

**Appendix I:**

**Public Comments on the DEIS**

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NYC - Department of City Planning SoHo.NoHo Neighborhood Plan  
Public Hearing  
September 2, 2021

1 -----X

2 NEW YORK CITY DEPARTMENT OF CITY PLANNING  
3 SOHO/NOHO NEIGHBORHOOD PLAN PUBLIC HEARING  
4 THURSDAY, SEPTEMBER 2, 2021

5 -----X

6 Held Remotely  
7 Via Zoom  
8 September 2, 2021  
9 10:17 a.m.

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HEARING in the above-referenced matter,  
held via videoconference, before Sabrina Brown  
Stewart, a Notary Public of the State of New York.

NYC - Department of City Planning SoHo.NoHo Neighborhood Plan  
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1 A P P E A R A N C E S:

2 RYAN SINGER, Senior Director of Land Use and  
Commission Operations

3 MARISA LAGO, Chair

4 KENNETH J. KNUCKLES, ESQ., Vice Chairman

5 HOPE KNIGHT, Commissioner

6 ANNA HAYES LEVIN, Commissioner

7 ORLANDO MARIN, Commissioner

8 LARISA ORTIZ, Commissioner

9 RAJ RAMPERSHAD, Commissioner

10 DAVID BURNEY, Commissioner

11 GALE BREWER, Borough President

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1 S P E A K E R S:

2 ASSEMBLYMEMBER DEBORAH GLICK

3 LOUISE CARROLL, Commissioner, New York City DHPD

4 GONZALO CASALS, Commissioner, DCA

5 GREGORY ANDERSON, Chief of Staff and Deputy  
Commissioner, PEA, DSNY

6 JENNIFER STA. INES, Manhattan Deputy Borough  
Commissioner, NYC-DOT

8 JUAN RIVERO, Village Preservation

9 JEANNINE KIELY, Chair of Community Board 2

10 VALERIE DE LA ROSA

11 EMILY HELLSTROM

12 PETER DAVIES

13 CHRISTOPHER GOODE

14 DENNY SALAS

15 DAN MILLER

16 AUSTIN CELESTIN

17 CORDELIA PERSEN

18 RICHARD CORMAN

19 JEANNE WILCKE

20 LEIGH BEHNKE

21 RONNIE WOLF

22 ZELLA JONES

23 WILLIAM THOMAS

24 TREVOR STEWART

25 FANNIE IP



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1 S P E A K E R S: CONT'D

2 LANNYL STEPHENS

3 LORA TENENBAU

4 ANITA BRANDT

5 AARON KAHEN

6 WILLIAM MEEHAN

7 SHELLY FRIEDMAN

8 DAVID HERMAN

9 MARY ANN ARISMAN

10 ANDREA GOLDWYN

11 KATE MCCLINTOCK

12 ELAINE KENNEDY

13 MOSES GATES

14 HARRISON GRINNAN

15 DOUGLAS HANAU

16 SEAN SWEENEY

17 ADAM BRODHEIM

18 JEAN STANDISH

19 ZISHUN NING

20 DAVID MULKINS

21 EUGENE YOO

22 DAVID THALL

23 MARK DICUS

24 CHRISTOPHER MARTE

25 HEW EVANS

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1 S P E A K E R S: CONT'D

2 ALEXANDR NERATOFF

3 DAVID LAWRENCE

4 TODD FINE

5 AMIT SOLOMON

6 RAINER JUDD

7 SAM MOSKOWITZ

8 SPENCER WILLIAMS

9 JULIE M. FINCH

10 MICHAEL RAYHILL

11 MARNA LAWRENCE

12 RICHARD MOSES

13 KATHERINE SCHOONOVER

14 ADRIENNE SOSIN

15 ARIEL KATES

16 MICHAEL MCKEE

17 ANNA MARCUM

18 SUSAN STOLTZ

19 BRUCE WILLIAMS

20 LENA RUBIN

21 DARLENE LUTZ

22 ALLIE RYAN

23 JOCELYN ANKER

24 VINCENT CAO

25 CARTER BOOTH

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1 S P E A K E R S: CONT'D

2 LAURA SEWELL

3 CONNIE MURRAY

4 ALISON SKY

5 ZEKE LUGER

6 KARLA FISK

7 KATHRYN FREED

8 LYNN ELLSWORTH

9 VICTORIA HILLSTOM

10 JULIE HARRISON

11 KIRSTEN THEODOS

12 PHYLLIS ROSENBLATT

13 ANITA JORGENSEN

14 HENRY DOMBROWSKI

15 JUDITH STONEHILL

16 ATIT JAVERI

17 JOAN MELNICK

18 ANDY ZHANG

19 CHRIS RYAN

20 DENISE MARTIN

21

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1 CHAIR LAGO: City Planning Commission  
2 special public meeting September 2, 2021.  
3 Good morning, and welcome to the City  
4 Planning Commission in-person and remote  
5 public hearing. Apologies for the delay. It  
6 was attributable to challenges with  
7 transportation.

8 Ryan Singer, who is our Senior Director  
9 of Land Use and Commission Operations will  
10 now outline general information about this  
11 in-person and remote public hearing and how  
12 to participate.

13 MR. SINGER: Verbal testimony may be  
14 provided in person, online or by calling in  
15 on your telephone. If you wish to speak in  
16 person at 120 Broadway, you may register  
17 either through the NYC engage portal or at  
18 the front door. Masks are required, and  
19 seating and room capacity is limited by  
20 social distancing guidelines.

21 If you wish to access the hearing  
22 online, please register to the upcoming  
23 meetings page of the NYC ENGAGE portal. A  
24 link to join the hearing is on the landing  
25 page after you register. Please do not close

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1 the landing page without first clicking on  
2 the link.

3 If you're accessing the hearing via  
4 phone and wish to speak, you must first  
5 register with the dial-in participant hotline  
6 at the numbers listed on the screen. If one  
7 of the numbers is busy, please try another.

8 The meeting ID is 6182377396, press  
9 pound to skip the participation ID. The  
10 password is the Numeral 1. The phone number  
11 is also posted on the upcoming meetings page  
12 of the NYC Engage portal.

13 Please note that no matter how you're  
14 accessing the meeting, you must first  
15 register if you want to speak. Those  
16 accessing the meeting online will have the  
17 option to turn on their camera while giving  
18 testimony.

19 When it is your turn to speak, you will  
20 be notified and promoted to a panelist. This  
21 will allow you to unmute your microphone and  
22 grant you the ability to turn on your camera.  
23 Please listen closely for your name to be  
24 called. There will be a short period where  
25 it will appear that you're no longer in the

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1 meeting. Do not be alarmed. You should  
2 rejoin the meeting as a panelist.

3 If you're accessing the hearing via  
4 phone, your name will be called from the list  
5 of registered speakers. Once your name has  
6 been called, you'll be given the temporary  
7 ability to unmute yourself; you do this by  
8 pressing Star 6 to unmute your phone.

9 For those listening to the hearing  
10 through the online livestream who have not  
11 yet registered to speak but decide they wish  
12 to do so during the hearing, you must first  
13 register to speak through the upcoming  
14 meetings page of the NYC Engage portal. It's  
15 not possible to testify through the online  
16 livestream without first having registered.

17 For those accessing the meeting via  
18 phone who have not yet registered to speak  
19 but wish to do so, you must also first  
20 register to speak through the dial-in  
21 participant hotline that I described a moment  
22 ago. It is not possible to testify via  
23 telephone without first having registered.

24 Speakers are limited to three minutes  
25 of testimony. There are a few exceptions to

1 the three-minute time limit; elected  
2 officials are accorded the courtesy of  
3 jumping to the front of the queue and are not  
4 limited to three minutes.

5 Appointed commissioners and consecutive  
6 translation services, when that is being used  
7 will be extended to five minutes of  
8 testimony. And if an applicant team with  
9 three or more speakers wishes to make a team  
10 presentation -- we do not have an applicant  
11 team. I'll just skip that part of that. The  
12 head Chair will announce when your time limit  
13 has been reached.

14 Please be mindful of potential  
15 background noise during your testimony.  
16 Please make sure that if you're watching the  
17 proceeding via livestream, that the  
18 livestream is muted when you begin your  
19 testimony, otherwise you will hear an echo.

20 If you change the mode by which you  
21 will be testifying, either by leaving the  
22 hearing room and testifying online, or via  
23 dial-in or coming to the hearing room in  
24 person, you need to reregister and indicate  
25 the method by which you'll be testifying.

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1                   If you wish to submit written  
2                   testimony, it should be submitted to the  
3                   Department of City Planning, mailing and  
4                   e-mail addresses can be found on our website,  
5                   planning.nyc.gov.

6                   Lastly, please note that this remote  
7                   public hearing and all testimony provided is  
8                   being recorded.

9                   I want to welcome all of the speakers  
10                  and commissioners and those observing. We  
11                  want to remind everyone that courtesy and  
12                  decorum must be observed at all times at our  
13                  public hearing. This includes being  
14                  courteous with those you agree with and those  
15                  you may disagree with.

16                  CHAIR LAGO: And with that, I believe  
17                  we can begin the meeting.

18                  MR. SINGER: This is the City Planning  
19                  Commission special public meeting, held  
20                  remotely through the NYC Engage portal and at  
21                  120 Broadway. Today is Thursday,  
22                  September 2, 2021. I will now call the roll.

23                  Chair Lago?

24                  CHAIR LAGO: Here.

25                  MR. SINGER: Vice Chair Knuckles?



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1 (No response.)

2 MR. SINGER: Commissioner Burney?

3 MR. BURNEY: Here.

4 MR. SINGER: Commissioner Cappelli?

5 (No response.)

6 MR. SINGER: Commissioner Cerullo?

7 (No response.)

8 MR. SINGER: Commissioner Douek?

9 (No response.)

10 MR. SINGER: Commissioner Eaddy?

11 MR. EADDY: Here.

12 MR. SINGER: Commissioner Knight?

13 (No response.)

14 MR. SINGER: Commissioner Levin?

15 MS. LEVIN: Here.

16 MR. SINGER: Commissioner Marin?

17 (No response.)

18 MR. SINGER: Commissioner Ortiz?

19 MS. ORTIZ: Here.

20 MR. SINGER: Commissioner Rampershad?

21 MR. RAMPERSHAD: Here.

22 MR. SINGER: A quorum is present.

23 The next part of the calendar is the  
24 public hearing section on page 1. Borough of  
25 Manhattan, calendar numbers 1 and 2, CDQ

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1 Calendar Number 1, C210422ZMM; Calendar  
2 Number 2, N210423ZRM, a public hearing in the  
3 matter of applications for zoning map and  
4 zoning text amendments concerning the  
5 SoHo/NoHo neighborhood plan.

6 CHAIR LAGO: Thank you.

7 And as was previously mentioned, it is  
8 our practice to afford elected officials the  
9 privilege of jumping to the head of the line  
10 and not having a time limit. We will begin  
11 with Madam Borough President Gale Brewer.

12 CO-HOST: Gale Brewer is not here at  
13 the moment.

14 CHAIR LAGO: Okay. If you will, let us  
15 know when she arrives. We will then move on  
16 to Assemblymember Deborah Glick.

17 MS. GLICK: Thank you. Let me see if I  
18 need to mute you.

19 Okay. I'm Assemblymember Deborah  
20 Glick, and I thank you for the opportunity to  
21 testify in the ill-conceived rezoning of  
22 SoHo/NoHo. I've submitted an extensive  
23 detailed written testimony, but would like to  
24 highlight several key issues that I believe  
25 are countered to public interest.

1           If I thought basing affordable housing  
2           on luxury development would be an effective  
3           way of adding diversity to the area, I'd  
4           support the plan, but I believe the opposite  
5           is likely to be the case.

6           There's no guarantee that affordable  
7           housing from luxury development will occur.  
8           The public narrative supported by the real  
9           estate industry, and sadly by the mayor, that  
10          only rich people live here is totally false.  
11          The majority of people who actually live here  
12          full-time are working and middle-class people  
13          struggling to afford the high cost of living  
14          brought to us by real estate speculation.  
15          This is especially true of artists who made  
16          the area desirable in the first place.

17          Community Board 2 had a previous ULURP  
18          that promised affordable senior housing,  
19          mixed-income housing with luxury development.  
20          The result was at the last minute, a switch  
21          to a purely commercial development.

22          In 2017, Samuel Stein, in The Journal  
23          of Urban Affairs, wrote that zoning changes  
24          with mandatory inclusionary housing and  
25          zoning for quality and affordability have

1           only exacerbated affordable housing issues by  
2           causing real estate speculation when  
3           developers anticipate a zoning change and buy  
4           up properties, thus driving up prices higher,  
5           despite the goal of creating housing  
6           development. His research shows that  
7           speculation of a zoning change displaces more  
8           residents during the ULURP than dwelling  
9           units MIH proposes to create.

10           And despite the Department's repeated  
11           assurances, which I appreciate, that the  
12           Joint Live Work Quarters for Artists, which  
13           has protected artists housing, will remain  
14           protected from real estate pressures, the  
15           marketplace has been given a signal that the  
16           City disregards the artists in SoHo and NoHo.

17           Rent regulations in residential zones  
18           are insufficient for artist work space  
19           protection. The very material substances and  
20           processes used by artists are not allowed in  
21           residential zones, so protection from  
22           eviction in this plan is not adequate.

23           While I sponsor the Loft Law, too many  
24           landlords ignore its requirements and the  
25           City is complicit in this failure, further

1 threatening artists in SoHo and NoHo. The  
2 proposed artists' funds is an undefined sham  
3 with no details on how money would be used or  
4 who might be eligible for it. Though the  
5 financial pressures on residents in JLVQA  
6 units may be exacerbated by this, if they are  
7 in buildings with mixed designation.

8 The entire plan ignores historic  
9 districts, their value to the City and SoHo  
10 as a national historic landmark district.  
11 But this mayor weakened landmark preservation  
12 rules and with no concern for the value of  
13 history that other major cities work  
14 diligently to protect. This would set the  
15 stage for the demolition of smaller buildings  
16 and mean greater displacement.

17 And finally, the lack of outreach to  
18 neighboring communities where real estate  
19 speculation is already a problem, shows a  
20 disregard for those areas that already have  
21 greater diversity. The opportunity zones  
22 bordering these neighborhoods signal that  
23 luxury real estate development is really the  
24 core goal of this proposal. And I oppose the  
25 plan in the waning days of this

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1 administration and greatly appreciate the  
2 opportunity to provide this testimony. Thank  
3 you very much.

4 CHAIR LAGO: Thank you, Assemblymember.  
5 Has the borough president joined?

6 MR. SINGER: No. Our intel is that  
7 she's going to be joining us later today.

8 CHAIR LAGO: Okay. Thank you.

9 MR. SINGER: We'll keep an eye out for  
10 her.

11 CHAIR LAGO: Okay. So to explain the  
12 order, we will now hear from four  
13 commissioners. And after that, we will  
14 proceed with five people in our position,  
15 then five people in support and go back and  
16 forth in that manner until all of the  
17 remaining 88 speakers, and rising, have been  
18 heard from.

19 And so our next speaker is Louise  
20 Carroll.

21 MS. CARROLL: Good morning. Can you  
22 hear me?

23 CHAIR LAGO: Yes. Please go ahead.

24 MS. CARROLL: Good morning. I am  
25 Louise Carroll. I am the commissioner of the

1 New York City Department of Housing  
2 Preservation and Development, and I am happy  
3 to be here today to share my perspective on  
4 the importance of the SoHo/NoHo rezoning.

5 Between 2010 and 2020, New York City  
6 grew by over 600,000 people. 600,000 people  
7 who believe in the opportunities our dynamic  
8 vibrant city has to offer. While these  
9 opportunities are real, we know that our  
10 city's prosperity is not shared by all. We  
11 know that the disparities that divides us  
12 have largely to do with where we live.

13 Where we live impacts our access to  
14 jobs, education, safety, public transit, and  
15 health outcomes. To this day, where each of  
16 us can choose to live is in many ways a  
17 product of discrimination and segregation in  
18 the housing market.

19 HPD spent more than two years speaking  
20 directly with New Yorkers about how  
21 segregation and discrimination impact their  
22 lives, housing choice and access to  
23 opportunities. We spoke with people with  
24 disabilities, immigrants, public housing  
25 residents, and so many more who reflect the

1 diversity of New Yorkers that HPD serves.

2 What we learned from these  
3 conversations is, if we're going to become a  
4 fair and equitable city, we must ensure that  
5 residents have realistic options to live in a  
6 variety of thriving neighborhoods. We  
7 consistently heard from participants that due  
8 to high and rising housing costs, few New  
9 Yorkers feel that they have meaningful  
10 housing or neighborhood choice.

11 The Fair Housing Act obligates  
12 New York City to proactively improve the  
13 fairness and quality of our housing. To do  
14 this, we must increase housing availability  
15 and choice for all New Yorkers. The  
16 SoHo/NoHo rezoning proposal is a critical  
17 step in our city's advancement to fair  
18 housing. SoHo/NoHo are amenity-rich  
19 neighborhoods that have no income-restricted  
20 affordable housing. And because of zoning,  
21 they will see no new housing development  
22 without these proposed actions.

23 These housing constraints partially  
24 explains why rents are so high. A recent  
25 search of listings found that a two-bedroom



1 apartment in the neighborhood is asking an  
2 average of \$8,000 a month. It is also why  
3 the neighborhood has looked for racial and  
4 ethnic diversity. The neighborhood is  
5 two percent black and six percent nonwhite  
6 Hispanic.

7 This rezoning seeks to rectify the land  
8 use policy that has effectively excluded  
9 low-income New Yorkers and people of color.  
10 Without a rezoning, these neighborhoods will  
11 continue to remain exclusive. For the first  
12 time, through mandatory inclusionary housing,  
13 we will introduce critically needed  
14 income-restricted housing to the SoHo and  
15 NoHo neighborhoods.

16 Moving forward, between 20 and  
17 30 percent of all new residential floor area  
18 will be permanently affordable and available  
19 to residents at a range of incomes. Since  
20 2010, Manhattan has added 53,000 units of  
21 housing. Less than one percent of this total  
22 was built in SoHo/NoHo. In eleven years,  
23 only 390 new housing units were added to this  
24 neighborhood and all of them are market-rate  
25 homes in one of the strongest housing markets

1 in the City.

2 The market will not build affordable  
3 housing in SoHo/NoHo, unless required to do  
4 so by MIH. This rezoning would unlock up to  
5 3,500 new homes, of which 900 homes will be  
6 permanently affordable to low-income or  
7 moderate income New Yorkers.

8 It is our obligation in the City of New  
9 York to do everything in our power to promote  
10 housing mobility and choice and to ensure  
11 that someone's economic status, race,  
12 disability, or other inherent characteristics  
13 do not limit their housing choices.

14 This rezoning is a precedent-setting  
15 effort to bring affordable homes to one of  
16 the most unaffordable parts of our city. I  
17 respectfully urge you to support this  
18 proposal and to help advance fair housing in  
19 New York City. Thank you.

20 CHAIR LAGO: Thank you, Commissioner  
21 Carroll.

22 Commissioner Levin.

23 MS. LEVIN: Thank you, Commissioner  
24 Carroll. I suspect that even some of the  
25 fiercest critics of this plan would not

1 disagree with much of what you have told us  
2 about the state of housing across the City.  
3 But if I understand what we're about to hear  
4 today and what we've heard from the Community  
5 Board and its recommendation is deep concern  
6 about the effect the rezoning would have on  
7 existing rent-protected units in the district  
8 and the lack of commitment that MIH  
9 represents for genuinely building affordable  
10 housing.

11 As you know -- maybe I should look this  
12 other way. The camera is getting a little  
13 bit weird. I'm looking straight at you, but  
14 the camera doesn't think so.

15 You know, MIH has no guarantee that any  
16 affordable housing will get built. It  
17 depends on a developer deciding that the best  
18 use of that parcel is to put up residential  
19 housing. And in that case, they will be  
20 required under MIH. But a lot of other  
21 things could happen, and there is no  
22 guarantee that there will be that kind of  
23 housing.

24 So I wonder if you could elaborate for  
25 us a little bit on the work HPD has been

1           doing to supplement MIH in this district, if  
2           there can be any supplement, and to ensure  
3           that rent-protected tenants are protected and  
4           not displaced by this rezoning.

5                   MS. CARROLL: Thank you, Commissioner  
6           Levin, for that question. I'll take the  
7           rent-stabilized units and rent-regulated  
8           units part of the question first.

9                   So we are really, really confident that  
10          the changes to the rent stabilization laws  
11          that happened in 2019 provide very strong  
12          protection, and the strongest protection that  
13          has ever been provided for rent-stabilized  
14          tenants.

15                   In the past, when landlords used to be  
16          able to make costly repairs to apartments  
17          just to increase the rents, they're no longer  
18          able to do that. Rent increases are very  
19          limited in terms of what you can do when you  
20          do an MCI. You are not able to pass on very  
21          much of that scope of work to the tenants.  
22          And the ability to do repairs on vacancy and  
23          pass that on to the tenants is also  
24          restricted. There's no more vacancy  
25          decontrol, so you cannot -- the incentive to

1 raise rents past a certain amount, it was  
2 \$2,700, in order to get tenants out, there's  
3 no opportunity to do that anymore. We  
4 believe that the rent stabilization laws are  
5 very strict and protect tenants.

6 In addition to that, the Mayor's Office  
7 protect tenants as a helpline, whereby any  
8 tenant facing pressures from landlord can  
9 call and they could get free legal services  
10 for HRA. We have also instituted during the  
11 pandemic landlord/tenant mediation regime  
12 with the peace institute. And HPD's  
13 anti-tenant harassment unit is very, very  
14 active in prosecuting landlords who harass  
15 tenants.

16 We believe a combination of our tenant  
17 anti-harassment unit, the Mayor's Office to  
18 protect tenants, as well as a right to  
19 counsel and the rent laws are really the  
20 strongest we have ever seen in the City, and  
21 I would venture to say in the country in  
22 terms of protecting tenants.

23 About MIH, what this rezoning is doing  
24 is giving an incentive for when a developer  
25 decides to build housing, that that housing

1 will serve a range of incomes. We are  
2 confident that HPD has term sheets that  
3 provide subsidy to developers in order to  
4 build housing. We have financed many MIH  
5 projects. And when we do that, we require a  
6 greater share of permanently affordable  
7 housing that is required by MIH.

8 We have done outreach in the community  
9 with DCP about this rezoning to developers.  
10 We will continue to do so to explain what we  
11 have in terms of either tax exemptions or  
12 subsidies to make these developments work.  
13 But we're confident that as we're seeing  
14 throughout the City where we've done area  
15 wide rezonings, whether it's in East New York  
16 or otherwise, that development is happening  
17 or affordable housing is being -- permanent  
18 affordable housing is being produced.

19 CHAIR LAGO: Commissioner Ortiz.

20 MS. ORTIZ: I thank you, Commissioner.  
21 I want to dig into that a little more because  
22 I think, you know, the issue raised is that  
23 the rezoning doesn't guarantee affordable  
24 housing and that's the primary concern with  
25 this plan.

1                   Are you saying then that the incentives  
2                   then are sufficient such that a developer  
3                   under this rezoning would pursue a  
4                   residential development and then they would  
5                   be required, per mandatory inclusionary  
6                   housing, to include affordable housing; is  
7                   that your statement?

8                   MS. CARROLL: Thank you. That is  
9                   correct. We've seen through the voluntary  
10                  inclusionary housing program that developers  
11                  have use that program year in and year out to  
12                  produce residential housing. We believe that  
13                  the zoning incentive is sufficient to cover  
14                  the cost of -- the extra cost of affordable  
15                  housing, while producing a return for the  
16                  developer in that investment.

