-round programming culminating in the month-long Uptown Arts Stroll in its 16th year.
- b. Inwood Art Works: year-round multidisciplinary arts programming including the acclaimed Inwood Film Festival in its 3rd year.
- c. The People's Theater Project: year-round artistic development for underserved youth culminating in annual public performance People Storm the Palace, it's 10th year
- d. Up Theater: professional theatrical production of original plays and summer reading series; in it's 8th year.
- e. Drums Along the Hudson-Native American Multicultural Festival in its 16th year
- f. The Inwood Shakespeare Festival (on hiatus since 2016 after 17 seasons) on the Inwood Hill Park Peninsula
- g. Friends of Inwood Hill Parks: yearlong environmental programming and Annual Earth Day and Summer Solstice Events in partnership with the arts.

Inwood's artistic success is all the more impressive given that the neighborhood lacks any permanent performance venue or dedicated artistic work space. Performances and exhibitions take place in spaces borrowed from schools, community service providers, local businesses and the faith community. And while we applaud these community partners, Inwood's extraordinary artistic community deserves dedicated arts and culture spaces worthy of the neighborhood's passion and commitment to local, affordable artistic programming. .

Dedicated Arts and Culture Performance Venue

Such a space would require at minimum:

- a. A transformable black box theater space with 150-200 seats with at least a 25 foot ceiling with an electrical grid;
- b. Stage management/Lighting/sound booth;
- c. Storage room for lighting and sound equipment;

- d. 2 chorus dressing rooms;
- e. Rehearsal rooms in the same building minimum 1500 square feet;
- f. A lobby large enough to serve as a gallery space and waiting area with ticket box office room; and
- g. A ground- level load-in door for scenery and set pieces, minimum 12 foot clearance

Artistic Workspace

Efforts should be made to secure additional artistic workspace whether within and dedicated arts and culture center or within community spaces of new mixed use development. This would include:

- a. Studio space for visual arts including secure storage;
- b. Soundproofed practice rooms for musicians;
- c. Dance studio space; and
- d. Community meeting space suitable for art installations

Operational Investment in Arts and Cultural Resources

The city must continue its investment in the arts and culture capacity of Inwood. In 2016 the NYC Department of Cultural Affairs granted a coalition of local arts organizations, artists, and community partners a Building Cultural Capacity grant that served to unite and strengthen the existing uptown artistic resources. In addition members of this coalition were sub-grantees of the Inwood NYC Neighborhood 360 grants. Several Inwood organizations executed neighborhood improvement, place making and merchant-artist collaborations that were the mission of this grant. The neighborhood arts leadership has demonstrated its ability to act as full partners in any meaningful investment the neighborhood's artistic resources.

Additional Concerns regarding the EIS

In addition to my concerns expressed elsewhere in my comments over the failure of CEQR and the DEIS to address the potential for displacement of rent regulated tenants, and of the analysis in the DEIS concerning displacement of businesses in the Commercial U and Inwood's automotive shops, I have additional concerns over the adequacy of the environmental review.

As I have said in previous recommendations I am concerned about how generation rates for Upper Manhattan school children are calculated. I have brought this to DCP's attention in the past and I would be remiss if I didn't comment on it in my recommendation for this rezoning proposal. It was also identified as part of the Lexington Gardens II application and the Draft Scope of Work for the Harlem African Burial Ground application. An analysis using American Community Survey (ACS) Public Use Microdata (PUMS) completed by a land use consultant for CB11 demonstrates the rate of child birth in Upper Manhattan as higher than in other areas of Manhattan. However CEQR has one generation rate for the whole borough. While the Zoning Resolution does draw a distinction between the Manhattan Core and Upper Manhattan for a host of other land use policies, this topic is exempt. The result is an underestimating of the need for future school seats.

Additional A Text Comments

SID Extensions

EDC is now proposing the designation of a C4-4A zoning district along the south side of Dyckman west of Broadway from the proposed R7A/C2-4 designation it originally proposed for the area. The amendment also permits that non-residential buildings in this area will be permitted to rise to the same height as MIH permits for residential development.

I have met with the property owners in this area and their representatives and what I have learned leads me to conclude that this amendment fails to either preserve what exists or create new opportunities. What is now proposed for this area causes the current use of Block 2246, Lot 20 to become a non-conforming use. Furthermore, the property owner has no long-term intentions of expanding the current building for his operations and he could construct an as-of-right building with a 6.5 FAR if he so desired. The neighboring lot owned by Edison Properties, is serving as a parking lot. The parking lot recently received significant investments and Edison Properties stands to do well with its parking facility given the neighborhood's potential for future growth. Therefore, I fail to see the benefit to the community created by this portion of the rezoning framework.