17                  When we created MIH, we did a financial  
18                  feasibility study with BAE and we have sized  
19                  MIH such that we understand the developer is  
20                  able to produce the affordable housing and  
21                  still produce market-rate housing that would  
22                  cross subsidize that housing and make it  
23                  work.

24                  We've seen it work through the  
25                  voluntary inclusionary housing program and

1 we've seen mandatory inclusionary housing  
2 units being produced year after year since  
3 the program has been installed and that  
4 permanently affordable units are being  
5 produced through this program. So we're  
6 confident that it should be no different in  
7 SoHo/NoHo, where there is an incentive.

8 As you can see, rents -- market rents  
9 for a two-bedroom unit is going at an average  
10 of \$8,000. The opportunity to build housing  
11 in -- opening up the opportunity to build  
12 housing in that area should provide permanent  
13 affordable housing units.

14 MS. ORTIZ: One quick follow-up, 'cause  
15 there is a concern that developers would  
16 seek, you know, exemption.

17 Are you seeing that on the ground that,  
18 you know, instead of MIH, they're seeking to  
19 try to avoid MIH; is that, sort of, our  
20 collective experience as a city or no?

21 MS. CARROLL: That is not our  
22 experience. While there is an opportunity --

23 MS. ORTIZ: Thank you.

24 MS. CARROLL: -- to pay and few in  
25 lieu, that opportunity to pay a fee in lieu



1 is very limited. It's limited to  
2 developments that are less than 25,000 square  
3 feet, that are less than 25 -- 25 units or  
4 less. And what we've seen is that not a  
5 single developer has accessed the "waive of  
6 the fee in lieu" option.

7 And the reason not a single developer  
8 has accessed the fee in lieu option is  
9 because the fee in lieu is sized at what it  
10 costs to build that affordable unit  
11 elsewhere. So the cost of building the  
12 residential development is increased,  
13 basically, by the cost of land and production  
14 to build the unit elsewhere. And so there is  
15 a disincentive for folks to do that, and no  
16 one has taken up that option.

17 MS. ORTIZ: That's very helpful. Thank  
18 you.

19 CHAIR LAGO: Other questions?

20 (No response.)

21 CHAIR LAGO: Thank you, Commissioner.

22 Our next speaker is Commissioner  
23 Gonzalo Casals.

24 MR. CASALS: Thank you, Chair Lago, for  
25 having us today and testifying, and thank you

1 to the members of the Commission. I'm  
2 Gonzalo Casals, Commissioner of the New York  
3 City Department of Cultural Affairs, here  
4 today to testify in regard to the arts fund  
5 that would be created under the proposed  
6 rezoning of the SoHo/NoHo neighborhoods. To  
7 start, I would like to provide some  
8 background on how my agency supports the  
9 cultural life of communities across the City.

10 Each year, we provide public funding to  
11 more than a thousand cultural nonprofit in  
12 all the five boroughs. This encompass every  
13 size and discipline of an organization and  
14 tens of thousands of cultural workers. This  
15 year, our budget includes \$230 million in  
16 expense support for these organizations.

17 Our cultural development fund and  
18 competitive peer panel review process, awards  
19 funding to the bulk of organizations we  
20 support. We also administer a portfolio of  
21 capital projects and cultural organizations  
22 that includes hundreds of millions of public  
23 funding for new buildings, equipment, and  
24 other major infrastructure projects that help  
25 cultural groups grow their audiences and

1 thrive in place.

2 In the most recent fiscal year, DCA  
3 provided nearly \$2 million in expense funds  
4 to 25 cultural organizations in the SoHo/NoHo  
5 Southern District. And the agency also is  
6 managing five active capital projects  
7 totaling more than \$18 million in the area.

8 Among the organizations we support are  
9 the five local arts counsel in each borough.  
10 Each year, these groups receive funding from  
11 DCLA that they in turn return out to smaller  
12 nonprofits and incorporated groups and  
13 individual artists and collectives. This  
14 long-term relationship is something we have  
15 grown in recent years as a way to foster  
16 greater equity in our family.

17 What is proposed for the arts fund  
18 under the rezoning bill? On this history of  
19 supporting the cultural sector in close  
20 collaboration with cultural groups who have  
21 deep long-term relationships in their  
22 communities.

23 SoHo/NoHo, like every part of  
24 New York City, has undergone profound  
25 transformations in recent decades. Having

1 rendered Leslie-Lohman Museum of Art in SoHo,  
2 I'm personally familiar with the rich culture  
3 community that exists in this area. The arts  
4 fund will be one of the most powerful tools  
5 we could create to offer long-term  
6 sustainable support for arts and culture in  
7 this neighborhood.

8 In addition to investing and  
9 maintaining and expanding the role of the  
10 arts within SoHo and NoHo, the fund will also  
11 support groups in the surrounding community  
12 in Lower Manhattan below 14th Street.  
13 Crucially, this includes underserved areas  
14 like the Lower East Side and Chinatown, where  
15 we have been committed to increase in  
16 investments.

17 Culture is essential to the health  
18 communities and the presence of arts and  
19 programming correlates with better public  
20 health, public safety, and education  
21 outcomes. So the investments that the arts  
22 fund will create for underserved  
23 neighborhoods throughout the targeted area  
24 are a million reasons why this is so  
25 important.

1 Arts and culture are at the heart and  
2 soul of SoHo. Artists and cultural groups  
3 have made it into one of New York's most  
4 iconic neighborhoods. If we want to preserve  
5 and build on this legacy, we must recognize  
6 and prioritize the people and organizations  
7 who keep it alive. The arts fund would  
8 accomplish this in a major substantial way  
9 and demonstrate our collective commitment to  
10 supporting the cultural life, not only in  
11 SoHo, but communities across Lower Manhattan.

12 Thank you for the opportunity to offer  
13 testimony today, and I'm happy to answer any  
14 questions you may have.

15 CHAIR LAGO: Commissioner Levin.

16 MS. LEVIN: Well, yes. I wonder if you  
17 could tell us a little bit more about how the  
18 arts fund will actually work.

19 As I understand it, it's essentially a  
20 tax on those loft owners who have remained in  
21 their JLVQA units and may wish then to -- as  
22 life moves on for all of us -- transfer to a  
23 family member or sell on the open market,  
24 notwithstanding the fact that many other  
25 units, JLVQA units in SoHo have been lost

1 simply because people haven't paid attention  
2 to the rules and the properties have, you  
3 know, fallen into regular residential use  
4 anyway.

5 That's not really a question for you,  
6 but I think it's part of the context of this  
7 conversation. And the whole purpose of the  
8 JLVQA was to ensure that artists could  
9 continue to live and work in a manufacturing  
10 district.

11 So, seems to me that this arts fund is  
12 kind of coming along after the horse has left  
13 the barn. Nonetheless, money for the arts is  
14 always a good thing. So I wonder if you  
15 could tell us how the amount was -- that  
16 hundred dollars a square foot was arrived at,  
17 how the fund will be administered. Will a  
18 separate organization be set up to manage it,  
19 such like the theater development, theater  
20 subdistrict fund in the Theater District?  
21 How will decisions be made on how the funds  
22 are allocated? So forth and so on.

23 MR. CASALS: Thank you, Commissioner.  
24 I want to start by saying that I agree with  
25 you, that funds for arts is very important;

1           thank you for acknowledging that. And thank  
2           you for acknowledging that probably the first  
3           portion of the question is not something I  
4           can answer. I would defer --

5                     MS. LEVIN: Definitely not.

6                     MR. CASALS: -- to the colleagues at  
7           CDP. I can talk about, you know, once the  
8           funds are in the arts fund, you know, how it  
9           would work. And it would certainly not work  
10          exactly as the theater and the Theater  
11          District. For that, we have created -- for  
12          the Theater District, we have created a  
13          specific nonprofit to manage it. But we want  
14          to avoid here is to reinvent the wheel and  
15          really bring the funds, you know, and treat  
16          them the same way that we treat all the funds  
17          that my agency distribute. So either the  
18          funds could be distributed by DCLA through  
19          our DCF project or program, or we could  
20          designate, like I mentioned before, one of  
21          our regranteeing partners to make sure that the  
22          funds could reach out, not only to cultural  
23          organizations, but individual artists and  
24          collectives.

25                    In any case, we would make a

1 designation that this specific portion of the  
2 funds coming to DCLA would be exclusive to  
3 support the areas that I mentioned before.

4 MS. LEVIN: Thank you for that. Are  
5 you working on these kinds of nuts and bolts  
6 issues at the moment? Are we likely to know  
7 anything more about how the fund will work by  
8 the time the Commission has to make a  
9 decision on the rezoning?

10 MR. CASALS: Yes. I could just answer  
11 any specific questions you may have in  
12 addition, how it might work.

13 MS. LEVIN: Well, maybe we can do that  
14 in post-hearing --

15 CHAIR LAGO: A post-hearing follow-up.

16 MS. LEVIN: -- but I think it's going  
17 to be important for us to drill down a little  
18 deeper and understand what this really is.  
19 And I think I can suspect that there will be  
20 a strong interest in the part of the local  
21 community in having playing a role in the  
22 administration of these funds -- distribution  
23 of these funds. So, yeah, let's talk about  
24 that further in the follow-up.

25 MR. CASALS: You know, Commissioner,



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1           just to add, you know, again, we are not  
2           reinventing the wheel. We're using the same  
3           methods that we use for our programs. And  
4           part of that is the peer panel review in  
5           which we bring folks, you know, from  
6           communities, from cultural organizations to  
7           help us vet the applications. So, it's a  
8           very open, transparent process and we  
9           envision that the same, we're going to be  
10          doing with the same fund.

11           MS. LEVIN: Okay. Good. But I think  
12          it's important that this one be rooted in  
13          this neighborhood.

14           MR. CASALS: Absolutely. That's why  
15          we're talking about SoHo/NoHo and Lower  
16          Manhattan.

17           MS. LEVIN: Thank you.

18           CHAIR LAGO: Thank you, Commissioner.  
19          Thank you, Commissioner Casals.

20           MR. CASALS: Thank you.

21           CHAIR LAGO: Our next speaker will be  
22          Gregory Anderson.

23           MR. ANDERSON: Good morning. Can you  
24          hear me?

25           CHAIR LAGO: Yes. And at this point, I

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1 believe that this is the point at which we --  
2 yes, we begin the three-minute time clock.

3 MR. SINGER: Yes.

4 CHAIR LAGO: Thank you.

5 Please go ahead.

6 MR. ANDERSON: Great. Good morning,  
7 Chair Lago and members of the City Planning  
8 Commission. Thank you for the opportunity to  
9 testify today. My name is Gregory Anderson,  
10 and I am chief of staff and deputy  
11 commissioner for Policy and External Affairs  
12 at the New York City Department of  
13 Sanitation.

14 The Department of Sanitation, along  
15 with our fellow agencies, have been very  
16 closely involved in the SoHo/NoHo  
17 neighborhood planning process, and we  
18 appreciate and understand the many quality of  
19 life concerns in this neighborhood.  
20 Mixed-use neighborhoods, particularly those  
21 as dynamic as SoHo and NoHo, bring a  
22 particular set of challenges and  
23 opportunities from the sanitation  
24 perspective.

25 While the COVID-19 pandemic and the

1           resulting financial crisis led to significant  
2           reductions in cleaning services by DSNY, this  
3           year we have restored the majority of these  
4           cleaning services, including additional  
5           little basket collection, throughout  
6           Manhattan and the SoHo/NoHo area.

7                       We have also expanded our community  
8           clean-up program to engage with residents and  
9           civic groups to keep neighborhoods clean.  
10          And we have created a precision of cleaning  
11          initiatives to respond rapidly to illegal  
12          dumping, overflowing litter baskets and  
13          chronic litter conditions. And I'm happy to  
14          explain some of those in more detail.

15                     DSNY is also working with several waste  
16          origin collection approaches to reduce the  
17          impact of waste on sidewalks, which we  
18          understand is a particular problem in  
19          congested sidewalks in older neighborhoods  
20          like SoHo. These include containerized  
21          storage and collection for both commercial  
22          and residential waste, and we look forward to  
23          implementing these pilots in areas around the  
24          City, potentially including these  
25          neighborhoods in close partnership with local

1 stakeholders, communities, residents, and  
2 businesses.

3 In addition, the proximity of  
4 residential and commercial uses brings with  
5 it challenges regarding residential and  
6 commercial waste operations. In New York  
7 City, DSNY collects waste from homes,  
8 schools, and institutions. While private  
9 carters collect waste from restaurants,  
10 offices, retailers, and other commercial  
11 properties.

12 Currently, 49 different carting  
13 companies service businesses in Manhattan  
14 Community Board 2. The routes are long and  
15 dangerous and residents experience noise, air  
16 pollution, traffic, and risks to public  
17 safety. DSNY is in the middle of a  
18 comprehensive reform of the private carting  
19 industry, creating commercial waste zones to  
20 select just three carters to service each of  
21 20 zones in New York City through a  
22 competitive procurement process.

23 DSNY will select carters that meet high  
24 standards related to price, customer service,  
25 infrastructure, sustainability and safety.

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1 Businesses will be able to choose from among  
2 these three carters in the zone and pick the  
3 carter that best meets their specific needs.  
4 This approach will lead to safer streets,  
5 cleaner air, quieter nights through  
6 neighborhoods across New York City, but  
7 particular in the Manhattan core.

8 Again, thank you for the opportunity to  
9 testify today, and I look forward to  
10 answering any questions you have.

11 CHAIR LAGO: Thank you, Deputy  
12 Commissioner Anderson.

13 Our next speaker will be Deputy Borough  
14 Commissioner Jennifer Sta. Ines. Welcome.  
15 Please go ahead.

16 MS. STA. INES: Thank you. Good  
17 morning, Chair Lago and City Planning  
18 Commissioners. I am Jennifer Sta. Ines,  
19 Manhattan Deputy Borough Commissioner of the  
20 New York City Department of Transportation.  
21 On behalf of Commissioner Gutman and Borough  
22 Commissioner Pincar, thank you for inviting  
23 the Department to testify today.

24 DOT is working closely with our sister  
25 agencies, including the Departments of City

1 Planning and Sanitation, to identify  
2 opportunities to address quality of life  
3 concerns with strategies beyond zoning coming  
4 out of the SoHo/NoHo neighborhood plans.  
5 This includes implementing freight management  
6 solutions, alleviating street and sidewalk  
7 congestion and maximizing opportunities for  
8 open space. And I will highlight some of our  
9 agency initiatives now.

10 DOT's after-hour deliveries program  
11 aims to help reduce congestion by providing  
12 technical support to businesses interested in  
13 shifting their delivery time from peak hours  
14 to overnight hours. OHD can help reduce  
15 double parking in traffic congestion and can  
16 help to reduce truck emissions. Businesses  
17 also have more predictable delivery windows  
18 and reduced transit time and fuel cost. DOT  
19 is sensitive to shifting associated noise  
20 pollution from overnight deliveries in  
21 mixed-use residential neighborhoods. And  
22 thus includes the noise mitigation guide as  
23 part of our unboarding material.

24 DOT also evaluated the effectiveness of  
25 neighborhood loading zone. We converted

1 parking spaces to no-parking regulations  
2 during the daytime and evening hours, Monday  
3 through Friday, to allow curb access for  
4 package deliveries by commercial vehicles,  
5 taxi and car service pick-up and dropoff,  
6 inactive loading and unloading of personal  
7 vehicles.

8 We found that NLBs help to reduce  
9 double parking and can also help to reduce  
10 conflicts between trucks and cyclists and  
11 improve such travel time. Through our  
12 commercial cargo bikes pilot program, DOT  
13 incentivizes the adoption of sustainable and  
14 efficient freight deliveries by making  
15 designated loading and unloading space  
16 available for cargo bikes on streets. Cargo  
17 bikes in the pilot can load and unload  
18 wherever commercial vehicles can and are  
19 exempt from Muni Meter payments.

20 DOT also administers the City's open  
21 street program. Open streets prioritize  
22 pedestrians and cyclists by transforming  
23 streets into public space, allowing for a  
24 range of activities and supporting local  
25 businesses and schools.

1                   And last, DOT is developing the first  
2                   NYC street plan. The five-year plan will  
3                   involve an in-depth analysis of current  
4                   planning efforts and will set equitable and  
5                   ambitious goals for city streets. We're  
6                   currently drafting recommendations following  
7                   our first round of public engagement and  
8                   we'll produce a street plan report to the  
9                   City Council at the end of this year. The  
10                  first plan will include several targets; such  
11                  as one million square feet of pedestrian  
12                  space created and maintained within the first  
13                  two years.

14                 DOT will continue our coordination with  
15                 sister agencies and stands ready to work with  
16                 elected officials and the community board,  
17                 local business improvement districts, and  
18                 neighborhood stakeholders to evaluate links  
19                 to address future concerns and further  
20                 improve the safety and mobility on our  
21                 streets.

22                 In closing, I would like to thank you  
23                 again for inviting DOT to testify. I'm happy  
24                 to answer any questions you may have at this  
25                 time.



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1 CHAIR LAGO: Thank you, Commissioner.

2 Our next speaker will be Jeannine

3 Kiely, to be followed by Juan Rivero.

4 MR. SINGER: Ms. Kiely, you can speak  
5 now. You appear to be unmuted.

6 MS. KIELY: Sorry. Let me -- I'd like  
7 to share my screen. Just a moment. Sorry.  
8 Let me share my screen.

9 CHAIR LAGO: We see you at this point.  
10 And now we see your screen. Thank you.

11 MS. KIELY: Yeah, but I'm trying to --  
12 can I do the advanced -- give me just a  
13 moment. Sorry. My apologies. Sorry. My  
14 computer is crashing. Just a moment, please.

15 CHAIR LAGO: If you would prefer, we  
16 can go on to the next speaker to give you the  
17 opportunity to --

18 MS. KIELY: Yes. Please go to the next  
19 speaker and I will be ready in three minutes.  
20 Thank you.

21 CHAIR LAGO: Thank you. So, we will  
22 hear from Juan Rivero and then go back to  
23 Ms. Kiely.

24 MR. RIVERO: Can you hear me?

25 CHAIR LAGO: Yes. Welcome.

1 MR. RIVERO: Thank you very much. Good  
2 morning. I'm Juan Rivero, speaking on behalf  
3 of Village Preservation. One of the many  
4 lies of this plan is that it will make these  
5 neighborhoods more diverse and affordable.  
6 It will actually make them wealthier and more  
7 expensive, and we've submitted solid  
8 documentation proving this.

9 Even if the plan did not result in the  
10 destruction of a considerable amount of  
11 affordable housing with lower-income  
12 residents, which it will, and even if it  
13 created the promised affordable housing,  
14 which it won't, new development under the  
15 plan that are 75 to 70 percent luxury and  
16 25 to 30 percent affordable, would still be  
17 populated by wealthier people than the  
18 current neighborhood and cost more to live  
19 in.

20 First, as for the documentation we've  
21 provided, even the 25 to 30 percent in the  
22 affordable units will be wealthier and paying  
23 higher rents than the least wealthy 25 to  
24 30 percent of current residents. And the  
25 incomes required for those units are

1 considerably higher than the average income  
2 of the 25 to 30 percent least well-off  
3 current residents in the rezoning area.

4 Second, new market-rate construction in  
5 this neighborhood commands significantly  
6 higher prices than neighborhood housing  
7 overall. The 75 to 70 percent of residents  
8 in market-rate units in new developments can  
9 be expected to pay an average of \$17,000 a  
10 month in rent or \$6.35 million per unit.

11 This would make them considerably  
12 richer than the top 75 to 70 percent income  
13 earners currently in the neighborhood and be  
14 paying higher housing cost. This is simple  
15 math. So even if this plan turns out exactly  
16 as the EIS predicts, it will produce a  
17 richer, more expensive, less diverse  
18 neighborhood.

19 So, I ask you, how do richer people  
20 paying higher housing costs at all points of  
21 the income and housing spectrum make for a  
22 fair and more equitable neighborhood? And if  
23 that's what the EIS predicts, as we've  
24 documented, this plan will, in all  
25 likelihood, create little, if any, of the

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1 projected affordable housing and result in  
2 the demolition of some of the existing  
3 affordable housing.

4 Therefore, its impact on affordability,  
5 income and diversity will be even more  
6 profound and even more negative. Either way,  
7 a vote for this plan is a vote for a richer  
8 and more expensive neighborhood. We urge you  
9 in the strongest of terms to vote, "No."  
10 Thank you.

11 CHAIR LAGO: Thank you, Mr. Rivero.

12 We'll now return to Ms. Kiely, who will  
13 be followed by Valerie.

14 MS. KIELY: It says I'm unable to start  
15 my video.

16 CHAIR LAGO: We are not seeing you or  
17 your video.

18 MS. KIELY: Yeah. I just got the link.  
19 Thank you. Let me share my screen. And let  
20 me begin. Sorry. Technical difficulties. I  
21 need one of those fancy computers.

22 Okay. Good morning. I'm Jeannine  
23 Kiely. I'm the Chair of Community Board 2,  
24 and I want to thank the City Planning  
25 Commission for its extensive engagement

1 process over the last three years, but this  
2 process has been a sham. The City's plan  
3 fails to incorporate any meaningful community  
4 input. Despite hundreds of hours of work,  
5 the mayor's plan is virtually unchanged.

6 In July, Community Board 2 voted 36 to  
7 1 to reject the mayor's plan to rezone  
8 SoHo/NoHo and Chinatown. We urge all the  
9 commissioners and city officials to actually  
10 read our resolution. There's a Bitly link on  
11 the screen and on all my slides.

12 The plan has six failures; one, it  
13 fails to achieve affordable housing and  
14 instead incentivizes office and dorm  
15 development. It promotes demolition that  
16 will drive displacement that will not help  
17 with the rent laws in the City. There are  
18 635 rent stabilized units in 185 buildings,  
19 43 percent of the developments in Chinatown.

20 It also ignores affordable housing  
21 opportunities, hundred percent affordable  
22 housing, like at 2 Howard, a federal parking  
23 garage, CB2 has supported this fight since  
24 2014. In January, Biden issued Executive  
25 Order 13985, that would support the sale of

1 the site for housing. Two days ago, CB2 met  
2 with representatives from the State  
3 Department and our elected officials to  
4 discuss this site. This is a real  
5 opportunity.

6 Number 2, the plan fails to maintain  
7 the mixed-use neighborhood where nearly half  
8 the square footage is residential. People  
9 live here. CB2 supports as-of-right ground  
10 floor retail; no one's fighting that. But we  
11 oppose eliminating the 10,000-square foot cap  
12 on retail and the 5,000-square foot cap on  
13 eating and drinking establishments. These  
14 caps are all throughout the City and in the  
15 nearby special districts in Tribeca and  
16 Hudson Square. This is a zoning-led bailout  
17 for overleveraged retail owners and  
18 disincentivizes opportunities for small and  
19 medium-sized businesses.

20 Number 3, it fails to secure JLWQA  
21 future. It creates a punitive tax based on  
22 inaccurate, sloppy data that the City tried  
23 to hide from Community Board 2 and the public  
24 to fund an ill-conceived arts fund. Eugene  
25 Yoo from CB2 will take us through details on

1           this. We only received the underlying  
2           analysis through FOIL by a community member,  
3           despite repeated requests from Community  
4           Board 2. Bottom line, there's no JLVQA  
5           penalty in the City's sales data.

6           It fails to protect the six historic  
7           districts; other people will cover this.  
8           Fails to mitigate and listen to the  
9           community. I really want to touch on Apples  
10          to Oranges. The EIS evaluates 26 sites, not  
11          58. It's plan produces 1,868 housing units,  
12          20 to 30 percent affordable, zero guaranteed.

13          And finally, check the box on  
14          Chinatown. Nobody reached out to Chinatown.  
15          One meeting. One person, the parent of the  
16          community board member. There's lots of  
17          oppositions to this plan. Please read our  
18          resolution and vote "No." Thank you.

19               CHAIR LAGO: Thank you, Ms. Kiely.

20               MS. KIELY: Happy to answer any --

21               CHAIR LAGO: Our next speaker -- thank  
22          you.

23               MS. LEVIN: I just want to assure you  
24          that we do have your resolution and we have  
25          read it. Thank you for that.

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1 CHAIR LAGO: And Commissioner Ortiz.

2 MS. ORTIZ: Okay. Thank you. I have a  
3 question. You know, the statement that's  
4 going out that the plan incentivizes office  
5 dormitory and large retail development, I was  
6 curious, what incentives, specifically, are  
7 you referring to? 'Cause in my read of the  
8 rezoning, I'm not sure I understand what  
9 specific incentives are backing that  
10 statement.

11 MS. KIELY: Sure. I'd be happy to  
12 answer that. If you look at the yellow  
13 housing opportunity areas that the City  
14 proposes to rezone R10, that would allow 12  
15 FAR with MIH, but 10 FAR for office space.  
16 In nearby Hudson Square, we've -- which does  
17 not have MIH but does have similar zoning, we  
18 are seeing over and over again, developers  
19 are choosing to build office space and not  
20 housing.

21 That's where Disney's headquarters are,  
22 the biggest site that Trinity Real Estate is  
23 going to develop with a school at the base,  
24 was going to be luxury housing, it's now  
25 going to be office space. 550 Washington



1           where CB2 supported a ton of affordable  
2           housing, and guess what? That's going to be  
3           Google's headquarters. And Trinity Real  
4           Estate also recently broke ground on us, a  
5           hundred-percent speculative office building  
6           in Hudson Square.

7           So, that's what the market is building.  
8           I don't run the internal rate of return  
9           numbers, but that's what we're seeing in our  
10          neighborhood.

11          MS. ORTIZ: I appreciate that. And I  
12          guess, you know, that's a market-driven  
13          decision, as opposed to incentives that's  
14          baked into the zoning. I guess it's just the  
15          clarification that I was trying to get at.  
16          And then the question of 2 Howard, you know,  
17          that is a federal parking garage. I believe  
18          that's where the FBI parks their cars.

19          And my understanding is that, you know,  
20          conversations with the feds have not gone  
21          particularly far. It's difficult taking  
22          parking away from, you know, the police and  
23          the FBI.

24          MS. KIELY: Yeah.

25          MS. ORTIZ: So, I'm curious about your

1           conversations and, you know, does the  
2           rezoning preclude the development of that  
3           site as affordable housing? So, those two  
4           questions.

5                   MS. KIELY: No. I'm just pointing out  
6           that you're doing a massive upzoning that  
7           will potentially create displacement and  
8           destroy historic districts that are a model  
9           force, that drive tourism citywide. And in  
10          return, you may not get any housing because  
11          of all the loopholes and incentives.

12                   But I do want to talk about 2 Howard.  
13          We met with a representative from the public  
14          buildings reform board, she works for the  
15          State Department. She was in New York City  
16          this week. I believe she met with John  
17          Mangan in your offices, either yesterday or  
18          today.

19                   2 Howard is the first two floors. I  
20          believe there's a basement floor, the State  
21          Department leases those. And the State  
22          Department is actually moving their cars out  
23          of that location. Several years ago, 26  
24          Federal Plaza, that site was -- all the cars  
25          needed to be moved from there because there

1           were structural problems in that building and  
2           the State Department had no problem finding  
3           alternative space to lease for their cars  
4           downtown. And actually, they did check just  
5           this week that that site is going to be  
6           coming back online in 2023.

7                     Bottom line, there's plenty of places  
8           to park cars. And yes, the people hate --  
9           this is a decision that the GSA would make  
10          nationally, not the local GSA. And we had  
11          preliminary conversations with  
12          representatives from all of our elected  
13          officials. So, I'm very hopeful that this  
14          can finally move forward.

15                    We now have a friendly presidential in  
16          office, and I think another game changer is  
17          the executive order that was issued on  
18          January 20, 2021; advancing racial equity and  
19          support for underserved communities through  
20          the federal government. It's Executive Order  
21          13985.

22                    So it's a real opportunity, and I just  
23          want to point out that Community Board 2  
24          fully supports this -- looking into this as  
25          an opportunity to build --

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55

1 MS. ORTIZ: Thank you.

2 MS. KIELY: -- affordable housing, a  
3 hundred-percent and guaranteed.

4 MS. ORTIZ: I think it is a great  
5 opportunity, and we'd certainly love to see  
6 that at that location, if commitments can be  
7 made. Thank you.

8 MS. KIELY: You're welcome.

9 CHAIR LAGO: Thank you, Ms. Kiely.

10 Our next speaker will be Valerie De  
11 La Rosa, followed by Emily Hellstrom.

12 MS. DE LA ROSA: Good afternoon,  
13 Commissioners. My name is Valerie De  
14 La Rosa. And today, I'm speaking to you as a  
15 Mexican American millennial renter in  
16 Community District 2. I've lived in the  
17 district for six years. I'm also speaking to  
18 you today as a graduate student in economics  
19 at CUNY's John Jay College.

20 The mayor's plan will fail to maintain  
21 a mixed-use neighborhood. In your  
22 deliberations about the mayor's plan, please  
23 take into consideration the following data  
24 points from the second quarter of 2021:

25 SoHo recorded the highest retail

1 leasing velocity in the second quarter of  
2 this year. The largest transaction was by a  
3 retailer named Bashie, which is a luxury  
4 jewelry brand based in the U.K., which  
5 actually secured more than 11,000 square feet  
6 on Greene Street. Other leases include a  
7 french apparel company, AMI Paris, and a  
8 Canadian coat company, Kanuk. All three of  
9 these global brands are opening up their  
10 first locations within Manhattan.

11 Prince Street in SoHo, part of this  
12 proposed plan, was one of the only corridors  
13 in Manhattan to record an increase in average  
14 asking rent, rising 13.3 percent quarter over  
15 quarter this year, and 7.4 percent year over  
16 year, to \$469 per square foot. This uptick  
17 was mainly caused by the addition of an  
18 above-average price space at 123 Prince  
19 Street.

20 But quarter over quarter, three streets  
21 that are within this proposed plan, including  
22 Broadway from Hudson to Broome Street, had a  
23 9.9 percent increase quarter over quarter for  
24 rent. Prince, between Broadway and  
25 West Broadway, had 13.3 percent, which I just

1 mentioned. And Spring Street from Broadway  
2 to West Broadway, 1.7 percent.

3 Eliminating the 10,000-square foot cap  
4 on retail incentivizes more large retail  
5 development and does not support small  
6 businesses, nor ensure a healthy vital tenant  
7 mix that supports a residential neighborhood.  
8 More importantly, the cap ensures that the  
9 community has input on potential quality of  
10 life issues and support small businesses in  
11 our neighborhood.

12 I leave you with a guiding principle  
13 from the "Envision SoHo/NoHo" plan that said  
14 that this neighborhood plan should promote  
15 economic vitality. And that includes three  
16 things, and I'll see if I can get through  
17 them in my time here. But it says that  
18 economic vitality should encourage a vibrant  
19 and diverse ground floor landscape that  
20 enhances the quality of life for residents.  
21 Specify and allow and incentivize scarce  
22 neighborhood uses that aim to serve the  
23 community, and provide predictable zoning  
24 rules that support small businesses; such as  
25 independent retail and local services.

1 I strongly urge you, Commissioners, to  
2 reject the mayor's plan. Thank you.

3 CHAIR LAGO: Thank you, Ms. De La Rosa.  
4 Our next speaker is Emily Hellstrom, to  
5 be followed by Peter Davies.

6 MS. HELLSTROM: Hi. My name is Emily  
7 Hellstrom, and I've lived in SoHo since 1996.  
8 And I'm the co-op board president of the  
9 largest co-op on the Broadway corridor, and I  
10 am also the vice president of the SoHo  
11 Broadway initiative. I'm authorized to speak  
12 today on behalf of my co-op.

13 I'm here today to urge you to put a  
14 pause on this rezoning application and come  
15 back to the table to work with the community  
16 to fix the real issues that we have all said  
17 exist and that we know we can fix. Residents  
18 have spent countless hours during the  
19 "Envision SoHo/NoHo" process, in addition,  
20 the SoHo Broadway Initiative spent even more  
21 hours coming around the table to work on  
22 this, and yet we have been completely  
23 ignored.

24 What the City rolled out a few months  
25 ago bears no relation to the hours of time

1           that so many of us have spent in discussion  
2           and planning. This huge hook that this  
3           rezoning hangs its hat on is affordable  
4           housing and yet offers gaping loopholes that  
5           we know big real estate is able to exploit.

6           One only needs to look at the  
7           St. John's Terminal debacle, where our own  
8           community board fought hard to get affordable  
9           units to see them vanish when our elected  
10          officials did a deal with Google. It is our  
11          community that showed how low-income  
12          immigrants and Chinese American tenants will  
13          feel the acute pressure of displacement by  
14          this plan.

15          It is our community that exposed  
16          loopholes that will allow an increase in  
17          density with no guarantee of housings being  
18          built. It is our community that identified  
19          and brought together the federal government  
20          to hopefully obtain a hundred percent  
21          affordable housing at the 2 Howard site. And  
22          guess what? That is now moving toward.  
23          2 Howard Street is not even in this plan.

24          I sit on the SBI board with 50 percent  
25          commercial property owners, and many times I



1 have heard them say they will build whatever  
2 will bring the greatest markets return.  
3 Developers know well that hip tech companies  
4 looking for cool areas in town for office  
5 space will pay. They know that they can  
6 knock down buildings by keeping façades.  
7 They know how to monetize free air rights  
8 that this new FAR will give them for free.

9 In fact, during one of the envision  
10 meetings, I sat next to the representative of  
11 Vornado Realty Trust and he said, "What is  
12 wrong with allowing building owners to build  
13 rooftop penthouses?" And sure enough, one of  
14 the loopholes that our community found,  
15 rooftop penthouses.

16 This plan is aimed squarely to please  
17 the real estate industry. Just look at the  
18 FAR increase. The City knows these  
19 commercial property owners need these FAR  
20 giveaways. They have sucked money out of  
21 their overpriced commercial leases, sold them  
22 REITs and other complicated mortgage bundling  
23 schemes and now they cannot lower their  
24 commercial rents in the new market landscape.  
25 How to solve this? Why don't we do a

1 rezoning that literally grants property  
2 owners free money in new FAR? Meanwhile,  
3 artists who pioneered this neighborhood get  
4 slapped with a punitive owner tax.

5 This rezoning is a REBNY giveaway, on  
6 top of a retail bailout wrapped in faux  
7 social justice cloak, to be sure that anyone  
8 who oppose it is labeled as a racist. Our  
9 community is not racist. They just don't  
10 want SoHo to be given away to REBNY.

11 Please say "No" to this bad rezoning  
12 and let's come back to the table and do  
13 this --

14 CHAIR LAGO: Thank you, Ms. Hellstrom.  
15 Good timing. Thank you.

16 Our next speaker will be Peter Davies,  
17 to be followed by Christopher Goode.

18 MR. DAVIES: Hi. Yes. Good morning.  
19 My name is Peter Davies. I am a resident of  
20 SoHo for 41 years, a member of two labor  
21 unions, longtime member of Lower Manhattan  
22 loft tenants, now serving as a residential  
23 representative on the board of our local  
24 business improvement district. And I was  
25 also part of the SoHo/NoHo advisory group,

1 where I participated on behalf of the  
2 Broadway residents coalition through scores  
3 of meetings over the past several years,  
4 which has brought us here today, as you  
5 consider this plan that will totally  
6 transform SoHo and NoHo and also Chinatown,  
7 which the City has effectively erased from  
8 its planning and ignore the folks who live.

9 Today, I speak for myself. I wanted to  
10 talk to you today about tenant protections.  
11 Because despite what HPD and others tell you,  
12 the City's plan contains no such protections.  
13 The City's proposed upzoning and grant of new  
14 FAR puts a target on the backs of  
15 rent-regulated tenants and loft tenants.  
16 Currently, most of the buildings are maxed  
17 out with no available FAR for new  
18 construction. The DCP plan changes that  
19 concept, allowing no new bulk to be built  
20 right on top our heads, all as-of-right,  
21 leading to eviction by construction, eviction  
22 by demolition, leading to displacement.

23 HPD notes a number of phone numbers  
24 city agencies that tenants can call in the  
25 event of bad actions. Now, this is an

1 admission that a world of pain is in our  
2 future. It's a dark future, created a DCP,  
3 new uncertainty where no such allowance now  
4 exist. If you don't believe me, I direct you  
5 to the testimony in opposition of the plan  
6 from two tenant advocacy groups; Cooper  
7 Square Committee and Tenants PAC.

8 Tenants PAC has six points for tenant  
9 -- needed tenant protections. I point you to  
10 my building, which DCP is giving an allowance  
11 for 70,000 square feet of new bulk to be  
12 built on top of our building. The only way  
13 that can be done is by driving steel through  
14 the existing residential tenant spaces.

15 Our landlord tried this in 2004. You  
16 will find this in the special permit  
17 application in the DCP files. They were not  
18 allowed to do it because there was no  
19 available FAR. Now DCP is giving them the  
20 FAR they need to build on top of our heads.  
21 This is a world of pain. It is going to lead  
22 to displacement of existing longtime tenants.

23 I urge you, consider the facts. Look  
24 at what is underneath the statements and vote  
25 "No" on this bad plan. Thank you very much.

1 CHAIR LAGO: Thank you, Mr. Davies.

2 Our next speaker will be Christopher  
3 Goode, to be followed by Denny Salas.

4 MR. GOODE: Hi. Can you hear me?

5 CHAIR LAGO: Yes. Please begin.

6 MR. GOODE: I first moved to SoHo in  
7 1977. I support this modest rezoning. I  
8 live and work in the Chinatown part of the  
9 district and I know it, obviously, very well.  
10 I participated in the process for the past  
11 two years. I think the planners have done an  
12 excellent job at outreach in providing  
13 accurate information.

14 The current zoning has been 40 years of  
15 giveaways to homeowners. I should know. I'm  
16 one of them. I've benefited. But enough.  
17 We need a better community, a more diversified  
18 community. I'm disappointed that powerful  
19 neighborhood groups have not engaged in good  
20 faith and instead decided to attack the  
21 entire process with misinformation. Contrary  
22 to their claims, these groups do not  
23 represent many residents, like me.

24 I support the rezoning, but I have two  
25 concerns; the first is that after the

1 proposed rezoning, it will still be more  
2 attractive to build offices. There needs to  
3 be an adjustment, either a down design/side  
4 for their offices or something, because  
5 offices will get built more than housing  
6 still.

7 The second is that there should be no  
8 community preference for the affordable  
9 units. I mean, a part of this is trying to  
10 have some diversity in this community.  
11 Community preference for the affordable units  
12 really undermines that.

13 I appreciate your time. Thank you.

14 CHAIR LAGO: Thank you, Mr. Goode.

15 Our next speaker will be Denny Salas,  
16 to be followed by Dan Miller.

17 MR. SALAS: Good morning,  
18 Commissioners. My name is Denny Salas. And  
19 as a black and brown resident in this, I've  
20 spoken ad nauseam espousing the benefits and  
21 providing opportunities for working class  
22 families by building affordable housing,  
23 including at yesterday's hearing, supporting  
24 the 250 Water Street project.

25 Unlike that project where opposition to

1 plan has some legitimate concerns, the most  
2 boisterous opponents of this rezoning have  
3 decided to dust off the tired old playbook  
4 we've seen across our country objecting to  
5 diversifying a wealthy and overwhelmingly  
6 white neighborhood.

7 They first claim that holding hearings  
8 via Zoom, like today, was ageist and  
9 discriminated against disabled because they  
10 weren't allowed to attend meetings in person  
11 during our current pandemic. When faced with  
12 facts that attendance at community board  
13 meetings and other public hearings increased,  
14 they decided to remove that line of attack.  
15 Today, after dissolving many other iterations  
16 and grandstanding, they now planned that this  
17 zoning is racist. Yeah, sure.

18 Let's talk about the history of SoHo,  
19 where it was the site of the first freed  
20 slave colony before their lands was later  
21 ripped away from them, in another example of  
22 disbanding opportunities from black and brown  
23 people in our city. And is there a single  
24 commemoration of that history in SoHo today?  
25 No. Again, erasure of the contributions from

1           this community towards the prosperity of this  
2           city.

3                   And what about prosperity, or the lack  
4           thereof, provided to the black and brown  
5           here. Last year, former mayoral candidate  
6           Ray McGuire shared a study by Citigroup that  
7           showed how structural racism and its  
8           implications on housing, education, upward  
9           social mobility lead to a loss of  
10          \$16 trillion towards American GDP over the  
11          last 20 years. And if we could wave a magic  
12          wand and fix these inequities, then we can  
13          increase our GDP by \$5 trillion over the next  
14          five years. Moreover, those figures were  
15          validated by the McKinsey Study displaying  
16          similar results.

17                   Well, we may not be able to wave a  
18          magic wand, but our city can begin to take  
19          the necessary steps to fix the generational  
20          inequities that have existed by removing  
21          structural racist legacies, like exclusionary  
22          neighborhoods, which SoHo and NoHo are.

23                   I urge you, the commissioners of this  
24          group to ignore the hyperbolic arguments made  
25          by these charlatans and do what is simply the



1 right thing to do, which is support this  
2 rezoning and begin tearing down the unequal  
3 access to success.

4 Thank you for your time.

5 CHAIR LAGO: Thank you, Mr. Salas.

6 Our next speaker is Dan Miller, to be  
7 followed by Austin Celestin.

8 MR. MILLER: Hi. My name is Dan  
9 Miller, and I am writing to -- I am speaking  
10 to urge you to support this rezoning because  
11 there's a larger question at stake here.  
12 Ultimately, if we can't rezone SoHo/NoHo for  
13 more residential and affordable housing,  
14 where can we?

15 The opponents of this plan have claimed  
16 that this rezoning won't add diversity and  
17 won't add affordable housing, and that's just  
18 ridiculous. SoHo is the second wealthiest  
19 neighborhood in the entire city, according to  
20 census data as compiled by Curved. This is  
21 a -- if we can -- this is an objectively  
22 wealthy well-off neighborhood. It's the  
23 perfect place for MIH to really take effect  
24 and build badly-needed affordable housing.

25 If we can't build housing here, then

1 we're just giving up on the concept of  
2 building housing in New York City at all.  
3 And that's what a lot of the opponents want,  
4 they'd be perfectly happy to freeze the City  
5 in amber, make no room for anyone who wants  
6 to move here and enjoy our amazing city, and,  
7 you know, sit on their unearned real estate  
8 profits because they bought a condo in 1998.

9 But for those of us who want to share  
10 in the City's future who can't afford SoHo  
11 and who need more homes. For people who want  
12 to move to the greatest city in the world,  
13 this is exactly the kind of rezoning that we  
14 need. The only thing -- the only change that  
15 I would make to it would be to lower the  
16 commercial FAR. We need to ensure that  
17 housing, not commercial space, is what gets  
18 produced out of this badly-needed rezoning.

19 I urge you to lower the commercial FAR  
20 and raise the amount of housing that could be  
21 produced under this plan. And just remember  
22 that, like, the City is in a vast housing  
23 shortage. We are running out of time to  
24 build more housing. We need these homes, and  
25 to do nothing is simply not an option.

1 Thank you.

2 CHAIR LAGO: Thank you, Mr. Miller.

3 Our next speaker is Austin Celestin, to  
4 be followed by Cordelia Persen.

5 MR. CELESTIN: Good morning. My name  
6 is Austin Celestin, and I'm a sophomore at  
7 NYU. I think I spelled out all the benefits  
8 of this project. It's a supply crisis and  
9 we're building negligible amount of housing,  
10 more than Great Depression levels, and this  
11 plan does something to alleviate that.

12 900 units of affordable housing in  
13 affluent, high-opportunity neighborhoods and  
14 market with units to help absorb the rich  
15 from working class neighborhoods into an area  
16 that can sustain them.

17 But I think it should be worth engaging  
18 with the concerns of the plan and how the  
19 plan actually does address the more ways that  
20 that could be improved. There's a genuine  
21 concern about affordability, a concern I  
22 share. The minimum for mandatory  
23 inclusionary housing is 25 percent and this  
24 project barely gets above that. And there is  
25 precedents for city plans that have a higher

1 proportion of affordable units. Gowanus,  
2 even ill-fated plans like Bushwick or Inwood.

3 But the commonality between those plans  
4 is that they're significantly larger than  
5 this. Bushwick had 1,600 more units in the  
6 plan, Gowanus had 8,000 total units. And you  
7 could see this trending, single buildings,  
8 six, seven Long Island City that has 958  
9 units with 300 affordable. I think it's  
10 quite clear that if affordability was a  
11 legitimate issue to address, we should have  
12 had a larger plan with, say, 4,000 units.

13 And I also think we can pass this  
14 rezoning while still looking at tenant  
15 protections. Those things, deregulation and  
16 allowing for more bulk and rent control and  
17 affordability provisions do not clash unless  
18 we let them. The zoning and historic  
19 character is in jeopardy and sets precedent  
20 for the destruction of other historic  
21 districts. Much of this historic district  
22 won't be touched without going through LPC.  
23 But even if it could, I would say the  
24 historic districts are a part of why we are  
25 here in the first place.

1                   For 60 years, we have placed more  
2                   restrictions on largely downzoning large  
3                   districts, SoHo among them. And to be clear,  
4                   landmarking individual space is good. There  
5                   are many buildings in the neighborhood that  
6                   are worthy of protection and many more  
7                   throughout the City that deserve this data,  
8                   like Grand Prospect Hall. But districts  
9                   don't do that. They simply restrict housing.

10                  And while this doesn't apply to all of  
11                  them, a number have racialized history, like  
12                  Brooklyn Heights, admitting to hoping to keep  
13                  public housing out of the City's very first  
14                  historic district or the Upper West Side,  
15                  where landmark map and a red line won are one  
16                  in the same.

17                  What about office space? Yeah, even  
18                  cut that. This is supposed -- this should be a  
19                  housing rezoning, not for office. What about  
20                  conversion? Use them. Use every toolbox  
21                  that we -- tool in our toolbox that we have.  
22                  But it's not zero-sum game. You shouldn't  
23                  use ADUs or SROs and an excuse to not rezone.

24                  And let's talk about climate. Across  
25                  the board, cities have a smaller covered

1 footprint. New York City has the lowest,  
2 thanks to it walkability. Mid-rises and  
3 highrises are more efficient than single  
4 family homes. From a climate perspective --  
5 and I'm sure we all know what happened last  
6 night -- it should be a no-brainer.

7 Yes, infrastructure is important, but  
8 resiliency projects should take 20 or  
9 30 years. Do we not build housing in that  
10 time? The housing crisis is just as  
11 desperate, and we are more than capable of  
12 multi-tasking and planning on doing several  
13 things at once. We have to plan this  
14 rezoning.

15 Thank you.

16 CHAIR LAGO: Thank you, Mr. Celestin.

17 Our next speaker will be Cordelia  
18 Persen, to be followed by Richard Corman.

19 MS. PERSEN: Hi. I'm Cordelia Persen.  
20 I'm the Executive Director of the NoHo  
21 Business Improvement District. As a member  
22 of the "Envision It" advisory group, I have  
23 been deeply engaged with this process from  
24 the beginning. Over the last three years, I  
25 have attended almost every Zoom meeting and

1 heard many concerns over the plan. I have  
2 also heard some very good ideas for  
3 compromise to address those concerns. And I  
4 hope this rezoning will go forward with some  
5 of those changes in place. Everyone knows  
6 that there are some real problems in the  
7 current zoning that need to be addressed.