Transit easements to facilitate future improvements to subway stations

Not much needs to be said about this amendment to the application except that I applaud EDC for thinking about the needs of disabled community residents and including this in the rezoning proposal. The fact that disabled residents have gone so long without access to the 1 train and Dyckman A train station is unconscionable.

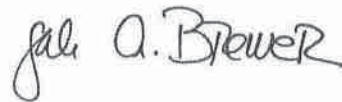
Therefore, the Manhattan Borough President recommends conditional disapproval of ULURP Application Nos. C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM, unless the following conditions are met:

1. The city must remove from, or at a minimum include a phase-in of, the rezoning of the Commercial "U" (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS must develop and fund Inwood- specific programs that work directly with small businesses in the Commercial "U" and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city must create temporary space for businesses that may be able to return to the Commercial "U" as well as an incubator space for emerging businesses;
2. The city must include zoning text that would limit store frontages to 40 feet and bank frontages to 25 feet and require a minimum number of stores in zoning lots meeting a threshold of street frontage, similar to what was implemented on the Upper West Side of

Manhattan. This would ensure neighborhood retail space to maintain the local character of Inwood's business community and provide space for relocation or return of displaced local businesses;

3. The city develops its lot currently occupied by the Department of Transportation (DOT) at Sherman Creek between 205th and 206th Streets (Block 2186, Lot 9), currently the site of bridge maintenance equipment storage, as a 100 percent affordable housing development which could result in approximately 500 units of permanent affordable housing at income bands reflective of current Inwood residents;
4. The city uses city-owned land located at Block 2197, Lot 75 currently occupied by Charter Communications for its service vehicles in the Tip of Manhattan subdistrict, to develop a 100 percent affordable housing development which could result in approximately another 500 units of affordable housing at income bands reflective of Inwood residents;
5. The city makes a serious effort to assist developers seeking to acquire properties and build 100 percent affordable developments at levels of affordability reflective of current Inwood Residents like the one proposed along Broadway at 218th street;
6. The city reviews every soft site in the rezoning area and its vicinity [including those on the list circulated by Congressperson Espaillat and the parking lot at 5051 Broadway [owned by the federal government];
7. The Council and CPC must employ the lower option AMI of the MIH program with additional lower affordability options which will provide housing at income levels of 30 percent AMI, making significantly more units affordable to the average Inwood resident;
8. In addition to funding the Right to Counsel program and inclusion of Inwood in the Certificate of No Harassment Program, the city must include substantial funding in the upcoming fiscal year's city budget for Inwood-targeted programs including additional legal services to ensure that every rent stabilized tenant with a harassment, eviction or preferential rent legal problem has access to counsel and a tenant organizing and affirmative litigation program to find and address issues with stabilized apartments with unlawfully registered rents.
9. The city must remove from, or at a minimum include a phase-in of, the rezoning of the Commercial "U" (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS must develop and fund Inwood-specific programs that work directly with small businesses in the Commercial "U" and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city must create temporary space for businesses that may be able to return to the Commercial "U;"
10. The city must locate and announce a "brick and mortar," centrally-located, and fully-accessible location for an interim library which will be open the same hours as the current library, provide all core services and be able to provide a significant portion of the programs and services currently provided, so that the Inwood Library Project and its 175 units of permanently affordable housing (for all practical purposes) can proceed;
11. The city must include expense and capital funding in the upcoming fiscal year budget for Dyckman Houses, whose residents will be impacted by the rezoning;

12. The city must make best efforts to include the car wash site adjacent to the Inwood Library into the project so that more affordable housing may be created;
13. The city must ensure implementation of the plan I have fought for to relocate the warehouse businesses to the newly proposed M1-4 district in Sherman Creek and make best efforts to assist Flair Beverages in finding suitable space in northern Manhattan;
14. EDC and SBS must make best efforts to relocate the automotive repair businesses to a concentrated area in Inwood or the immediately surrounding areas as is being done with the wholesale businesses and, in the absence of this, the city must give serious consideration to including language in the special district text that would allow automotive repair businesses below residential development wherever practicable;
15. The city must study and apply more tailored contextual zoning districts in certain areas that will be contextually rezoned where the proposed R7A zoning designation is not the most appropriate;
16. The city must include special district text permitting the transfer of community facility development rights from sites located in the Tip of Manhattan Subarea B2 to Subarea B1 to be used for cultural or arts-related spaces, with the grantee of such floor area required to improve and maintain the grantor site pursuant to the Waterfront Action Plan;
17. The city must preserve and commemorate significant historic sites in Inwood including Native American Burial and artefact sites and African slave burial sites; and
18. The city must ensure the provision in the rezoning of art and cultural performance space and artistic workspace to support Inwood's thriving artistic community.



Gale A. Brewer
Manhattan Borough President