8 The current mismatch of zoning rules  
9 that have been patched together since our  
10 last rezoning continue to lead to the kinds  
11 of problems the opposition of this plan have  
12 been complaining about. What the area needs  
13 is a coherent plan to follow going forward.  
14 We need zoning that actually matches the  
15 current usage, versus continuing with the  
16 long cumbersome expensive variant process  
17 that only works for certain well-financed  
18 tenants and developments.

19 From the beginning, the NoHo business  
20 improvement district schools for the rezoning  
21 are around the retail use of our buildings.  
22 We are happy to see that the plan makes  
23 retail as-of-right and ends the arbitrary  
24 10,000-square foot limit, the size of retail.  
25 It makes no sense due to the size of our

1 building floor plans. We have said since the  
2 beginning that retail is in a major flux and  
3 property owners and retail users need the  
4 flexibility to use their spaces as the time  
5 and trends lead them, and COVID has only made  
6 this more true.

7 The NoHo bid also feels very strongly  
8 that we want to preserve the historic  
9 character of the district and are concerned  
10 with the level of upzoning proposed. Many  
11 groups, including the SoHo Broadway  
12 Initiative, the NoHo-Bowery Stakeholders, and  
13 Cooper Square Committee have come up with  
14 alternative zoning scenarios that will even  
15 allow more growth, but not at a level that  
16 will be detrimental to the district.

17 We really want to say strongly that we  
18 hope the Department of City Planning is  
19 listening and will look close into these  
20 plans and alter their current proposal, so  
21 that we can get a plan that will lead us into  
22 the future.

23 Thank you.

24 CHAIR LAGO: Thank you, Ms. Persen.

25 Commissioner Ortiz.



1 MS. ORTIZ: Hi. Quick question.

2 There has been a discussion around the  
3 incentive, you know, how the FAR incentivizes  
4 perhaps office over residential. Just in  
5 your experience on the ground, what's the  
6 return to work and how has the demand for  
7 office space been affected as a result of  
8 COVID? I mean, are you seeing that folks are  
9 deciding for office over residential? I  
10 mean, just to give us a sense of ground  
11 choosing that concerns.

12 MS. PERSEN: I don't know if I can say  
13 if folks are deciding on residential or  
14 commercial for building. What I can say is  
15 that commercial is coming back. The rentals  
16 are almost full for commercial. We lost a  
17 lot of tenants. And now when I talk to the  
18 businesses that -- I mean, the owners that  
19 are on my board, they're almost fully leased  
20 for September.

21 So I feel that there is still a very  
22 strong strength in the commercial use of our  
23 district -- the high ceilings, the opening  
24 windows, we have a lot that works well for  
25 that. But I, as a person who has been

1           involved in this, am concerned that we  
2           could -- maybe we don't need to give  
3           commercial more FAR. Like maybe we really do  
4           want to make sure that this -- one of NoHo's  
5           greatest things about COVID was its  
6           mixed-work-life ability, even through COVID,  
7           that kept it alive. And I want to hope that  
8           that will stay in place. I think that is one  
9           of our real strengths and always has been.

10           MS. ORTIZ: Thank you.

11           CHAIR LAGO: Thank you, Ms. Persen.

12           Our next speaker will be Richard  
13           Corman, followed by Jeanne Wilcke. Oh,  
14           excuse me. We are joined by Manhattan's  
15           Borough President Gale Brewer. Welcome.

16           MS. BREWER: Thank you very much, Madam  
17           Chair. And I'll be very brief 'cause you  
18           have many people to talk to. But I'm going  
19           to talk as an over -- looking at this in an  
20           overview. I'm on a cell phone 'cause I'm not  
21           in my office right now, to put it mildly.

22           I want to say that, just in my opinion,  
23           we all -- at least I can speak for myself --  
24           want to get to a situation where there is  
25           affordable housing where there is rezoning,

1           where the historic district is maintained,  
2           where tenants do not have to lose their  
3           apartments, and where -- I would agree with  
4           the previous speaker, and others, even those  
5           who support the project wholeheartedly, feel  
6           very strongly, that we should not be  
7           incentivizing anything to do with commercial.

8           There are so many challenges to this  
9           project. So, I think my main word is, people  
10          like Alex Neratoff, Mark Dicus, Steve  
11          Herrick, Zella Jones, and Andrew Berman has  
12          contributed, certainly Elizabeth Goldstein,  
13          Aaron Kahen supports this idea, and the  
14          amazing work of Community Board 2, trying to  
15          figure out how to deal with the JLWQA, how to  
16          deal with all the concerns of the retail.

17          A lot of ideas have come out of -- I  
18          don't know, I think I've been to maybe 20 or  
19          30 hearings and discussions on this topic.  
20          Between now and when you vote and when the  
21          City Council votes, we all have to sit down  
22          and try to come up with something that is  
23          different than the current proposal.

24          Now, I know people tried to figure out  
25          how to have a broader definition of the arts.

1 People have tried to figure out how people  
2 can work their apartment. People have tried  
3 to figure out what is the arts fund, maybe  
4 it's not a hundred dollars, maybe it's less,  
5 maybe it doesn't exist. What is the way that  
6 tenants can be secure? How do we make sure  
7 buildings are not demolished? What is the  
8 challenge in terms of the retail?

9 I think there are some very dis --  
10 ideas, so that you would still have some  
11 as-of-right, but you would still be able to  
12 have the smaller storefront. And at the same  
13 time, if there was some kind of  
14 performance-based discussion or retail, then  
15 it would make more sense.

16 So many issues have come out because of  
17 the great discussions. But what we cannot  
18 do, in my opinion, is to wholesalely support  
19 this proposal, as I indicated. Even the  
20 people who don't -- who want affordable  
21 housing and want this proposal, say there are  
22 just many issues still to be decided. So,  
23 I'm here to say that I too am still working  
24 on my part. I know that I'm very slow. As  
25 you know, we've had quite a few of these,

1 'cause you've been just as busy as I am.

2 So, I'm talking about the commercial  
3 FAR have to be reduced. We have to figure  
4 out what we're going to do about demolition  
5 and saving tenants. We have to make sure  
6 that 2 Howard Street -- when I spoke to the  
7 administration, I know that they are working  
8 on the issue of getting the federal  
9 government to give him that site for a  
10 hundred percent affordable housing, and I  
11 also know, not in the area, 5 World Trade  
12 Center, we're trying to get many more  
13 affordable units there, that's in Community  
14 Board 1. We have to figure out what we're  
15 going to do about the loft tenants and  
16 obviously the WQA, the JMWQA.

17 We do want more arts in the area. I  
18 don't know if the -- I don't know what you  
19 call it. I call that flip tax; that's the  
20 wrong term, when you go from joint work to  
21 residential. What should that amount be, if  
22 anything? And if it is any money, what is  
23 the group that makes sure it's spent  
24 correctly? That works in East Midtown.

25 And then we're also working on all the

1 performance standards as retail operators.

2 There were some good ideas there where both  
3 those who are interested in not having a --  
4 some kind of a permit process, could, in  
5 fact, get what they need, and the community  
6 could still make sure that they have what I  
7 consider the smaller mom and pops.

8 We also have to look at if there was  
9 some state and national historic designated  
10 buildings, and we know specifically that if  
11 LPC doesn't designate them, it doesn't really  
12 make a big difference. So, can we look at  
13 those? That's what we did when we did  
14 East Midtown, 14 buildings were added to the  
15 roster, and the fact the ULIP didn't go  
16 through until they were added to the roster.

17 And, of course, there are all the  
18 quality of life issues that I know the bids  
19 have been extremely helpful in making a list  
20 of what their concerns are, commercial waste  
21 zone and others, that have been very  
22 articulately listed.

23 So, those are some of the concerns that  
24 I have. This is perhaps the largest, most  
25 challenging rezoning -- they're all

1           challenging -- that we've all been part of.  
2           And I look forward to working with you, and  
3           the councilmembers, to see if we can come up  
4           with a program that solves some of the issues  
5           that I just listed.

6                     Thank you very much, Madam Chair.

7                     CHAIR LAGO: Always a pleasure to have  
8           you participate in our hearings, Madam  
9           Borough President. Thank you.

10                    We'll continue with Richard Corman, to  
11           be followed by Jeanne Wilcke.

12                    MR. CORMAN: Hello. Can you hear me?

13                    CHAIR LAGO: Welcome.

14                    MR. CORMAN: Thank you very much.  
15           Thank you for the opportunity to testify. On  
16           behalf of Downtown Independent Democrats, I  
17           strongly urge you to reject the proposed city  
18           plan. This rezoning plan is deeply flawed.  
19           It fails to meet its essential objectives,  
20           most particularly its stated affordable  
21           housing goals, and will displace and impact  
22           the lives of existing rent-protected and  
23           low-income residents in SoHo/NoHo and  
24           neighboring communities.

25                    In December 2020, DID issued a

1 resolution calling for the City to pause and  
2 revise its plan for SoHo/NoHo rezoning. We  
3 stated that the proposed plan incentivizes  
4 office development and big-box retail,  
5 instead of adaptive reuse through affordable  
6 housing in the preservation of the  
7 significant stock of affordable housing  
8 already there.

9 We urge the City to complete promised  
10 studies and additional analyses after the  
11 pandemic state of emergency is lifted and to  
12 develop a plan that guarantees greater  
13 opportunities for affordable housing,  
14 addresses displacement, include zoning that  
15 allows office to residential conversion and  
16 there's not incentivized office and dormitory  
17 over residential use or big-box retail over  
18 small business. And a plan that defines fear  
19 mechanisms to legalize existing residential  
20 occupancies incorporating public review and  
21 input and that are nonpunitive.

22 Admit a plan that maintains the  
23 character integrity of the impacted historic  
24 district and the creative foundation of the  
25 area, as exemplified by JMWQA, a critically



1           important city economic driver. And a plan  
2           that presents economic analyses of the  
3           upzoning and how the plan will impact  
4           development rights.

5                   The City's final scope of work remains  
6           virtually unchanged on all of those key  
7           issues from that scope of work and did not  
8           incorporate the needed additional studies and  
9           analyses, ignored our comments, and many  
10          of -- and from those of many of the other  
11          groups that have commented on this before.

12                   And as you have heard from the borough  
13          president just now, there are so many open  
14          issues that have been raised and raised and  
15          raised and never yet addressed. And this  
16          plan certainly does not deal with that,  
17          including issues raised in the original  
18          "Envision SoHo/NoHo" report initiated by  
19          Borough President, Madam Brewer, herself.

20                   For these reasons, the deep flaws in  
21          the plan, the likely damage it will inflict  
22          on current particularly low-income and  
23          rent-protected residents, many of whom are  
24          seniors aging in place, and for its likely  
25          failure to add any material matter of

1           affordable housing, this plan must be  
2           rejected.

3                   DID could not be more supportive of the  
4           great need for affordable housing in  
5           SoHo/NoHo, as well as all of Lower Manhattan.  
6           We are, for example, petitioning all our  
7           elected officials to support a  
8           hundred-percent affordable housing at the  
9           proposed 5 World Trade Center site and at  
10          2 Howard Street.

11                   We would support a SoHo/NoHo rezoning  
12          plan that it does achieve substantial  
13          affordable housing in the area but without  
14          the irreversible damage that this flawed plan  
15          will inflict. There are so many flaws in  
16          this plan and --

17                   CHAIR LAGO: I'm afraid, Mr. Corman,  
18          that your time is up. Thank you.

19                   MR. CORMAN: Thank you very much.

20                   CHAIR LAGO: Thank you for testifying.

21                   Our next speaker is Jeanne Wilcke, to  
22          be followed by Michele Varian.

23                   MS. WILCKE: Hi. I am Jeanne Wilcke, a  
24          member of the SoHo/NoHo Advisory Committee  
25          and NoHo Neighborhood Association, also

1 resident and business owner for many decades  
2 with experience in distress real estate. And  
3 today, we're looking at a lot of distress  
4 real estate from the storm yesterday and a  
5 lot of distress people.

6 I support affordable housing as a noble  
7 goal, but oppose the rezoning as it stands as  
8 insufficient and in no way does it accomplish  
9 its goals. Commissioners should do the deep  
10 dive into this. My comments addressed open  
11 and green space and climate issues.

12 The City states the lack of open space  
13 is the significant adverse effect in this  
14 plan, yet little to no solution is given or  
15 mitigation is proposed. The pictures tell a  
16 thousand words today, looking at the news.

17 The area has the lowest, if not the  
18 lowest, ratio of open space per resident than  
19 anywhere else in New York City. The urban  
20 heat effect must be addressed in this  
21 upzoning. New York City's own report show  
22 this area in the red zone for four out of  
23 five pollutant statistics. With coastal and  
24 stormwater flooding, New York City is using  
25 flood maps that are yesterday's news; and I

1 wrote that earlier yesterday before the  
2 storm. It's today's news, storm water  
3 flooding.

4 The American Society of Engineers last  
5 year increased New York City projection to  
6 wind gusts from 80 miles an hour to 110,  
7 almost 40 percent. Have these and other  
8 recent scientific studies been incorporated  
9 into the upzoning? Whether sea cruise  
10 requires it or not, scientific studies on  
11 climatic shift must be proactively addressed.  
12 Our concern is that data collection appear to  
13 be part past data and part data collected  
14 during the pandemic. Really? During the  
15 pandemic? I'm concerned about the accuracy.

16 Lastly, you may have -- the City may  
17 have a legal responsibility in going through  
18 a rezoning upzoning, but there's also a moral  
19 responsibility. And to be proactive in  
20 addressing open and green space and climate  
21 issues. Finding the solutions for open and  
22 green space, which are not addressed in this  
23 upzoning and must be.

24 Thank you.

25 CHAIR LAGO: Thank you, Ms. Wilcke.

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1 Our next speaker is Michele Varian, to  
2 be followed by Ronnie Wolf.

3 CO-HOST: Michelle is not in the room.

4 CHAIR LAGO: Thank you. Then it will  
5 be Ronnie Wolf, followed by Leigh Behnke.

6 I'll also note that people who have  
7 signed up but are not in the room at the time  
8 that they're called, at the end of the  
9 meeting we will go back to all of them and  
10 see if they are present.

11 MR. SINGER: Ronnie Wolf, you should be  
12 able to unmute your microphone.

13 (No response.)

14 MR. SINGER: Ronnie is not -- I believe  
15 he might be having technical difficulties.  
16 We could reach out.

17 CHAIR LAGO: Okay. We will then  
18 proceed with Leigh Behnke, to be followed by  
19 Jessica Katz.

20 MS. BEHNKE: I'm Leigh Behnke. I live  
21 on the Broadway Corridor as a painter. I  
22 moved there legally before it was retail in  
23 1984, and I hope to live there while aging in  
24 place. I'm not rich and I fully support the  
25 City's laudable goal of providing affordable

1 housing to a wide variety of our population.

2 This proposal is set up for failure for  
3 both residential and retail spaces, due to  
4 the incompatibility of these historic  
5 structures to comply with the proposed  
6 requirements. These incompatibilities are  
7 not being discussed or considered in this  
8 process as it is rushed through.

9 Let me talk first about residential  
10 conversion. Alexandr Neratoff has offered  
11 expert testimony explaining that a zoning  
12 change from artist living to UG2 requires a  
13 change in the building's certificate of  
14 occupancy. UG2 residential spaces are  
15 subject to rules and regulations that are  
16 different and more demanding and incompatible  
17 for those for joint living.

18 As Neratoff states, it would be  
19 impossible to accomplish unless the building  
20 is vacant. I think this is something that is  
21 not completely understood in my building. It  
22 would be physically impossible without a gut  
23 renovation for the entire building, and it  
24 would never be suitable for normal purposes.  
25 My space is a large space with very few

1 windows, not a normal apartment, as you guys  
2 are talking about all the time. And it's  
3 designed for living and working, natural  
4 living.

5 I was involved with the conversion of  
6 our building from manufacturing to joint  
7 living, and it was a very, very complicated  
8 process, due to the nature of how these  
9 buildings were built in the 19th Century.  
10 Many of the features are not compatible and  
11 they just -- it's not going to work. I don't  
12 even need to read all of this.

13 The cost of conversion would be  
14 astronomical, even if there was a way found  
15 to overcome these issues. Add to that, the  
16 hundred dollars a square foot, and I will not  
17 be able to stay in my loft for my senior  
18 years. Those kinds of costs are beyond the  
19 means of many, many older artists.

20 I also want to say a little bit about  
21 expanded retail, and that is the  
22 infrastructure is not adaptable to  
23 accommodate the expanded delivery  
24 requirements for upzoning of retail. We have  
25 vault spaces in most of our basement. There

1 is no place for a loading zone. There is no  
2 way to convert these buildings without really  
3 spoiling their historical significance. It's  
4 just not possible. So it precludes the  
5 construction of the required loading base  
6 that are normally accomplished -- normally  
7 accompany the large retail deliveries.

8 Our streets are already overcrowded  
9 with large destination retailer occupying  
10 just one percent of the potential spaces so  
11 far. Without an ability to --

12 CHAIR LAGO: Thank you, Ms. Behnke.

13 MS. BEHNKE: Okay.

14 CHAIR LAGO: I see that you have a  
15 written testimony. We would welcome your  
16 submitting it.

17 MS. BEHNKE: Okay. Great. Thank you.

18 CHAIR LAGO: Thank you. Our next  
19 speaker is Jessica Katz, to be followed by  
20 Zella Jones.

21 MS. KATZ: Hello. Thank you. Thank  
22 you for the opportunity to testify today. My  
23 name is Jessica Katz. I'm the executive  
24 director of the Citizens Housing and Planning  
25 Council or CHPC. CHPC thanks the Commission



1 for moving this crucial rezoning forward.  
2 SoHo and NoHo are some of the wealthiest,  
3 most expensive neighborhoods, not just in  
4 New York City, but in the nation.

5 Over the last 40 years, the area's  
6 restrictive and exclusionary zoning has  
7 allowed it to transform from a hub of working  
8 class artists to what is, in effect, today a  
9 gated community. Where we live matters.

10 Residents of Manhattan Community  
11 Board 2 enjoy a level of access to  
12 opportunity, amenities, and services so great  
13 that they are expected to live six years  
14 longer than the average New Yorker. This  
15 rezoning is a chance to move words, like  
16 racial equity and fair housing, into action.

17 It is long past time for SoHo/NoHo to  
18 welcome new neighbors and to give low-income  
19 households and New Yorkers of color a chance  
20 to share in the benefits that have been  
21 enjoyed by a privileged few for decades. For  
22 at least a year now, you've heard countless  
23 arguments and opposition of this plan. Many  
24 are thinly veiled expressions of nimbyism and  
25 exclusion, many not so thinly veiled.

1                   Like the idea that gaining 900  
2                   affordable units at SoHo/NoHo is not worth  
3                   the other changes that the rezoning could  
4                   bring. I'm confident that you will recognize  
5                   these claims for what they are. Tens of  
6                   thousands of New Yorkers are experiencing  
7                   homelessness amidst an economic and public  
8                   health crisis of unprecedented magnitude.  
9                   There is no cost-benefit analysis to be made  
10                  between aesthetic preferences and the health,  
11                  safety and well-being of 900 families.

12                  A lot of talk today about the supposed  
13                  risks of the rezoning, but the risks of doing  
14                  nothing are even greater. Freezing this  
15                  neighborhood in amber has led to skyrocketing  
16                  rents and set off a wave of gentrification  
17                  across Manhattan and across the five  
18                  boroughs. We cannot allow neighborhood  
19                  residents to slam the door shut behind them  
20                  once their property values have made them  
21                  wealthy.

22                  We can't listen to the argument that  
23                  this rezoning is "not affordable enough" from  
24                  a group of people who also opposed a project  
25                  that was a hundred-percent affordable to

1 extremely low seniors nearby. At the same  
2 time, if you dig deep enough into this  
3 onslaught of opposition, you will find some  
4 thoughtful recommendations to improve this  
5 plan that CHPC hopes you will consider.

6 Community Board 2 and several other  
7 groups have pointed to the federally-owned  
8 site at 2 Howard Street, which we should  
9 certainly pursue. Some stakeholders, CHPC  
10 included, have recommended lowering  
11 commercial FARs from the proposed levels in  
12 the housing opportunity zones to ensure the  
13 desirability of residential development and  
14 maximize opportunities for fair housing.

15 We strongly believe that  
16 recommendations like these are worth  
17 considering and urge the commissioners to  
18 make any changes to the plan that would  
19 result in a greater amount of affordable  
20 housing. At its core, this rezoning is a  
21 step forward towards a more equitable city,  
22 one that disrupts the status quo to put  
23 historically underserved communities first.  
24 We must see this plan through to the end in  
25 the best and most impactful version possible.

1 Thank you.

2 CHAIR LAGO: Commissioner Levin.

3 MS. LEVIN: Thank you for that,  
4 Ms. Katz. Oops. Please don't go away.

5 MS. KATZ: I'm here.

6 MS. LEVIN: You're still there. You  
7 did address -- we've heard two core  
8 criticisms of this rezoning from the  
9 perspective of its capacity to develop  
10 affordable housing, and you addressed one of  
11 them, which is the commercial -- you know,  
12 possibility that property owners would choose  
13 to develop commercially rather than  
14 residentially; so, that part you've  
15 addressed.

16 We've also heard concern, and we hear  
17 this every time we have a rezoning, about the  
18 risks of displacements, that market forces  
19 will go to work on existing rent-stabilized  
20 units in the area and force the departure  
21 of -- you'll end up losing more affordable  
22 housing than you create.

23 You've got experience with these  
24 rezonings across the City. Do you have any  
25 advice for us about how to approach the issue

1 of displacement and protect against it here?

2 MS. KATZ: So, I think particularly for  
3 a very high rent neighborhood such as SoHo, I  
4 think the recent changes to the rent  
5 stabilization rules do go a very, very long  
6 way to ensuring that we kind of minimize the  
7 risk of displacement. And I would also  
8 encourage the commissioners to consider that  
9 by doing nothing, we have seen that there's  
10 incredible pressure on displacement in these  
11 neighborhoods where there simply isn't enough  
12 house staff to meet the demand.

13 So by our calculations, the  
14 displacement risk is much higher by doing  
15 nothing than it is by doing the rezoning,  
16 which would create some way to absorb some of  
17 the demand for housing in the neighborhood,  
18 even very high incomes.

19 MS. LEVIN: Thank you.

20 CHAIR LAGO: Commission Ortiz.

21 MS. ORTIZ: Asked and answered. Thank  
22 you.

23 CHAIR LAGO: Thank you, Ms. Katz.

24 And I realize that I had jumped over  
25 Ronnie Wolf. Are they on the line?

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1 MR. SINGER: Yes. We --

2 CHAIR LAGO: Great.

3 MR. SINGER: -- were able to call.

4 CHAIR LAGO: And who will be followed  
5 by Zella Jones.

6 MR. SINGER: Connor, did we lose  
7 Mr. Wolf? We had him in the panelist column.  
8 We can go to Ms. Jones.

9 CHAIR LAGO: Okay. We will go to Zella  
10 Jones, back to Ronnie Wolf, if available, and  
11 then on to William Thomas.

12 MR. SINGER: Mr. Wolf just unmuted his  
13 microphone.

14 CHAIR LAGO: Oh, fantastic.

15 MR. SINGER: Go ahead, Mr. Wolf.

16 MS. WOLF: Hi. This is Ms. Wolf. How  
17 are you? I moved to SoHo in 1979. I'm a  
18 certified artist and owner of a small co-op  
19 in Soho. I should say I'm an owner with my  
20 fellow shareholders in our co-op of this  
21 small co-op retail space. I'd like to  
22 address two issues, and that's the a.k.a.  
23 arts fund.

24 As owners, all of our artists have put  
25 in our hard-earned money to keep these

1           façades in great shape to restore and  
2           maintain these public bolted sidewalks from  
3           the 1800s. It's not cheap and it's very  
4           punitive and vindictive of DCP to put any  
5           kind of cost of our transferring our longtime  
6           family home onto family members, like our  
7           sons and children, should we sell or should  
8           we die, you know, they're the ones who will  
9           have to carry that burden and they shouldn't,  
10          you know, all these years we have, you know,  
11          done our due diligence to stay up to code.

12                 The other things is, the commercial  
13          owners aren't being asked to do anything. As  
14          residents, we are totally legal and  
15          commercial retail owners are not. They are  
16          the ones who should be paying into an art  
17          fund, and that arts fund should support the  
18          residents who live in SoHo. I just think  
19          it's such an ill-conceived approach to burden  
20          the residents instead of burdening the  
21          commercial owners who have deep pockets, who  
22          have hedge funds and private equity funds  
23          that back their investment.

24                 And the last thing I would like to say,  
25          small co-ops allow their bankrupt tenants to

1 stay during this whole period, have extended  
2 their leases where we've got nothing from the  
3 City to supplement us. But rather than keep  
4 the space empty and vacant, we have let the  
5 small tenants stay and we have reduced rents  
6 and we've gotten no reward for doing so,  
7 other than it's for our community to keep it  
8 vibrant.

9 So I'd like you to look more deeply at  
10 the residents. We're not racist. We're not  
11 rich. We're not privileged. We just moved  
12 here early and at the time we invested  
13 heavily into making it what it is today.

14 Thank you.

15 CHAIR LAGO: Thank you, Ms. Wolf.

16 Our next speaker is Zella Jones, to be  
17 followed by William Thomas.

18 MS. JONES: Hopefully, you can hear me.

19 CHAIR LAGO: Yes. Welcome.

20 MS. JONES: Thank you very much. My  
21 name is Zella Jones. I am president of  
22 NoHo-Bowery Stakeholders Incorporated, where  
23 our organization is a community benefit  
24 organization around our members on over a  
25 million square feet in NoHo. Most of my



1 remarks will be directed to issues within  
2 NoHo. We share many issues with SoHo, of  
3 course.

4 We have submitted testimony to all of  
5 you, that kind of breaks open this discussion  
6 in a slightly different fashion. We feel  
7 that there are three different areas that in  
8 many ways don't overlap, and in this  
9 discussion so far, have overlapped greatly to  
10 the detriment of the plan overall.

11 First, we call them silos. I'm not  
12 going to go into the heavy details because  
13 you will have it in front of you very soon.  
14 But the free silos includes -- the first silo  
15 is for developers seeking to build new  
16 development on vacant or significantly  
17 underutilized sites; that's one set of  
18 issues. Silo 2, is owners with sites with  
19 existing and largely overbuilt building for  
20 lease, largely commercial office for retail  
21 with some mixed JLVQA. And Silo 3, which is  
22 the most emotional and possibly the most  
23 difficult to address, is the JLVQA conversion  
24 issue.

25 On that -- in Silo 1, we feel that

1           these sites need to be matched specifically  
2           and with a special mixed-use, special  
3           district. The president is to give very  
4           precise definitions for each of the areas.  
5           For NoHo, the area that has the most  
6           potential to produce affordable housing is  
7           actually in the center of NoHo and not in the  
8           northeast corner, which is currently tagged  
9           as the affordable opportunity zone.

10                 Those buildings are already large.  
11           There are already sites that are in  
12           development now going to office and won't  
13           change. But in the center of NoHo, we have  
14           three very large sites and they need to be  
15           looked at very specifically because they are  
16           in historic districts. They are surrounded  
17           by 14 individually landmarked buildings and  
18           they are also surrounded by buildings that  
19           have --

20                 CHAIR LAGO: Ms. Jones, I'm afraid that  
21           your time is up. But we would very much  
22           welcome your submitting any written  
23           testimony.

24                 MS. JONES: Yes, certainly. I have  
25           submitted it. I hope that you will take a

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1 look at it and I was hoping you would listen  
2 closely to our --

3 CHAIR LAGO: Thank you, Ms. Jones.

4 We will now move on to William Thomas,  
5 to be followed by Moses Gates.

6 MR. THOMAS: Hi there --

7 CHAIR LAGO: Please begin.

8 MR. THOMAS: -- can you -- hi,  
9 everyone. My name is Will Thomas. I live in  
10 the East Village, and I'm here to support the  
11 proposed rezoning, as the Executive Director  
12 of Open New York, an independent grassroots  
13 pro-housing organization. We believe that  
14 allowing more homes here would help to  
15 alleviate New York's housing shortage and  
16 help to fight displacement in other  
17 neighborhoods.

18 That said, there are few changes that  
19 we would recommend. First, the commercial  
20 densities in the proposal are too high and  
21 could risk offices being built instead of  
22 mixed-income housing. Those office densities  
23 should be lowered. We also feel that the  
24 City should expand the community preference  
25 policy beyond Community Board 2, to ensure

1           that the rezoning is enforced for racial and  
2           socioeconomic integration.

3                       Finally, we feel the City should  
4           mandate the deepest affordability option of  
5           MIH for new apartments. So, there are a few  
6           facts that I want the Commission to mull on,  
7           which I've noted for you many times. Between  
8           2010 and 2017, median rents went up by more  
9           than double median wages. Homelessness is at  
10          the highest rate since the Great Depression,  
11          and pre-COVID. One out of every ten  
12          elementary school students in New York City  
13          public schools attended from homeless  
14          shelters.

15                      The 900 affordable homes that this  
16          rezoning is slated to provide are desperately  
17          needed. But it's also worth remembering that  
18          residential construction in SoHo and NoHo has  
19          been essentially illegal as-of-rights since  
20          the 1960s, which has pushed demand for  
21          market-rate housing into all the surrounding  
22          neighborhoods, which has in term raised rents  
23          and caused displacement.

24                      Building more market-rate housing in  
25          SoHo/NoHo, two of the wealthiest

1 neighborhoods in the country, should help put  
2 this process into reverse and it should be  
3 welcomed by anyone who cares about raising  
4 rents or displacement.

5 But lastly, I really want to emphasize  
6 for the Planning Commission that the office  
7 densities in this plan are far too high. As  
8 DCP has noted many times in these hearings,  
9 SoHo is the third largest job center in New  
10 York City, after Midtown and the Financial  
11 District.

12 And, you know, while some may doubt the  
13 strength of the office market at the current  
14 moment, there's a lot of the southwest corner  
15 of Bowery and East 4th Street in the rezoning  
16 area that's already being developed as an  
17 office tower, despite the possibility of  
18 increased residential development when the  
19 rezoning passes.

20 So reverse Long Island City and SoHo I  
21 think would be an absolute disaster, both in  
22 terms of lost affordable housing, but also  
23 for DCP's reputation. And, you know, I just  
24 want to add, we've been testifying for this  
25 pro-housing rezoning for almost two years.

1 And while I'm sure that many of my fellow  
2 attendees disagree very strongly with us,  
3 it's undeniable that SoHo is a wealthy white  
4 neighborhood, that such neighborhoods have  
5 not built their fair share of housing, and  
6 also that more mixed-income housing here  
7 would really not be the end of the world.

8 So I hope the Commission can see past  
9 the ample misinformation pushed around the  
10 plan and approve it with the amendments that  
11 it needs.

12 Thank you.

13 CHAIR LAGO: Thank you, Mr. Thomas.

14 Our next speaker will be Moses Gates,  
15 to be followed by Zachary Roberts.

16 MR. SINGER: Mr. Gates had indicated  
17 that he is in-person, so --

18 CHAIR LAGO: When he enters the room,  
19 then we will be able to accommodate him. And  
20 Zachary Roberts, to be followed by Trevor  
21 Stewart.

22 MR. SINGER: Connor, do we have Zachary  
23 in the Zoom?

24 CO-HOST: Zachary Roberts is not in the  
25 room.

1 CHAIR LAGO: Okay. Then we will have  
2 Trevor Stewart, to be followed by Fanny Ip.

3 MR. STEWART: I'm Trevor Stewart, I'm  
4 speaking on behalf of Village Preservation,  
5 formerly the Greenwich Village Society for  
6 Historic Preservation. In spite of the  
7 efforts by the mayor and other proponents of  
8 this upzoning plan to portray it as motivated  
9 by social justice and equity, let's be a  
10 hundred percent clear about who the main  
11 beneficiaries would be; big real estate  
12 developers and private institutions like NYU.

13 Imagine you bought or own a property in  
14 the rezoning area and suddenly you're able to  
15 build something two and a half times as large  
16 as the rules allowed when you bought it, and  
17 that you can suddenly include all sorts of  
18 highly profitable uses that were prohibited  
19 when you first bought your property; such as  
20 luxury condos, giant big-box international  
21 chain stores, and NYU dorms and classrooms.

22 Well, if you're Edison Properties,  
23 which owns the two largest development sites  
24 in NoHo and SoHo and you've made multiple  
25 large donations to the mayor and his

1 disgraced campaign for New York, for one, New  
2 York, you don't have to imagine it. Your  
3 dream is about to come true and a  
4 multimillion dollar windfall is coming your  
5 way, if this plan is approved. Same if you  
6 have a two-family, which owns some of the  
7 largest development sites in the rezoning  
8 area and which has made campaign donations  
9 the key decision-makers in this process and  
10 is said to make a killing if this plan  
11 passes.

12 This proposal is not about benefiting  
13 New Yorkers or those in need. Big-box chain  
14 stores, NYU dorms, high-end hotels and office  
15 buildings, and luxury condos and rentals with  
16 no affordable housing, don't benefit New  
17 Yorkers or those in need. This plan is about  
18 benefiting the wealthy and well-connected  
19 developers who lobbied, donated, bought and  
20 paid for it. Don't be a part of it. Please  
21 vote "no" on this plan.

22 Thank you.

23 CHAIR LAGO: Thank you, Mr. Stewart.

24 Our next speaker is Fanny Ip, to be  
25 followed by Lannyl Stephens.



1 MS. IP: My name is Fanny Ip, and I  
2 grew up in the Low East Side, where I  
3 currently continue to reside. Chinatown is a  
4 gateway for many Asian immigrants, such as  
5 myself. When my family and I newly arrived  
6 here in the U.S. 40 years ago, we lived in  
7 Confucius Plaza while my mother worked at a  
8 nearby garment factory. I have many fond  
9 memories of celebrating Chinese holidays with  
10 our neighbors while adjusting to the American  
11 culture.

12 Chinatown is not just some kitschy area  
13 where people come to have dinner on Christmas  
14 day. It is a livelihood for many who live  
15 and work here because there is nowhere else  
16 that can provide the same social support and  
17 affordability in New York City.

18 I am here to urge you to please oppose  
19 the SoHo/NoHo neighborhood plan because  
20 Chinatown will be destroyed if this plan goes  
21 through. Not only is there no guarantee that  
22 any affordable housing will be created from  
23 this plan, but this plan will also reduce the  
24 little existing affordable housing that's  
25 left.

1           This plan will displace many of the  
2           elderly, the working class, and low-income  
3           residents in Chinatown who will be the most  
4           vulnerable and at risk of the displacement  
5           from this plan, as concluded by Village  
6           Preservation and Community Board 2.

7           After 9/11, Chinatown suffered a heavy  
8           blow to its small businesses, and it took  
9           many years to recovery and bounce back to the  
10          Chinatown that it once was. However, the  
11          small businesses that keep Chinatown's  
12          economy running, suffered another heavy blow  
13          recently due to the pandemic. If the City  
14          Planning Commission really cared about  
15          planning, it would do everything it can to  
16          protect the Chinatown small businesses and  
17          its residents by opposing this plan.

18          This is also a racist plan because  
19          there has been no outreach on this plan for  
20          the Chinatown community. And not to mention,  
21          Chinatown isn't even included in the name of  
22          this plan, nor in the City's testimony you  
23          just heard, when Chinatown would stand to  
24          lose the most from this plan as mentioned  
25          earlier.

1                   This plan was thought up by racists and  
2                   put together by racists. And if the plan  
3                   gets approved, then the members of the City  
4                   Planning Commission are also racist. Mom and  
5                   pop stores that have been in the neighborhood  
6                   for generations will be forced to close, and  
7                   the lower income and elderly residents will  
8                   be displaced, while a handful of corrupted  
9                   politicians, city employees, and individuals  
10                  that are in bed with real estate developers  
11                  will profit off the loss of this historical  
12                  neighborhood, that have helped so many  
13                  immigrants like myself forever to a couple of  
14                  shiny glass towers for billionaires.

15                 Thank you.

16                 CHAIR LAGO: Thank you, Ms. Ip.

17                 Our next speaker will be Lannyl  
18                 Stephens, to be followed by Lora Tenenbau.

19                 MS. STEPHENS: Hi. Good afternoon.  
20                 I'm Lannyl Stephens. And I'm speaking on  
21                 behalf of Village Preservation, formerly the  
22                 Greenwich Village Society for Historic  
23                 Preservation. Of the many pernicious  
24                 elements of this plan is that it strongly  
25                 incentivizes demolition, rent-regulated

1 affordable housing, permanently losing the  
2 precious resources placing residents who are  
3 overwhelmingly lower-income and  
4 disproportionately artists, seniors, and  
5 Asian Americans.

6 We have identified 650 units of such  
7 housing and 108 buildings in the rezoning  
8 area. The City says there are 185 such  
9 buildings, meaning the number of units is  
10 probably near 1,000 or more. With a little  
11 over 4,000 housing units in the rezoning  
12 area, that's one in four units and residents  
13 that will have a target on their back as a  
14 result of this rezoning.

15 With a proposed increase of allowable  
16 density of 30 to 140 percent, virtually every  
17 rent-regulated building will be underbuilt  
18 under the new zoning, creating stronger  
19 incentives for landlords to do whatever they  
20 can to get tenants out and demolish their  
21 buildings to build substantially larger.

22 Landmarking won't prevent that, and the  
23 LPC routinely allows demolition of buildings  
24 behind their façades, and all that's needed  
25 to permanently eliminate rent-regulated

1 units. Anti-harassment regulations won't  
2 prevent it, as have been proven time and time  
3 again. The strengthened rent laws of 2019  
4 won't prevent it, as they left the demolition  
5 allowance entirely intact. Though those  
6 changes virtually guarantee these units will  
7 remain affordable unless they are demolished.

8 The Department of City Planning  
9 continues to deny these facts and dishonestly  
10 claim that nine percent of the rent-regulated  
11 affordable units are located in historic  
12 districts without releasing the addresses to  
13 back this up. But we've submitted to the  
14 Commission, the addresses of the 108  
15 buildings with rent-regulated units in the  
16 zoning area we identified from public records  
17 and 30 percent of them are either outside a  
18 historic district or noncontributing  
19 buildings within historic districts, which  
20 can be demolished.

21 And as stated, the 70 percent located  
22 within historic districts are not protected  
23 anyway. So, a vote for this plan is a vote  
24 for displacement of lower-income tenants and  
25 destruction of affordable housing. We urge

1           you to vote "No."

2           Thank you.

3           CHAIR LAGO: Thank you, Ms. Stephens.

4           Our next speaker is Lora Tenenbau, to  
5           be followed by Anita Brandt.

6           MS. TENENBAU: Hi. I speak on behalf  
7           of myself and our artist JLWQA co-op, which  
8           asked me to explain why we urge you to reject  
9           in its entirety, the proposed rezoning of  
10          SoHo/NoHo and parts of Chinatown. We fully  
11          support the CB2 resolution. It accurately  
12          and clearly analyzes in details the plan's  
13          fundamental and unfixable flaws. Our  
14          neighborhood zoning problems can be fixed  
15          through text change, not this draconian  
16          rezoning.

17          As an artist co-op with a 50-year stake  
18          in this community, we urge that any rezoning  
19          goals include keeping SoHo a vibrant,  
20          popular, active inhabited arts community, not  
21          the commercial center with big-box stores,  
22          clubs and interactive retail entertainment  
23          venues that DCP gleefully anticipates.

24          The level of commercialization  
25          permitted under the plan is antithetical to

1           what was asked of City Planning at the start  
2           of this process. Throughout Envision, City  
3           Planning was asked to tweak things to make  
4           our community work, not bulldoze it and hand  
5           it over to over-leveraged big real estate.

6           This plan for a dystopian future was an  
7           ugly surprise for us, a slap in the face.  
8           Even worse is the message of our democratic  
9           process and data gathering, when it is being  
10          rammed through during a pandemic. It is  
11          painful and wrong for SoHo/NoHo older artists  
12          residents to be labeled relics by DCP, and  
13          none of us or our business is important  
14          enough for DCP to quantify in its study of  
15          our community.

16          The picture DCP paints is not the truth  
17          of our community. Our community's uniqueness  
18          is that it has an artistic core, that its  
19          historic cast-iron buildings resinate with  
20          the past and have been re-purposed for the  
21          future, that it looks like no place else in  
22          the world, and that that's the draw for  
23          visitors from every part of the globe. Will  
24          people come here when it looks like Midtown  
25          South?

1                   To make changes, SoHo needs the City to  
2                   take creative planning for the future. Here  
3                   are some of our thoughts. Allow retail below  
4                   the second story as-of-right, but keep the  
5                   10K square foot limit on retail and 5K square  
6                   foot limit on eating or drinking  
7                   establishments. Keep the current FAR and add  
8                   an appropriate height limit. Expand the  
9                   meaning of artist to allow for more creative  
10                  neighbor activities, JLVQA units.

11                  We agree that a more diverse community  
12                  is a better community. Deeply affordable  
13                  housing can and should be built without  
14                  commercial towers in the mix. The plan must  
15                  include planning for global warming. Our  
16                  area is already a heat sink with no green  
17                  open spaces at all, as well as the traffic  
18                  hotspot. Consider, for example, requiring  
19                  façade materials that help cool.

20                  I understand that the rush to get this  
21                  done before the mayor's term ends makes it  
22                  difficult to do it right, but you should be  
23                  presented with a state-of-the-art plan for  
24                  the future, and this plan is anything but.  
25                  Unlike SoHo, the plan needs a complete



1 do-over.

2 Thank you.

3 CHAIR LAGO: Thank you, Ms. Tenenbau.

4 Our next speaker is Anita Brandt, to be  
5 followed Aaron Kahen.

6 MS. BRANDT: Yes. Can you hear me all  
7 right?

8 CHAIR LAGO: Yes. Welcome.

9 MS. BRANDT: Wonderful. Good  
10 afternoon, Commissioners. My name is Anita  
11 Brandt, a lifetime resident and business  
12 owner in NoHo. And I'm also chair of the  
13 Community Board 2 SoHo/NoHo working group. I  
14 spent my career as an architect renovating  
15 historic buildings here in New York City. My  
16 specialty is to modernize and restore  
17 historic structures.

18 So, why did CB2 vote "No" to the  
19 mayor's plan? Simply put, this is a classic  
20 case of garbage in, garbage out. This plan  
21 is based on incorrect assumptions and data  
22 and, therefore, it's not fixable. It would  
23 recklessly incorporate massive FAR increases  
24 and require the adaption of incompatible  
25 residential rules and regulations that will

1 directly result in a tornado of destruction,  
2 demolition, and displacement.

3 And while the plan does not guarantee  
4 any affordable housing or adequately solve  
5 other stated goals, it does guarantee huge  
6 financial gains to a few well-passioned  
7 property owners.

8 This plan will shatter the historic and  
9 cultural cord of our unique districts and  
10 those will never come back. They will not be  
11 replaced and new construction will dominate  
12 with big, bland, familiar corporate towers.  
13 The promise of affordable housing attempts to  
14 disguise that this rezoning will most likely,  
15 in reality, reduce available, affordable  
16 units.

17 In fact, the plan renamed parts of  
18 Chinatown as East SoHo, officially identified  
19 as an opportunity area and targeted for  
20 building demolition. One tried and true  
21 action that is still allowed to remove  
22 long-term subsidized tenants is demolition.  
23 As for new housing, what the plan promises in  
24 public, it takes back in loopholes buried in  
25 the small print.

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1 Please join CB2 in rejecting this  
2 rezoning. Let us start fresh, armed with all  
3 the high-quality data and information we have  
4 gathered during this long planning process,  
5 and let's prove we can and must do much, much  
6 better.

7 Thank you for your time.

8 CHAIR LAGO: Thank you, Ms. Brandt.

9 Our next speaker will be Aaron Kahen,  
10 followed by Louis Madigan.

11 MR. KAHEN: Can you hear me?

12 CHAIR LAGO: Yes. Welcome.

13 MR. KAHEN: Hello. My name is Aaron  
14 Kahen from Fried Frank. We appreciate the  
15 thoughtfulness that has gone into this  
16 proposal and the range of view points that  
17 have been expressed throughout the public  
18 process.

19 The proposed text includes an allowance  
20 for lower base heights within a historic  
21 district to account for the surrounding site  
22 conditions. We ask the Commission to work  
23 further with the Landmarks Preservation  
24 Commission to ensure there's alignment  
25 between the site-specific LPC review process

1 and the proposed zoning controls.

2 Thank you.

3 CHAIR LAGO: Thank you, Mr. Kahen.

4 And I understand -- let's see -- that  
5 next up is Louis Madigan, to be followed by  
6 William Meehan.

7 MS. LEVIN: Are we done with Mr. Kahen?

8 CHAIR LAGO: Oh. No, please. I'm  
9 sorry, Commissioner Levin.

10 MS. LEVIN: Can you elaborate for a not  
11 very intelligent observer of all of this.  
12 What are you talking about here, that you  
13 want base heights -- what do you want to have  
14 happen with the base heights?

15 MR. KAHEN: So, we went with the number  
16 of property owners in the area, and this  
17 comment is based on our experience with the  
18 LPC review process. LPC review is done on a  
19 site by site basis and there aren't any  
20 unique conditions taken into account. We can  
21 follow up with examples of conditions that  
22 may have warranted further coordination with  
23 LPC.

24 MS. LEVIN: Okay. I think that would  
25 be very helpful, if you could maybe send us a

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1 memo. And also, if you could indicate who  
2 you're representing in this, that would be  
3 helpful, too.

4 MR. KAHEN: Absolutely. Will do.

5 MS. LEVIN: Thank you.

6 CHAIR LAGO: Thank you, Commissioner.  
7 My apologies.

8 Our next speaker is Louis Madigan, to  
9 be followed by William Meehan.

10 CO-HOST: Louis Madigan is not in the  
11 room.

12 CHAIR LAGO: Okay. Then William  
13 Meehan, to be followed by Steven Soutendijk.

14 MR. MEEHAN: Hi. Can you hear me?

15 CHAIR LAGO: Yes. Welcome.

16 And I will also note that we are joined  
17 by Vice Chair Knuckles, and with huge thanks  
18 for having spent three and a half hours  
19 getting here.

20 MR. MEEHAN: Hi. My name is William  
21 Meehan, and I ask for you to support the  
22 SoHo/NoHo neighborhood plan. My office is in  
23 NoHo. So my job has been added in the area  
24 in the recent years, but there has not been  
25 any housing added in the area for me. If I

1 wanted to move to NoHo right now, I would  
2 have to pay at least \$6,000 a month, because  
3 that is the cheapest apartment available on  
4 StreetEasy. So that means that anyone who  
5 wants to move to NoHo needs to make \$240,000  
6 a year.

7 SoHo is not much better. It is no  
8 coincidence that rents are so high in a  
9 neighborhood where new residential buildings  
10 are illegal. This housing crisis is horrible  
11 citywide, but building our fair share of  
12 housing in SoHo is important to helping solve  
13 it. I ask that City Planning be careful not  
14 to incentivize commercial over residential.  
15 And I would ask them to do that by either  
16 raising the residential FAR to R10  
17 throughout, or even possibly lowering the  
18 commercial FAR, so that this really  
19 incentivizes more housing, especially more  
20 affordable housing, to desegregate the  
21 neighborhood and allow, you know,  
22 lower-income families to live here in  
23 perpetuity.

24 Beyond affordability, as we've seen  
25 last night, it is imperative for the climate

1 crisis that we allow for more housing in  
2 Manhattan, where residents have a fraction of  
3 carbon footprint of the suburbs or Sun Belt  
4 cities. People will not be bringing their  
5 cars, thankfully, due to the lack of parking  
6 mandates in Manhattan.

7 Anyone concerned over a lack of public  
8 space, there is a clear option right there,  
9 which is our city streets. Our beautiful  
10 cobblestone streets in SoHo should be opened  
11 up as Barcelona style super blocks, and that  
12 would really alleviate any concerns about  
13 possible loss of open space.

14 The consequences of doing nothing are  
15 dire, including continued exclusion and  
16 people continuing to get priced out of the  
17 area. So, please support the plan.

18 Thank you.

19 CHAIR LAGO: Thank you, Mr. Meehan.

20 Our next speaker is Steven Soutendijk,  
21 followed by Shelly Friedman.

22 MR. SINGER: I believe Steven is not in  
23 the Zoom.

24 CHAIR LAGO: Okay. Then it will be  
25 Shelly Friedman, followed by David Herman.

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1 MR. FRIEDMAN: Can you hear me,  
2 Commissioner?

3 CHAIR LAGO: Yes. Please go ahead.

4 MR. FRIEDMAN: Thank you. Good  
5 morning, Madam Chairman, Commissioners. My  
6 name is Shelly Friedman. I have been working  
7 with the SoHo Bowery -- I'm sorry, the NoHo  
8 Bowery Stakeholders and with Zella Jones in  
9 the submission that she referenced earlier.  
10 Others included in that effort have been  
11 Steve Herrick and Alexandr Neratoff.

12 I think the significant issue here  
13 in -- I'm going to skip the technicalities  
14 and get down to an observation as someone who  
15 has spent 25 years practicing land use in  
16 SoHo. And that is that this is not a  
17 situation, the existing zoning, the M15A,  
18 M15B zoning is not simply running out of  
19 steam.

20 It continues to actively harm one of  
21 the City's greatest neighborhoods, most  
22 recently in the ability to provide affordable  
23 housing. This is allowing the zoning to  
24 retain the name one day longer than necessary  
25 and will only continue to frustrate most of



1 the stakeholders that you've heard testifying  
2 today, whatever their perspective.

3 The idea of providing a special permit  
4 is an important step forward, and I hope that  
5 the Commission will lean forward, rather than  
6 fall back on any sense of pausing to with  
7 regard to this action. I think that the  
8 departmental staff in the Manhattan office in  
9 particular have the experience and the  
10 resilience to work with all of the  
11 stakeholders to find a way to correct the  
12 situation and to end the dramatic negative  
13 impact that the current zoning is having on  
14 NoHo and SoHo.

15 I'll also note, again, as a  
16 practitioner walking the sidewalks, that in  
17 my practice, I've probably seen 15 or 20  
18 projects, good, sound decent projects; new  
19 development, adaptive reuses, building  
20 upgrades that literally died on the drawing  
21 boards because they could not cope with the  
22 cumbersome and technical and conflicting  
23 requirements and the out-of-date requirements  
24 of the current zoning.

25 This is an opportunity to remedy that

1 situation with fresh zoning for a new age  
2 that can incorporate much of what you've  
3 heard today in a way that can meet the  
4 challenges in the future.

5 I also believe that some attention  
6 should also be given to some of the other  
7 policy initiative -- imperatives, that stands  
8 side by side with affordable housing. The  
9 need to adopt regulations that might promote  
10 open space --

11 CHAIR LAGO: Mr. Friedman, I'm afraid  
12 that your time has expired, but we would  
13 welcome your submitting written testimony.

14 MR. FRIEDMAN: Thank you very much for  
15 your time, Madam Chair.

16 CHAIR LAGO: Thank you.

17 Our next speaker is David Herman, to be  
18 followed by Mary Ann Arisman.

19 MR. HERMAN: Hi, good afternoon. I'm  
20 David Herman, and I'm speaking on behalf of  
21 Village Preservation, formerly the Greenwich  
22 Village Society for Historic Preservation.  
23 One of the many deeply dishonest elements of  
24 this plan is a last-minute addition of an  
25 allowance for NYU, or for any private

1 university, to expand anywhere in the  
2 rezoning area, and incurring zoning  
3 restrictions on their doing so.

4 We all know NYU has been eying SoHo and  
5 NoHo for expansion for many years. But in  
6 2012 when the City Planning Commission  
7 approved the NYU expansion plan, they were  
8 assured that this meant no further expansion  
9 elsewhere by the university would be allowed.  
10 This plan eviscerates that promise.

11 Adding insult to injury, the rezoning  
12 would exempt NYU from the affordable housing  
13 requirements that was the supposed basis for  
14 this rezoning plan, and add another allowable  
15 use that would compete and interfere with the  
16 potential production of affordable housing.

17 From the earliest stages of this  
18 process, neighbors and this organization made  
19 clear that we post any change in regulations  
20 when the NYU or other private universities  
21 expand here. And we were told by the  
22 sponsors of this process that this was not  
23 what they had in mind. Like so much about  
24 this process, that turned out to be a lie.

25 There is absolutely no reason to change

1 the zoning to grant one of the richest  
2 private universities in the world a free hand  
3 to expand here, especially when it directly  
4 undercuts what you claim is the main reason  
5 for this rezoning, which is the creation of  
6 affordable housing. This is just one more  
7 reason why we strongly urge you to reject  
8 this dishonest deceptive plan.

9 Thank you for letting me speak.

10 CHAIR LAGO: Thank you, Mr. Herman.

11 Our next speaker is Mary Ann Arisman,  
12 to be followed by Andrea Goldwyn.

13 MS. ARISMAN: I'm Mary Ann Arisman  
14 speaking on behalf of Village Preservation,  
15 formerly the Greenwich Village Society for  
16 Historic Preservation. Another of the many  
17 lies that this rezoning is based on is that  
18 it's either this or maintain the status quo.  
19 But opponents are unwilling to consider any  
20 changes to the current zoning whatsoever;  
21 that's not true.

22 There's the community alternative plan,  
23 endorsed by more than a dozen local groups  
24 that called for a deeper and more broadly  
25 affordable housing. All have endorsed

1 allowing residential development with real  
2 affordable housing requirements without the  
3 massive loopholes the City offers. All have  
4 endorsed allowing a wider range of retail  
5 without giant big-box chain stores and eating  
6 and drinking establishments of unlimited size  
7 that the City wants. All have endorsed a  
8 path to legalization for nonartist residents  
9 without endangering the status and  
10 protections for artist residents the City  
11 plan contains. All are opened to allowing  
12 more compatible uses as-of-right; like  
13 museums and nonprofit social services but  
14 oppose allowances for NYU and private  
15 university expansion as the City proposes.

16 And what we all don't want, which the  
17 City actually seems most interested in, is  
18 the massive proposed upzoning, which is what  
19 offers incentives to displace long-term  
20 lower-income tenants and demolish buildings  
21 with rent-regulated affordable housing, as  
22 well as destroy historic buildings and create  
23 oversized new developments.

24 If there were truly a desire on the  
25 part of the administration to update the

1 zoning and add provisions that would create  
2 new affordable housing, you would find  
3 willing partners in us, and virtually every  
4 group in this neighborhood; that's not what  
5 we're seeing.

6 We're seeing an administration and a  
7 plan focused on developer giveaways, enormous  
8 upzoning and oversized development.  
9 Demolishing rent-regulated affordable housing  
10 and displacing lower-income tenants and  
11 preserving the loopholes, which allow  
12 developers to avoid having to build any  
13 affordable housing. This is among the many  
14 reasons why we strongly urge you to vote "No"  
15 and reject this dishonest, destructive plan.

16 Thank you.

17 CHAIR LAGO: Thank you, Ms. Arisman.

18 Our next speaker will be Andrea  
19 Goldwyn, to be followed by Kate McClintock.

20 MS. GOLDWYN: Okay. Thank you. Good  
21 day, Chair Lago and Commissioners. I am  
22 Andrea Goldwyn, speaking for the New York  
23 Landmarks Conservancy. The Conservancy was a  
24 member of the SoHo/NoHo advisory group. We  
25 concurred with the goal that the group's

1           conveners presented to us at the start to  
2           update antiquated zoning so it reflects the  
3           residential and commercial realities of this  
4           area. We also support the goal of affordable  
5           housing. But like many members of the  
6           advisory group, we cannot support this  
7           proposal.

8           The Advisory group agreed that the  
9           historic character of SoHo and NoHo should be  
10          preserved. But the proposal allows nearly  
11          doubling the size of new buildings in  
12          historic districts, even as it acknowledges  
13          that this will create little affordable  
14          housing within the district boundaries.

15          DCP is ignoring the real and unique  
16          asset of these historic districts. This  
17          neighborhood, as I learned through these  
18          many meetings, doesn't have a lot of parks,  
19          surplus school seats, athletic fields,  
20          libraries, or reasonably priced grocery  
21          stores. And this plan doesn't address those  
22          issues. It does have historic buildings.  
23          They form street scapes that have attracted  
24          residents, artists, tourists, and tremendous  
25          economic development.

1           The rezoning threatens those street  
2           scapes and the area's economic liability by  
3           encouraging out of scale commercial  
4           development that will diminish the historic  
5           character. The vast majority of new housing  
6           is set to the outside of the historic  
7           district, while the rezoning targets rare  
8           buildings that date back to the 1820s as  
9           prime development sites.

10           Adding to the chorus, no one is against  
11           more housing, but there needs to be a balance  
12           that continues to protect these resources.  
13           DCP says that landmarks commission review  
14           will safeguard the historic district. But  
15           when DCP brought in city agencies and other  
16           stakeholders to discuss their role in the  
17           rezoning -- even this morning, LPC was not  
18           part of the public engagement. The rezoning  
19           will put enormous pressure on LPC to approve  
20           upscale buildings.

21           The Conservancy would support zoning  
22           that recognizes today's commercial, retail  
23           and residential use, protects artists and  
24           encourages affordable housing. There have  
25           been thoughtful and detailed alternative



1 proposals from Cooper Square Committee, SoHo  
2 Broadway Initiative, and NoHo Bowery  
3 Stakeholders, all members of the Advisory  
4 Group. They allow respectful development  
5 while protecting historic character. We urge  
6 you to study these sensible alternatives and  
7 compromise.

8 City planning talks about this  
9 neighborhood as high-opportunity and transit  
10 rich, as if it was just a series of subway  
11 stations and bus stops, but it is so much  
12 more than that. We ask you to remember this.  
13 Listen to the Advisory Group and consider the  
14 alternatives. The community members who have  
15 put in some much time and effort across these  
16 meetings have given some great ideas, good  
17 suggestions, thoughtful alternatives.  
18 Working together, we can find a better plan  
19 that protects SoHo and NoHo and lets these  
20 neighborhoods thrive.

21 Thank you for the opportunity to  
22 present the Conservancy's views.

23 CHAIR LAGO: Thank you, Ms. Goldwyn.

24 Our next speaker is Kate McClintock, to  
25 be followed by Elaine Kennedy.

1 MS. MCCLINTOCK: Hello. Can you hear  
2 me?

3 CHAIR LAGO: Yes, please. Welcome.

4 MS. MCCLINTOCK: Okay. Thank you. I  
5 am Kate McClintock, speaking on behalf of  
6 Village Preservation, formerly the Greenwich  
7 Village Society for Historic Preservation.  
8 From the beginning, we were told that this  
9 process would look to ways to preserve and  
10 reinforce the artistic character of SoHo and  
11 NoHo. In fact, this plan seems designed to  
12 do everything it can to destroy that  
13 character.

14 The allowance for big-box chain stores  
15 and eating and drinking establishments of  
16 unlimited size will make it incredibly  
17 difficult for any art gallery or arts or  
18 design-related business to continue on in any  
19 ground floor space, unless they're lucky  
20 enough to own it. Which is why leading arts  
21 groups and the SoHo designing district are  
22 opposing it. The upzoning will create huge  
23 financial incentives for landlords to try to  
24 push out remaining artists living in  
25 rent-regulated and Loft Law units, so they

1 can gut or demolish their buildings, which is  
2 why groups like Lower Manhattan Loft Tenants  
3 and New York City Loft Tenants are opposing  
4 it.

5 The allowance for vastly larger office  
6 buildings and hotels will further dilute and  
7 diminish the artistic character of these  
8 neighborhoods. The new allowance for  
9 as-of-right luxury condos and rentals, along  
10 with NYU dorms and other private university  
11 facilities, will further supplant and  
12 dislodge any arts-related uses in the  
13 neighborhood. And the new rules, more or  
14 less, amounts to a phasing out of the artists  
15 and residents regulations, which helped to  
16 make these neighborhoods such vital centers  
17 of artistic activity.

18 The plan allows for no new artist  
19 residences and includes no provisions for new  
20 artist housing among the affordable housing  
21 and no new space for arts groups. These are  
22 just a few of many ways in which we've been  
23 lied to by the sponsors of this process about  
24 its true intentions and that the plan itself  
25 is a lie. We, therefore, urge you, strongly

1           urge you, to reject and repudiate this plan.

2           Thank you so much for the opportunity.

3           CHAIR LAGO: Thank you for testifying.

4           Our next speaker is Elaine Kennedy, to  
5           be followed by Moses Gates.

6           MS. KENNEDY: Hello, Commissioner. Can  
7           you hear me? I'm Elaine Kennedy.

8           CHAIR LAGO: Yes. Please go ahead,  
9           Ms. Kennedy.

10          MS. KENNEDY: Okay. I'm Elaine  
11          Kennedy, and I wish to comment today and give  
12          my testimony in opposition to this plan. I  
13          spoke yesterday in opposition to the  
14          250 Water Street plan where I'm a resident  
15          now. But I grew up in Greenwich Village,  
16          which we now call SoHo/NoHo. Actually, I  
17          grew up in SoHo, then I transferred over to  
18          NoHo when I was 18 years old. I'd like to  
19          comment on certain aspects of this plan,  
20          including allowing NYU to extend into the  
21          district. And I just want to share some  
22          stories from my childhood.

23          First of all, when I grew up,  
24          Washington Square Park was our playground and  
25          the parents from the Lower -- Houston Street

1 on what we call the Lower East Side, which is  
2 now SoHo, that was our only green area in our  
3 plan.

4 And my first experience with  
5 preservation came when I was just a child and  
6 NYU decided that Washington Square Park  
7 should be part of their campus. And they  
8 wanted to take the whole park, except for a  
9 small area that would allow you to go and  
10 visit the ark, but the fountain area and  
11 everything else would have been incorporated  
12 into their campus for their ceremonies, et  
13 cetera, et cetera, et cetera. So, we fought  
14 that -- then, my parents fought that, and  
15 they were successful in that. But think  
16 about that for a minute, that Washington  
17 Square Park would now belong to NYU if they  
18 had their way.

19 My second experience with NYU was my  
20 mother dreamed of us getting out of the  
21 tenements, which are now SoHo, and sell for  
22 \$2 million an apartment and put our name on  
23 all these lists. And that was a lot and it  
24 was designed to be part of the Micove  
25 (phonetic) project for middle-income housing.

1 But NYU interfered and took over that and  
2 held us up and wound up with two buildings  
3 out of three buildings that were built, which  
4 my daughter now resides in one, so they took  
5 it over.

6 This is not about affordable housing.  
7 This has never been about affordable housing.  
8 And how can anyone sit here and say that  
9 we're going to put 75 percent of the building  
10 in as high rental and 25 percent -- and this  
11 is going to help us in the long run. I just  
12 don't understand.

13 CHAIR LAGO: Ms. Kennedy, I'm afraid  
14 your time is up. But if you have written  
15 testimony, we would welcome receiving it.

16 MS. KENNEDY: I will submit.

17 CHAIR LAGO: Thank you.

18 MS. KENNEDY: I don't think they gave  
19 me my full three minutes.

20 CHAIR LAGO: Our next speaker will be  
21 Moses Gates, followed by Harrison Grinnan.

22 MR. GATES: Hello, Commissioners.  
23 Thank you so much for allowing me to testify.  
24 My name is Moses Gates from Regional Plan  
25 Association. Overall, RPA is very excited

1           about DCP's focus on the SoHo/NoHo area as  
2           the neighborhood which could supply  
3           much-needed affordable housing and applauds  
4           this effort.

5                     This is exactly the type of  
6           neighborhood the mandatory inclusionary  
7           zoning was designed to work in; high-market  
8           neighborhoods in which larger buildings can  
9           be built with proper zoning. However, there  
10          are modifications we would like to see in  
11          order to make this most effective and  
12          equitable plan possible.

13                    There are really three different  
14          visions possible for the future of SoHo and  
15          NoHo today as this goes through the process.  
16          The first is to reject the zoning. In this  
17          case, development and change will still  
18          occur, just the type that will make the  
19          neighborhood exclusive than segregated.

20                    This is typified by what happened in  
21          2015 between Sullivan Street and 6th Avenue,  
22          south of Spring Street, where four  
23          4600-square foot single family homes,  
24          currently valued at \$12 million each, were  
25          built. This is the type of development that

1 results in high-market areas which are not  
2 zoned to allow for mixed-income multifamily  
3 housing. Encouraging more expensive  
4 single-family homes is completely  
5 inappropriate in an area like SoHo, which  
6 means affordable housing and neighborhood  
7 retail has incredible access to jobs and  
8 transit.

9 Those Sullivan Street single-family  
10 homes have a walk score of 99 out of 100 and  
11 a transit score of 100 out of 100. And this  
12 is especially egregious from a design  
13 standpoint considering 6th Avenue is a wide  
14 street in core Manhattan, the type of street  
15 which is best suited for large multifamily  
16 buildings.

17 The size of these four townhouses could  
18 easily have accommodated well over a hundred  
19 apartments with ground floor neighborhood  
20 retail and still not have been taller than  
21 the building next door. And I will note, RPA  
22 asked the Commission to include that area in  
23 the scoping process.

24 The second vision is to approve the  
25 rezoning as is, a much better option. But



1           there is a risk, which is at the higher level  
2           commercial FARs will result in office  
3           buildings instead of the intended result of  
4           mixed-income housing. Given our housing gap,  
5           which the recent census is only noted as  
6           being exacerbated, and the wish from all  
7           parties involved, I might add, to see  
8           affordable housing be built, as opposed to  
9           commercial development, this is still not the  
10          optimal path.

11           The third option is to modify this  
12          proposal to be intentional about what we want  
13          to be built, which is mixed-income housing.  
14          Because increasing the residential FARs out  
15          of scope at this point, the way to do this is  
16          to lower the commercial FAR to 2.0, still  
17          allowing for neighborhood retail, still  
18          allowing for some office development and some  
19          neighborhood services.

20           To be clear, we're not asking or  
21          suggesting that the commercial development,  
22          or commercial FAR be slightly lowered or  
23          tweaked or trying to walk a little bit of a  
24          balance or that, you know, probably it will  
25          get built as affordable and not commercial

1 FAR. If mixed-income housing is what we  
2 want, mixed-income housing is what we should  
3 zone for, and 2.0 FAR would be most  
4 appropriate.

5 Finally, we are going to suggest, we'd  
6 like to see one MIH loophole closed, which is  
7 Section 2396D2 of the zoning resolution,  
8 which allows affordable rentals on the bottom  
9 floor and luxury condos on the top floor. We  
10 would like to see that changed here, to have  
11 three mixed-income buildings, as opposed  
12 to --

13 CHAIR LAGO: Mr. Gates?

14 MR. GATES: Yep.

15 CHAIR LAGO: I'm afraid that your time  
16 is up. We would very much welcome getting  
17 your written testimony.

18 Commissioner Ortiz.

19 MS. ORTIZ: Hi. I can't see you around  
20 the corner. This is Larisa.

21 You just mentioned the last point  
22 around the loophole you would like to close,  
23 could you finish that thought.

24 MR. GATES: Certainly. When MIH was  
25 originally passed, it was required to have

1 integrated floors to a certain degree,  
2 between affordable and market-rates. If the  
3 building was all rental or if the building  
4 was all condo or if it was affordable condo  
5 or market rental.

6 In the case of market condo and  
7 affordable rental, the building is allowed to  
8 be segregated. It's allowed to have the  
9 lower floors be affordable rental only and  
10 the higher floors all be luxury condo  
11 development. We would like to see that  
12 loophole closed completely at MIH and,  
13 specifically, in this instance.

14 CHAIR LAGO: Commissioner Levin.

15 MS. LEVIN: Then we can point out that  
16 that's exactly what's proposed at 250 Street,  
17 which we spent six hours listening to  
18 yesterday.

19 MR. GATES: Yes.

20 MS. LEVIN: Thanks for bringing that  
21 into -- I regretted -- in the swirl of all  
22 the other testimonies, we didn't have an  
23 opportunity to dig into that one.

24 MR. GATES: Yes. That is excellent and  
25 exactly what we suggested for that side as

1 well.

2 CHAIR LAGO: Yes, Commissioner Ortiz.

3 MS. ORTIZ: Hi, Moses.

4 MR. GATES: Hi.

5 MS. ORTIZ: I'm not sure if you have  
6 any thoughts on this issue but, you know, the  
7 question on displacement has come up, and I  
8 know you touched upon that with the -- you  
9 actually touched upon the "no action"  
10 scenario, you know. Under no action, are we  
11 saying that some degree of displacement is  
12 likely? And, you know, what do we do about  
13 displacement in an action scenario?

14 MR. GATES: Absolute -- I mean, there  
15 is no such thing as a no action scenario.  
16 Things happen, things change no matter if the  
17 place is rezoned or not.

18 MS. ORTIZ: No, we're using DIS  
19 language.

20 MR. GATES: I understand. I'm just  
21 making that point. So, in a no action  
22 scenario, the trend that we have seen, which  
23 is consolidations of multifamily housing into  
24 single-family housing of which RPA did an  
25 analysis on and it is not in the study area,

1 but it is just north of the study area is the  
2 epicenter of that. Those are the kind of  
3 things that happened and that result in not  
4 just displacement, but displacement for less  
5 people.

6 In an action scenario, the most  
7 effective thing that could happen is to  
8 disincentivize changing residential and  
9 specifically rent-stabilized residential into  
10 commercial buildings or commercial  
11 redevelopment. Which we addressed through  
12 the suggestion to knock down the commercial  
13 FAR, and we would ask that the Commission  
14 seriously consider the proposals by Cooper  
15 Square Committee and other neighborhood  
16 stakeholders concerning things like  
17 certificate of no harassment and other tenant  
18 protections that could be done in the area as  
19 well.

20 MS. ORTIZ: One thing I saw was some  
21 exploration or I guess -- no, wrong thing to  
22 say. A point was made that, you know, it's  
23 actually difficult to displace residents and  
24 that likely you would see buyouts and that  
25 developers would then be more likely to

1           pursue other sites, so we might see less  
2           displacement.

3                   How much weight do you put on that  
4           argument?

5                   MR. GATES: I mean, the biggest thing I  
6           would notice, you know, rent stabilization  
7           rules change, as we have seen. You know,  
8           they have changed in one direction or another  
9           throughout the last several decades. Zoning  
10          is tougher. You know, I don't know of a  
11          neighborhood that's been, you know, rezoned  
12          and then rezoned again five years later, like  
13          the rent stabilization laws changed. So I  
14          would ask and encourage the Commission to  
15          focus on this in the zoning context and not  
16          in the context of what the current rent  
17          stabilization rules happen to be.

18                   I happen to think that the current rent  
19          stabilization rules are pretty tight and  
20          provides pretty good protection with a couple  
21          of exceptions, you know, for commercial  
22          redevelopment, also a little bit for  
23          consolidations or separations. But, you  
24          know, we, as Regional Plan Association, are  
25          looking at this in a long-term view, and I

1 would suggest that the rent stabilization  
2 laws will change before this neighborhood  
3 gets rezoned again.

4 CHAIR LAGO: Commissioner Burney.

5 MR. BURNEY: So, where does RPA stand  
6 on the issue, which is NYU may become a  
7 really bad actor under this rezoning, and  
8 also the unlimited FAR that are involved?

9 MR. GATES: We have not been dug in too  
10 much to the commercial component of the  
11 study. I don't want to, you know, give a  
12 forthright opinion on that, 'cause that  
13 hasn't been the focus of our testimony and  
14 our study. It's very much been about  
15 affordable housing and affordable housing  
16 growth. So, I would stay agnostic on the  
17 commercial component.

18 On the issue of NYU, I don't think we  
19 are looking at ascribing motives to any one  
20 individual actor. Like, I understand NYU has  
21 a presence in the Village and that it is, you  
22 know, a source of neighborhood discussion.  
23 You know, we look at this from a land use  
24 perspective. We don't look at it from  
25 incentivizing or disincentivizing individual

1 actors.

2 I would suggest that higher education  
3 is a good and valid use, you know, especially  
4 in Manhattan and in New York City and in a  
5 place where you have good transportation and  
6 good amenities. You know, I would suggest  
7 that in addition to -- I would go a little  
8 bit off the rails. I would suggest that  
9 making Washington Square Park a welcoming  
10 place and reducing the, you know, kind of the  
11 nighttime closures and heavy policing around  
12 that area would also be a wonderful thing to  
13 do for the students.

14 I think that there's a lot of different  
15 ways you can incentivize students in the  
16 area. I don't think that's a bad thing. But  
17 I don't want to focus on an individual actor  
18 of how this might or might not affect them.

19 MR. BURNEY: I know. Thanks.

20 CHAIR LAGO: Thank you, Mr. Gates.

21 MR. GATES: All right. Thank you.

22 CHAIR LAGO: I would just note for both  
23 the commissioners and the folks who are  
24 either in the room or online, that we have 60  
25 remaining speakers, which it's just that we



1 will be at this for at least three more  
2 hours.

3 With that, our next speaker is Harrison  
4 Grinnan, to be followed by Douglas Hanau.

5 MR. GRINNAN: Hello. Can you hear me?

6 CHAIR LAGO: Yes. Welcome.

7 MR. GRINNAN: Well, we've heard a lot  
8 about the character of the neighborhood today  
9 from homeowners in the area, so I'd like to  
10 kind of dive into that. According to the  
11 City's demographic analysis, the rezoning  
12 area is 77 percent white as compared to  
13 32 percent for the City as a whole. It's  
14 also extraordinarily wealthy and the rents  
15 are extraordinarily high for market-rate  
16 rentals, for those who don't already have a  
17 rent-regulated building. At this point, it's  
18 impossible for anyone moving into the City to  
19 acquire.

20 I would like to kind of focus on the  
21 moving to the City aspect, 'cause I think  
22 that it's maligned a lot. But we have a big  
23 statue in the harbor that you might have  
24 seen, referring to the Statue of Liberty,  
25 that says that we welcome people. For the

1 Afghan refugees, the State Department is not  
2 recommending that they move to New York City  
3 because it is too expensive. There were 19  
4 cities that were listed as especially  
5 welcoming, and New York City did not make the  
6 list because of housing affordability.

7 For New York to continue to be a beacon  
8 to the free world at large, we need to  
9 welcome people and we need -- to do that, we  
10 need homes for them to live in. We can't  
11 just, you know, freeze the City in amber  
12 because people will continue to try to move  
13 here and that will just kick people out. And  
14 we won't even be able to welcome those who  
15 really need to move here the most, whether  
16 that's from Afghanistan, whether that's  
17 people in Texas, whether it's people in  
18 Arkansas.

19 We've heard arguments that new  
20 mixed-income housing wouldn't help  
21 desegregate the neighbor, but they really  
22 don't have any idea what the racial  
23 demographics of new market-rate apartments  
24 would be, let alone the affordable units.  
25 The census tract containing Court Square and

1 Long Island City had seen 70 percent of its  
2 housing stock constructed after its 2001  
3 rezoning, and the area is substantially more  
4 diverse than SoHo at only 45 percent white.

5 I don't have the exact numbers but  
6 Jersey City, which creates the most housing  
7 in the metro area is even more diverse.  
8 Jersey City also was specifically named as an  
9 area that is welcoming for Afghan refugees,  
10 that's because they built. It might not look  
11 as historic or it doesn't have the character  
12 of the tenements back when immigrants lived  
13 there before, but immigrants live there now.

14 No immigrants can live in SoHo now.  
15 It's not possible. It's too expensive.  
16 There's no way to get that housing, unless  
17 you got it 30 years ago and you're kind of  
18 grandfathered in.

19 Not allowing developments in SoHo will  
20 also increase displacement pressures  
21 elsewhere. If we don't build new housing  
22 there, the people who -- the rich people who  
23 would live in those market-rate apartments  
24 don't disappear, they move into other  
25 housing; whether that's in the East Village,

1 in Chinatown or in Brooklyn, pushing existing  
2 residents deeper and deeper.

3 You see that along the L train, the  
4 West Village displaced people to the  
5 East Village in the '70s, and then the  
6 East Village displaced people to Williamsburg  
7 in the '90s. From Williamsburg, people were  
8 displaced into Bushwick in the 2002s. And  
9 then from Bushwick, people were displaced to  
10 Ridgewood in the 2010s.

11 Now, we're talking about rezoning  
12 East New York at the very end of the L train.  
13 We need to cut the cycle short. We need to  
14 put the housing where people want to live,  
15 rather than pushing people further and  
16 further out. Because at the end of the line,  
17 there's nowhere else to move and people have  
18 to leave from the City, and that's tragic to  
19 me.

20 CHAIR LAGO: Thank you, Mr. Grinnan.  
21 Thank you for testifying.

22 Our next speaker will be Douglas Hanau,  
23 to be followed by Sean Sweeney.

24 MR. HANAU: Hello?

25 CHAIR LAGO: Yes. Welcome.

1 MR. HANAU: Thank you. My name is  
2 Douglas Hanau. I'm a lifelong New Yorker.  
3 I've lived in New York my whole life, and I  
4 lived in a historic district. And living in  
5 a historic district -- not SoHo/NoHo, but a  
6 different one in Brooklyn.

7 Living in a historic district has  
8 benefited me in three fundamental ways; one,  
9 it has provided a ridiculous amount of  
10 equity. Like many of the people who oppose  
11 this rezoning, living in a historic district  
12 is unbelievably good for my pocket. I've  
13 benefited tremendously. I've also taken  
14 advantage of mortgage interest write-offs and  
15 many other benefits of having a house that  
16 just the value goes up and up and up because  
17 nothing ever gets built here.

18 The other advantage it has given me is  
19 great schools. My kids go to amazing schools  
20 because the neighborhoods are privileged, the  
21 best teachers teach there, PTAs raise tons of  
22 money. It's a wealthy neighborhood. The  
23 third advantage is health. It's very  
24 healthy, great place to live. So what I  
25 don't want to do is hoard the opportunity

1           that I've had by buying 25 years ago, like  
2           many of the people in SoHo have now. Just  
3           because I bought 25 years ago doesn't mean I  
4           should be the only privileged person in New  
5           York.

6                       We need to open up my neighborhood,  
7           which is why I support the Gowanus rezoning,  
8           but also SoHo/NoHo, to people who don't have  
9           the opportunities that I had 25 years ago.  
10          The only way we can do that is to build, is  
11          to build larger, is to build with an  
12          environmental sense because you can't fight  
13          climate change with 50, 75-year-old  
14          buildings. You have to fight climate change  
15          by either renovating the apartments to  
16          environmental standards, which historic  
17          designation often makes very difficult and  
18          expensive or building new environmental  
19          technology that's evolved.

20                     The other reason why I support this  
21          rezoning wholeheartedly is because my  
22          children and their generation will not have  
23          an opportunity to live in New York and in  
24          neighborhoods like SoHo, if we don't rezone.  
25          My kids will have my house, so lucky for

1           them. But other kids won't have that  
2           advantage because just like immigrants, young  
3           people can't live in New York and we need to  
4           stop that.

5           The last thing is that many of the  
6           people on this Zoom who oppose it has been in  
7           government or appointed or on the community  
8           board for many, many years, does hundreds of  
9           years of community service, and none of them  
10          have done anything to build any affordable  
11          housing in SoHo/NoHo. So please support  
12          this. This is a great opportunity to allow  
13          people to take advantage of a great  
14          neighborhood, and new people.

15          Thank you.

16          CHAIR LAGO: Thank you, Mr. Hanau.

17          Our next speaker will be Sean Sweeney,  
18          to be followed by Adam Brodheim.

19          MR. SWEENEY: Hi, good afternoon.

20          Thanks for allowing me to speak. I'm Sean  
21          Sweeney. I'm the director for SoHo Alliance.  
22          The direct success for the SoHo Artist  
23          Association, which worked with City Planning  
24          back in '71 to give us the great successful  
25          zoning we have for the successful

1 neighborhood we have now.

2 We also worked with City Planning to  
3 get rid of the eating and drinking  
4 establishments with entertainment over 5,000  
5 square feet. We worked with City Planning in  
6 2005 very cooperatively, all along very  
7 cooperatively, for 50 years to pass 74712,  
8 which would allow 17 buildings, I believe,  
9 being built in the historic district.

10 Why do we oppose this one? Because  
11 this is called SoHo/NoHo Neighborhood Plan.  
12 It did not come out of the neighborhood, this  
13 came out of REBNY. Why is the only people  
14 not speaking here tonight -- this afternoon,  
15 is a representative from the Real Estate  
16 Board of New York?

17 We were told -- and Commissioner Lago,  
18 you were at this all those meetings, not once  
19 were upzoning ever discussed. We actually  
20 asked some of the landlords on Broadway if  
21 they wanted upzoning they said, "No." The  
22 people who wanted -- the only person who  
23 wanted an increase in the square footage  
24 greater than 10,000 was the real estate --  
25 was REBNY's representative. And while you



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1           were asked face-to-face, "Do you want to come  
2           into SoHo? No." So, this is not a SoHo/NoHo  
3           neighborhood plan.

4                       Where is Chinatown? The commissioner  
5           from HPD gave the breakdown on black and  
6           brown people, but where were the Asian  
7           people? Should they not give that?

8                       Because the other speakers spoke about  
9           displacement. We all know that when their  
10          luxury housing is built looking in these  
11          village in Williamsburg, Bushwick, the  
12          displacement of poor people of color; this is  
13          a fact. So, let's not kid anyone. And so,  
14          it's giving a great distrust for the City  
15          Planning. We were sold a bill of goods and  
16          it's really disappointing.

17                      I developed a building with a bunch of  
18          creative people and artists back in '77, and  
19          we had to pay an 8 percent tax, a BRAC,  
20          Business Relocation Assistant Corporation tax  
21          to supposedly assist the manufacturers who  
22          are being displaced. But whatever happened  
23          to that? It took me 30 years of a community  
24          board meeting to ask someone who was involved  
25          in it at the time. You see, that went into

1 the general fund. So, if you think this  
2 fluke test is going to go into an arts fund,  
3 you don't know the history of SoHo.

4 I also want to contradict some of the  
5 misstatements that some of these  
6 commissioners made. One of them say the  
7 payment in lieu of won't apply -- has never  
8 been used before. That's because the land  
9 values are minimal compared to SoHo. So any  
10 developer would be willing to pay to buy  
11 somewhere else in the four or five other  
12 boroughs but not in SoHo at our rates.

13 What else was there? Oh, the  
14 sanitation. Come on, give me a break.  
15 That's why we have a bid and we had to set up  
16 our own little bidding association --

17 CHAIR LAGO: Mr. Sweeney, I'm afraid  
18 your time is up, but we welcome your written  
19 testimony.

20 MR. SWEENEY: Thank you very much.

21 CHAIR LAGO: Thank you.

22 Our next speaker is Adam Brodheim, to  
23 be followed by Jean Standish.

24 MR. BRODHEIM: Can you guys hear me?

25 CHAIR LAGO: Yes. Welcome.

1 MR. BRODHEIM: Fantastic. Good  
2 afternoon. My name is Adam Brodheim, and I'm  
3 a historic preservationist studying at  
4 Columbia University. I was lucky enough to  
5 testify yesterday about 250 Water Street. I  
6 spoke about how preservation and development  
7 can work together to build a stronger and  
8 better New York. If they're not  
9 contradictory ideas, then SoHo is setting  
10 some of the best examples.

11 I've also loved the scholastic  
12 buildings that fits seamlessly into SoHo  
13 respecting the built environment without  
14 being a soulless copycat. We can and will do  
15 more of this in SoHo, if the plan is  
16 approved. We will bring empty lots, garages,  
17 and underbuilt structures into the fabric  
18 that defines this very special neighborhood,  
19 building new history in a historic  
20 neighborhood.

21 We've emerged on a sunny day, following  
22 a night of tremendous tragedy. There are  
23 thousands of people whose life is drying out  
24 across the streets and stoops of New York.  
25 Some of these people live in illegal basement

1 units, forced to live in unsafe conditions  
2 because of the tremendous pressure of our  
3 city's housing crisis.

4 This plan is an opportunity to lessen  
5 the pressure on them by building new housing.  
6 It is anticipated that 900 new families will  
7 be able to make their home in SoHo in  
8 permanently affordable housing. Some of  
9 those new families will undoubtedly be those  
10 affected by yesterday's flooding. I hope  
11 that a family that today is in despair  
12 looking at their possessions drying out in  
13 the September sun will someday laugh and  
14 smile through their new neighborhood, SoHo, a  
15 more diverse and more equitable neighborhood  
16 than it is today.

17 We can make that happen. We can  
18 approve this plan. We can lower commercial  
19 FAR, encourage residential development. We  
20 can minimize community preference to make  
21 sure that it is fair to, or rest to, or  
22 brought to SoHo. And to put my  
23 preservationist hat back on, we can do all of  
24 this without threatening SoHo. We can do all  
25 of this and, in fact, improve SoHo.

1 Thank you very much.

2 CHAIR LAGO: Thank you, Mr. Brodheim.

3 Our next speaker will be Jean Standish,  
4 to be followed by Zishun Ning.

5 Are we working on connecting Standish?

6 CO-HOST: Yes, we are.

7 MS. STANDISH: Hello. Can you hear me?

8 CHAIR LAGO: Yes. Welcome.

9 MS. STANDISH: Did you hear me before?

10 CHAIR LAGO: No, I'm afraid not. If  
11 you could -- if you had spoken before, if you  
12 could just take it from the top.

13 MS. STANDISH: Okay. My name is Jean  
14 Standish, and I'm on the board of the Bowery  
15 Alliance of Neighbors.

16 If the SoHo/NoHo upzoning is  
17 implemented, it would actually make these  
18 neighborhoods richer, less diverse, and more  
19 expensive. And likely destroy much of the  
20 affordable housing and push out longtime  
21 tenants and businesses, all the while  
22 allowing grossly out of scale new  
23 construction and big-box chain stores.

24 It provides multiple incentives and  
25 loopholes for developers to avoid building

1 any affordable housing at all, but would  
2 enable and encourage huge commercial  
3 structures, luxury condo constructions and  
4 hotels.

5 Included in SoHo and NoHo are some of  
6 the City's most popular historic districts.  
7 Consequently, the SoHo/NoHo upzoning would  
8 set a dangerous precedent for the destruction  
9 of historic districts all over the City.  
10 This plan calls for the first upzoning of an  
11 historic district in the 66 years of the  
12 Landmarks Preservation Commission's  
13 existence. City Planning asked many agencies  
14 to participate in the process. Shockingly,  
15 the Landmarks Preservation Commission was not  
16 one of them.

17 The mayor's plan would allow new  
18 development of an egregious scale up to two  
19 and a half times the current rules allowed.  
20 It would push out longtime tenants in  
21 rent-stabilized units and legally protected  
22 lofts and encourage the demolition of  
23 historic buildings.

24 Even if new develops are built, as the  
25 City predicts, with 75 percent luxury condos

1 and 25 to 30 percent affordable housing,  
2 these developments will overall actually be  
3 more expensive and house wealthier and less  
4 diverse residents than the current  
5 neighborhood overall, making for less  
6 equitable, less affordable neighborhood. I  
7 urge you to oppose the SoHo/NoHo upzoning.

8 Thank you for letting me give my  
9 testimony.

10 CHAIR LAGO: And thank you for  
11 testifying, Ms. Standish.

12 Our next speaker is Zishun Ning, to be  
13 followed by David Mulkins.

14 MR. NING: Hi. My name is Zishun. I'm  
15 a member of Youth Against Displacement. I'm  
16 here because I'm mad. I'm mad because again  
17 the City is continuing to promote racism and  
18 displacement agenda.

19 Chinatown and the Lower East Side has  
20 been excluded from protection against luxury  
21 highrises since the 2008 East Village  
22 Rezoning. We were told by you and Mayor de  
23 Blasio, when we came up with the Chinatown  
24 working group rezoning plan, that we were  
25 quote/unquote too ambitious. Some people say

1           that it's an old story. Yes, racism is so  
2           commonsense that it has stopped being a  
3           scandal and now it has become a farce.

4                     With the pro-developers, SoHo/NoHo,  
5           Chinatown rezoning, the City has the audacity  
6           to incentivize developers to build luxury  
7           condos in the name of quote/unquote racial  
8           equality and diversity.

9                     This is a displacement plan. And it  
10          will destroy existing affordable housing and  
11          more businesses in Chinatown, SoHo, NoHo, and  
12          the broader Lower East Side, like so many  
13          previous pro-developer plans that caused lost  
14          of affordable housing and homelessness in the  
15          first place.

16                    Tenants and workers from Chinatown and  
17          the Lower East Side have repeatedly spoken  
18          against this plan, yet you treat us as  
19          nonexistent. We are invisible to you. You  
20          still keep saying it's only SoHo and NoHo, as  
21          if Chinatown and the Lower East Side do not  
22          exist.

23                    It seems the only Chinese people the  
24          mayor recognizes are the bad landlords, like  
25          the Chu family, who displaced the largest



1 restaurant in Chinatown, and will benefit  
2 from this proposed rezoning.

3 Is this how the City address racism, by  
4 displacing communities of color in support of  
5 bad landlords and big developers? Is it how  
6 the City addresses racial equality by  
7 displacing white people as well, so that now  
8 you can say, oh, hey, we are displaced? We  
9 are equally displaced. Displacing white  
10 people and people of color at the same time.

11 For those who still pretend that this  
12 is a racial justice and fair share plan,  
13 should be ashamed of themselves for helping  
14 Mayor de Blasio cover up his racism and  
15 displacement agenda. Enough is enough. Stop  
16 this disgusting charade. Stop it. Just stop  
17 it.

18 CPC, vote "No" on the SoHo/NoHo,  
19 Chinatown rezoning, and pass community plans  
20 that really preserve the -- and creation of  
21 the low-income housing, like the Chinatown  
22 working group plan.

23 CHAIR LAGO: Thank you, Mr. Ning.

24 Our next speaker will be David Mulkins,  
25 to be followed by Eugene Yoo.

1 MR. MULKINS: Thank you. My name is  
2 David Mulkins. I'm president of the Bowery  
3 Alliance Neighbors. I'm also a 25-year  
4 public high school history teacher.

5 SoHo and NoHo are iconic, economically  
6 thriving, vibrant historic districts, famous  
7 for cast-iron architecture and has an  
8 incubator for moderate arts. By adding  
9 height and bulk, big-box super stores, luxury  
10 housing and NYU dorms, this plan would  
11 destroy its unique, creative character,  
12 displace longtime residents and businesses,  
13 especially in Chinatown, and set a terrible  
14 precedent for the destruction of historic  
15 districts all over the City.

16 When these hearings started, the  
17 mayor's forces said that they would work with  
18 and listen to the community. They insisted,  
19 "we're not talking about an upzoning." They  
20 used the public hearings as a cover, ignored  
21 our voices and, in fact, maligned our  
22 character and produced a predetermined  
23 upzoning plan that brings on tall towers, NYU  
24 dorms, big-box stores, and hastens the  
25 displacement of residents and small business.

1           To call this plan "affordable housing"  
2           when it brings 75 percent luxury units and  
3           only 25 percent affordable, it's fraudulent  
4           and a developer-driven sham that is clearly  
5           promoting hyper-gentrification.

6           While the term "mandatory inclusionary  
7           housing" may have fooled some in the past, it  
8           does not fool this community. It certainly  
9           did not fool Community Board 2. And many of  
10          our elected officials and Community Board 2  
11          voted by a staggering 36 to 1 to reject the  
12          plan.

13          The City ignored the community  
14          alternative plan for SoHo and NoHo. Which  
15          seeks more affordable housing, but without  
16          luxury upzoning, big-box stores, NYU dorms,  
17          mass displacement, and destruction of  
18          historic character. Please vote "No" on this  
19          irresponsible plan.

20                 Thank you very much.

21                 CHAIR LAGO: Thank you for testifying,  
22          Mr. Mulkins.

23                 Commissioner Ortiz.

24                 MS. ORTIZ: Hi. I have a question for  
25          you.

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1 CHAIR LAGO: Mr. Mulkins, if you  
2 wouldn't mind taking a question.

3 MS. ORTIZ: I'm just curious. So under  
4 the current zoning framework, how do you get  
5 affordable housing?

6 MR. MULKINS: Under the current plan --

7 MS. ORTIZ: Without this rezoning, how  
8 do you get affordable housing?

9 MR. MULKINS: Well, I know that the  
10 proposal has been put for us by Community  
11 Board 2, and several other speakers today, to  
12 use some of the properties that would allow a  
13 hundred percent affordable housing.

14 MS. ORTIZ: Yes. There's one site, 2  
15 Hudson, that I understand is a  
16 federally-owned property, and it would  
17 require the federal government to be engaged  
18 in that conversation.

19 MS. LEVIN: Two Howard.

20 MS. ORTIZ: Two Howard. Excuse me.

21 MR. MULKINS: Right. And I understand  
22 that there are some other sites as well. And  
23 the great danger is that because there's  
24 loopholes in the affordable housing under  
25 this plan, it would, unfortunately, very

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1 possibly not result in any affordable  
2 housing. Because it's so easy to squirm out  
3 of this, as we've seen in other areas.

4 MS. ORTIZ: Thank you.

5 MR. MULKINS: Thank you.

6 CHAIR LAGO: Thank you.

7 So, we will now turn to Eugene Yoo, to  
8 be followed by David Thall.

9 MR. YOO: Thank you. I'm just going to  
10 share some visuals that I have. So give me  
11 just one moment.

12 CHAIR LAGO: If we could wait to start  
13 the clock until the visuals pop up. Thank  
14 you.

15 CO-HOST: You may start when ready.

16 MR. YOO: So, thank you to the  
17 commissioners for allowing us the testimony  
18 today. I am -- my name is Eugene Yoo. I'm a  
19 board member of CB2. And I am also a  
20 resident of SoHo. I moved here in 1997,  
21 which makes me, I guess, a bit of a young'un.

22 I would, first thing, urge the  
23 commissioners to read the CB2 resolution. It  
24 does go into a lot of detail about how we  
25 came to our recommendation. And that's

1 definitely something I would encourage.

2 But the focus of my testimony here  
3 today is to talk about data. Much of what  
4 our process was, was looking at the data that  
5 was provided and trying to figure out the  
6 purpose of the plan. And we looked at this  
7 for a few reasons. The first I want to bring  
8 up is affordable housing.

9 In terms of affordable housing, we'd  
10 asked for a list of rent-stabilized and  
11 controlled units, as well as units that  
12 contain lofts that are in IME status or moved  
13 through the state Loft Board process.

14 We found at least 600 rent-stabilized  
15 units in the study area, which represents at  
16 least 1,142 residents. I would ask that you  
17 look at this area, which is SoHo East. This  
18 is a euphemism that hides the fact that this  
19 area is completely within Chinatown.

20 50 percent of the residential buildings  
21 here contain rent-stabilized buildings. If I  
22 understand that part of the presentation on  
23 Tuesday, it showed that a larger number were  
24 in other areas. But I would ask that you  
25 look at the proportional value here.

1                   So 50 percent of these buildings  
2                   contain rent-stabilized apartments. This  
3                   annex portion of Chinatown contains only four  
4                   full blocks and two partial blocks out of the  
5                   56 blocks in the study area, so that's less  
6                   than 10 percent. This area will bear the  
7                   brunt of the burden as part of the plan. And  
8                   43 percent, almost half of the residential  
9                   units, are expected to be built here.

10                  We also took a look at the arts fund in  
11                  JLWQA, and how the City wanted to create the  
12                  \$100 per square foot contribution. And  
13                  you'll see the slide referenced here, which  
14                  is from the Tuesday presentation.

15                  Our conclusion was that there is no  
16                  meaningful difference between the JLWQA and  
17                  non-JLWQA units. This was born out in the  
18                  data, which we just received this week, and  
19                  involved a FOIL request. So, this is, you  
20                  know, again we've been working on this and  
21                  will continue to work on this.

22                  As part of the analysis, we also saw  
23                  that there were questions about --

24                  CHAIR LAGO: Mr. Yoo? Mr. Yoo, I'm  
25                  afraid that your time is up.

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1 MR. YOO: Okay. If I could just say  
2 one thing.

3 CHAIR LAGO: Actually, Mr. Yoo, we are  
4 holding folks to three minutes. But  
5 Commissioner Burney has a question.

6 MR. BURNEY: Would it be possible for  
7 him to just submit the diagram?

8 CHAIR LAGO: Absolutely. We would very  
9 much welcome both the slides that you were  
10 showing and any talking points that go with  
11 them. Thank you.

12 MR. YOO: Okay.

13 CHAIR LAGO: Our next speaker will be  
14 David Thall, to be followed by Mark Dicus.

15 MR. THALL: Can you hear me okay?

16 CHAIR LAGO: Yes. Thank you.

17 MR. THALL: Great. I've been the condo  
18 board president of my building in SoHo for  
19 21 years, and been a property owner who lived  
20 here for 31 years. I'm here as the elected  
21 representative of my building on Mercer  
22 Street.

23 I appreciate that others here are  
24 testifying to you, detailing the flaws in the  
25 upzoning plan, which I agree with. Rather



1           than echoing those arguments, the most  
2           valuable thing I think I can offer you are my  
3           firsthand observation and facts. You know,  
4           sort of a boots on the ground effect of the  
5           adverse consequences the proposed plan will  
6           have on us as individual property owners. In  
7           other words, we're not corporations. We're  
8           not real estate investors.

9           Here's a financial snapshot of my  
10          building. It's a well-maintained landmark  
11          building. We are half owners who live here  
12          and half renters, plus two street level  
13          commercial units. So we're a good  
14          residential, commercial cross section.

15          Some of our rents are almost half of  
16          what they were just three years ago. Of my  
17          building's 11 units, three are currently  
18          vacant, including two street level commercial  
19          units, for over two years. Our real estate  
20          taxes have more than quadrupled in the last  
21          ten years.

22          Our building's insurance premium has  
23          more than doubled and is projected to  
24          increase another 20, 25 percent later this  
25          year. That's actually very updated

1 information I just heard. Our property  
2 values, however, are weighed down. The point  
3 is, SoHo has been in an economic downturn for  
4 years, with empty storefronts on every block  
5 pre-pandemic. All you gotta do is walk  
6 around.

7 Now, here's how the upzoning plan would  
8 personally affect me. I'm retired. I live  
9 in my condo. I don't rent it, so I get no  
10 income from it. In my case, my annual real  
11 estate bill has increased so much it is  
12 literally almost the same amount I get in  
13 Social Security each year. In other words, I  
14 now give all my Social Security to the City  
15 just to live in the same home I've lived in  
16 and worked in for 31 years.

17 The proposed plan creates an  
18 unprecedented new conversion tax. The  
19 proposed \$100 per square foot tax for  
20 SoHo/NoHo residents, AIR property owners,  
21 which we are, will hit me personally with a  
22 new \$155,000 tax bill. My loft is 1,600  
23 square feet, and it's also one of the  
24 smallest in my building. That is literally  
25 seven and a half times more than my current

1 annual real estate taxes in one-bite; let  
2 that sink in. 'Cause this tax is a one-bite.  
3 It's not like when you sell your apartment,  
4 they're going to just tax you. Okay.

5 In other words, the City already takes  
6 my Social Security but now wants my IRA. A  
7 new tax extensively for an arts fund no one  
8 here asked for, with neighborhood oversight,  
9 no finance sustainability plan. The result  
10 is, this new conversion tanks will --  
11 conversion tax will bankrupt some  
12 middle-class property owners, no doubt. Some  
13 of them have already testified about this.

14 This new tax targets individual  
15 residential property owners and is designed  
16 to drive us out --

17 CHAIR LAGO: Mr. Thall? Mr. Thall, we  
18 very much welcome seeing your written  
19 testimony on this, but I'm afraid that your  
20 time is up.

21 MR. THALL: I thought we had  
22 three minutes.

23 CHAIR LAGO: Yes, it was three minutes,  
24 sir. It goes by quickly.

25 MS. LEVIN: May I --

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1 CHAIR LAGO: Of course --

2 MR. THALL: All right. Well, thank  
3 you.

4 CHAIR LAGO: -- Commissioner Levin.

5 MS. LEVIN: May I ask a follow-up  
6 question?

7 CHAIR LAGO: Sure.

8 MS. LEVIN: My understanding is that  
9 the zoning -- the tax you're talking about,  
10 and it is correct to talk about it as a tax,  
11 would apply when you transfer your --

12 MR. THALL: It's not an option.  
13 They're saying to us, "You have to transfer  
14 and --" it's not when you sell it --

15 MS. LEVIN: Only if you want to switch  
16 into --

17 MR. THALL: That's not what I've been  
18 told. I've been told that not only is it not  
19 before you -- in other words, you could  
20 say -- well, some day when you sell. No,  
21 they want it now and they want it all at  
22 once.

23 CHAIR LAGO: I'm afraid that's -- I'll  
24 consider that a post-hearing follow-up.

25 MS. LEVIN: We'll do follow ups, but

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1           that's not how the text that we've been shown  
2           reads.

3           MR. THALL:   That's what -- I've  
4           discussed this with Sean and other people.  
5           That's how it's been explained to me by Pete  
6           Davies and Sean --

7           MS. LEVIN:   We'll get that clarified in  
8           our follow-up.

9           CHAIR LAGO:   Yeah, we'll clarify that  
10          for sure.   Thank you, Mr. Thall.

11          MR. THALL:   Thank you very much.

12          CHAIR LAGO:   Our next speaker is Mark  
13          Dicus, to be followed by Christopher Marte.

14          MR. DICUS:   Hi.   Good afternoon.   Can  
15          you guys hear me?

16          CHAIR LAGO:   Yes.   Please go ahead.

17          MR. DICUS:   Hi.   Good afternoon, Madam  
18          Chair and fellow commissioners.   My name is  
19          Mark Dicus.   I am the executive director of  
20          the SoHo Broadway Initiative, the  
21          not-for-profit that manages the neighborhood  
22          focus Business Improvement District along  
23          Broadway from Houston to Canal.

24                 The initiative represents commercial  
25                 and residential interests within our corridor

1           equally. On the topic of the proposed  
2           rezoning, commercial property owners and  
3           those in the business community generally  
4           welcome the long overdue changes to legalize  
5           retail. But the vast majority of residents I  
6           speak with do not support the rezoning as it  
7           currently stands, for a number of reasons.  
8           Given the diversity of perspectives, we are  
9           seeking to make changes to improve the  
10          proposal.

11                 First, the initiative recommends  
12          modifications to the proposed text to better  
13          align building height and bulk regulations  
14          with the existing building stock in the  
15          historic district. We have prepared a  
16          detailed map study, which we will submit for  
17          the Commission's review.

18                 For buildings along Broadway, we  
19          recommend a maximum FAR of 7.2 for  
20          residential use; 6.5 FAR for community  
21          facility uses; and 6.0 for commercial and  
22          manufacturing uses. For height restrictions,  
23          we recommend reducing the proposed maximum  
24          building height from 205 to 125 feet. The  
25          maximum street wall height from 145 to 105

1 feet.

2 Our proposed changes to the plan would  
3 ensure that income-restricted units developed  
4 through the MIH program would not only help  
5 achieve affordable housing goals in the City,  
6 but would also be contextual with the  
7 existing building stock.

8 Second, the initiative believes that  
9 as-of-right retail use is appropriate  
10 throughout SoHo and NoHo and should be done  
11 in a way that maintains the mixed-use  
12 character of SoHo. The retail vacancy rate  
13 within our bid is currently at 30.4 percent,  
14 which represents an increase of 18.4 percent  
15 since 2018 when our vacancy rate was just  
16 under 15 percent.

17 The current rules governing retail are  
18 complicated and expensive, making SoHo  
19 attractive to established businesses that can  
20 afford to hire the consultant teams needed to  
21 follow these rules. Rules governing retail  
22 should not make it harder for a business to  
23 locate in SoHo than in other parts of the  
24 City. Rules applying to retail should be  
25 easy to follow and help attract and retain

1 businesses to this important part of the  
2 City.

3 Therefore, along Broadway, we support  
4 unrestricted as-of-right on the second floor  
5 and below, consistent with the floor area of  
6 buildings on those floors. Above the second  
7 floor, the initiative supports allowing  
8 low-impact retail uses; such as yoga studios,  
9 galleries, and spas without special permit.  
10 Folks have spoken with you about issues with  
11 the arts fund, which we share.

12 Lastly, I'd like to talk about calling  
13 on the City to develop a comprehensive  
14 approach to address quality of life issues.  
15 We stand ready to work with the City,  
16 Department of Sanitation or DOT to resolve  
17 those issues, with both long and short-term  
18 solutions.

19 Thank you.

20 CHAIR LAGO: Thank you, Mr. Dicus.

21 Commissioner Levin.

22 MS. LEVIN: Mr. Dicus, does the  
23 initiative have a position on large scale  
24 retail, the notion of removing the cap on  
25 retail?



1 MR. DICUS: Yeah. So we support retail  
2 as-of-right without size restriction on the  
3 second floor and below. We don't think that  
4 10,000 square feet is some magic line that  
5 when you cross, it automatically generates  
6 quality of life issues.

7 Those quality of life issues are  
8 generated because these mix of uses; office,  
9 retail and residential, they are all  
10 happening right on top of each other and we  
11 need to have a comprehensive approach from  
12 the City and, you know, the BI can be a  
13 partner to address those issues.

14 But yeah, to answer your question --  
15 no, we don't. On Broadway, we support  
16 unrestricted retail on the second floor and  
17 below.

18 MS. LEVIN: Thank you.

19 CHAIR LAGO: Commissioner Ortiz.

20 MS. ORTIZ: That was the questions I  
21 was going to ask as well. But a follow-up  
22 question: What has -- you know, one concern  
23 that's been raised is that, you know, the  
24 impact of that change in the zoning will  
25 affect the ability to attract smaller tenants

1 to SoHo.

2 What do you say to folks who make that  
3 point?

4 MR. DICUS: Well, I think SoHo right  
5 now is a place -- because the rules are  
6 complicated and it's such an established  
7 retail market, that it's really only the  
8 well-funded retail establishments that can  
9 really -- that can afford to follow those  
10 rules.

11 I think taking those restrictions away  
12 and allowing retail, at least in our view of  
13 second floor and below, will make it more  
14 attractive for small, medium, and large scale  
15 retail. Those rules will not be in place.  
16 They will not -- you know, you don't want to  
17 have to hire an architect, lawyer, et cetera,  
18 lobbyist, to go through that approval  
19 process.

20 And we think that flexibility will  
21 attract -- will help attract a more diverse  
22 mix of retailers to the neighborhood. And  
23 that flexibility will allow property owners  
24 and businesses to be creative in doing that.

25 MS. ORTIZ: Thank you.

1 CHAIR LAGO: Thank you, Mr. Dicus.

2 Our next speaker is Christopher Marte,  
3 followed by Hew Evans.

4 MR. MARTE: Hi, everyone. Thank you  
5 for being here. Thank you for hosting this  
6 meeting. My name is Christopher Marte. I'm  
7 the state committee member at the 65th  
8 Assembly District and the democratic nominee  
9 for City Council.

10 I strongly oppose the City proposals to  
11 upzone SoHo, NoHo and Chinatown. This is not  
12 an application that will create affordable  
13 housing. As we've seen and as we've heard,  
14 one might not have any affordable housing.  
15 This doesn't protect small businesses. We  
16 haven't heard any initiatives of how we're  
17 going to promote and keep small business  
18 thriving throughout all three communities.

19 This is not going to improve the  
20 quality of life. If anything, it's going to  
21 bring more construction to this city, which  
22 is going to create an adverse effect on our  
23 infrastructure. And as we saw last night,  
24 our infrastructure can't even cope with what  
25 we have now.

1 But I'm going to put a more detailed  
2 testimony in my submission. What I want to  
3 talk about today is what the executive  
4 director of City Planning said earlier this  
5 week, when she called this process one of the  
6 most race-driven process by the community.  
7 Which I completely disagree. That was the  
8 same narrative of why they started this  
9 upzoning. They said, "We wanted to bring  
10 racial justice and equity to this community."

11 And for an executive director to say  
12 that, after the community spent two years  
13 working, studying, trying to figure out how  
14 to make this community much more affordable,  
15 how to protect tenants, how to not displace  
16 tenants, what we saw was that the City just  
17 ignored us completely.

18 And after seven years of this  
19 administration upzoning communities of colors  
20 throughout the City and using MIH as a stone  
21 to say, "We will build affordable housing.  
22 We will keep all these communities  
23 affordable."

24 When we look at the last census that  
25 came out, it showed that neighborhoods in

1 Brooklyn had become richer and whiter. And  
2 so, when we look at this plan, when we look  
3 at one of the communities that was completely  
4 ignored, not even on the title or any page of  
5 the DEIS, Chinatown.

6 How do we not expect the same thing to  
7 happen that's been happening for seven years  
8 to happen in this community? The City even  
9 whitewashed the name calling it SoHo East,  
10 not Chinatown. They held one outreach  
11 meeting, and you know how many people  
12 attended? One person. That is systemic  
13 racism. That is institutional racism.

14 The City knows who are the community  
15 leaders. The City knows the people to reach  
16 out to. We all showed up when they wanted to  
17 build a mega jail. We all protest. It would  
18 have been one phone call to do outreach for  
19 that community. However, the City ignored  
20 it.

21 And as Gale said earlier today, there's  
22 still too many questions to have gone  
23 unanswered. Why are we going to make a  
24 decision on this plan when we don't know  
25 about the flip tax, or we don't know whether

1           it's going to displace residents or not, or  
2           whether it's going to displace more  
3           businesses or not, or whether NYU is going to  
4           take advantage of this deal and build more  
5           commercial spaces, school space and  
6           dormitories. This is so much in the air --

7           CHAIR LAGO: Mr. Marte, I'm afraid that  
8           your time is up. But thank you for  
9           submitting your longer testimony and for  
10          coming here today to testify.

11          MR. MARTE: And I hope you reject this  
12          application.

13          Thank you.

14          CHAIR LAGO: Our next speaker is Hew  
15          Evans, and to be followed by Alexandr  
16          Neratoff.

17          MR. EVANS: Hi. I'm Hew Evans. My  
18          pronouns are they/them/theirs, and I'm  
19          speaking on behalf of Village Preservation  
20          today.

21          Projections about the affordable  
22          housing this plan will produce is based on  
23          the City's claims that no developer will  
24          choose to just pay into our fund, rather than  
25          include affordable housing as they're allowed

1 to for developments with 25,000 square feet  
2 of residences or less.

3 The Department's main argument is that  
4 no developer has chosen to do this so far.  
5 But as per documentation that we've  
6 submitted, that's an outlandish basis for  
7 arguing that it won't happen here.

8 By far, the majority of those other  
9 developments the Department cites had  
10 additional public funding, making them a  
11 hundred percent affordable. So paying into a  
12 fund to avoid it including affordable housing  
13 just wasn't an option. And all those other  
14 developments were located in much weaker  
15 housing markets, where market-rate units come  
16 in fairly similar or even slightly lower  
17 rents than the affordable units, providing  
18 little incentive to pay into a fund to avoid  
19 providing affordable units.

20 But in SoHo and NoHo, market-rate units  
21 bring in astronomically higher rents or sales  
22 prices than affordable ones, giving  
23 developers huge financial incentives to limit  
24 their residential space to 25,000 square  
25 feet, pay into the fund and avoid providing

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1 any affordable housing. If they have unused  
2 floor area, they'll simply fill the rest of  
3 the building with lucrative retail, office,  
4 hotel, or community facility space, which has  
5 no affordable housing requirement.

6 As many locations, such as around Canal  
7 Street or Broadway or the Bowery, where many  
8 of the projected development sites are  
9 located, having nonresidential uses on these  
10 lower floors makes sense, even without the  
11 perverse incentive from this plan to limit  
12 residential use to 25,000 square feet. Doing  
13 so will allow developers to lift residents up  
14 above these noisy streets to where they will  
15 command the best use and highest prices.

16 The Department continues to deny these  
17 clear economic facts, making demonstrably  
18 false predictions about the likelihood of  
19 affordable housing resulting from this plan.  
20 It seems the Department's miserable track  
21 record of accurately predicting the results  
22 of its rezoning is poised to continue here.  
23 This is just one more reason why we strongly  
24 urge you to vote "No" on this plan.

25 Thank you for your time.



1 VICE CHAIR KNUCKLES: Thank you.

2 Alexandr Neratoff, who will be followed  
3 by Kathleen Wickham.

4 MR. NERATOFF: Good afternoon,  
5 Commissioners. Alexandr Neratoff. I'm a  
6 practicing architect, living and working in  
7 SoHo for 41 years. And I was also the -- an  
8 alternate member of the advisory board.

9 The Envision process started out well  
10 enough. We talked about revitalizing an art  
11 community, finding ways to make new parts of  
12 it affordable. We talked about its live-work  
13 mixed-use nature and its environmental  
14 efficiencies. We talked about creating new  
15 types of artist housing and covert spaces,  
16 subsidized by the high values achieved by  
17 market-rates with eventual loss in this great  
18 neighborhood.

19 But what happened? Why didn't you  
20 continue to work with us to come up with a  
21 scheme that actually works? Take what should  
22 have been the simplest issue, making Joint  
23 Live Work Quarters for Artists available to  
24 nonartist, unauthentic problem. But the way  
25 you solve this simply does not work.

1                   If I own my loft and I'm a loft tenant,  
2                   do you think that I would pay you, New York  
3                   City, \$300,000 for the right to sell to a  
4                   Google vice president who wants to walk to  
5                   work? Really? Instead, you will see a new  
6                   plan feature appearing in SoHo loft for sale,  
7                   an artist room right next to the maze room.  
8                   I guess that would be a type of affordable  
9                   housing. Seriously, and get ready to  
10                  reactivate the DCA and for a new profession,  
11                  certification consultant.

12                 Why do you think that anyone who owns a  
13                 lot in Southeast SoHo would build a  
14                 residential tower and then give 25 percent of  
15                 it away to affordable housing, when this  
16                 owner can build an office tower and keep all  
17                 of it for themselves? Why are you giving  
18                 this owner an FAR gift? Why is New York City  
19                 not getting any affordable housing back for  
20                 that?

21                 There are very few large lots in  
22                 SoHo/NoHo. Most properties are fully  
23                 developed. Most existing lots are 25 by 100.  
24                 The way this proposal is written, at least  
25                 one floor and penthouse could be added to

1 almost every loft building in SoHo/NoHo  
2 without triggering any MIH. Double buildings  
3 and larger properties would get divided into  
4 smaller lots and those that are likely to be  
5 the only sites that will see any new  
6 residential conversion all without MIH.

7 None of this works to satisfy any  
8 initial goal we discussed. This is a  
9 disaster. A result of a failure to set clear  
10 and defined goals to be transparent, to  
11 understand the nature of this neighborhood.  
12 And to apply progressive planning theory does  
13 not have to be this ugly.

14 It took a few months. I listened to  
15 and worked with a lot of people and they  
16 worked it out, eight pages, they've submitted  
17 a written testimony. For example, the key  
18 for sales on existing Joint Live Work  
19 Quarters for Artists is not to have to change  
20 the C of O --

21 VICE CHAIR KNUCKLES: Mr. Neratoff,  
22 your three minutes has expired. We'd be glad  
23 to receive your written comments. And I  
24 thank you for your testimony.

25 MR. NERATOFF: Thank you.

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1 VICE CHAIR KNUCKLES: Kathleen Wakeham?

2 CO-HOST: Kathleen is not in the room.

3 VICE CHAIR KNUCKLES: David Lawrence?

4 (No response.)

5 VICE CHAIR KNUCKLES: Todd Fine?

6 MR. LAWRENCE: Can you hear me?

7 VICE CHAIR KNUCKLES: Is that David  
8 Lawrence?

9 MR. LAWRENCE: Yes, it is.

10 VICE CHAIR KNUCKLES: Okay.

11 Mr. Lawrence and then Todd Fine.

12 MR. LAWRENCE: Okay. Great. Thank you  
13 for allowing me to testify today. Throughout  
14 this process, we've asked DCP to share the  
15 data upon which this entire premise is built,  
16 and they have refused to do so almost every  
17 single time.

18 There recently was a FOIL request,  
19 which was granted just a few days ago, and I  
20 would like to deal with the artist tax,  
21 which, you know, is incredibly unfair. DCP  
22 argues that the artist tax is justified  
23 because JMWQA spaces sell for less than  
24 non-JMWQA spaces in SoHo.

25 We asked a professional financial

1 analyst to review their raw data and try to  
2 figure out the methodology of how they came  
3 to this figure, and he could not find any  
4 difference at all. What we concluded was  
5 that the co-ops sell for less than condos and  
6 that is a phenomenon that's prevalent  
7 throughout our city, not just SoHo and NoHo.

8 And so this is a case where DCP is  
9 trying to make the artist the bogeyman here  
10 and say -- oh, you're rich and you have to  
11 pay more. But, in fact, this is a phenomenon  
12 that's across the board, so I'm a  
13 hundred-percent against this. I also think  
14 that there's a lot of confusion on the City's  
15 side, particularly about this instance.

16 My colleague, Eugene Yoo, who spoke a  
17 few minutes ago, unfortunately, was unable to  
18 finish his presentation. The point that he  
19 was about to make was that at the review  
20 session on Monday, there was a PowerPoint  
21 presentation made. And in it, it said -- oh,  
22 there was a comment on the explanation  
23 saying -- this is a personal note, which was  
24 not meant to be part of the presentation.

25 It say, "The average unit will

1 contribute roughly \$2,200. If 50 units were  
2 sold each year, this would result in  
3 \$11 million being contributed to the arts  
4 fund each year for the next 20 years or so."

5 So, I guess the question is, which came  
6 first, the \$100 per square foot determination  
7 or the fact that the arts fund wanted to make  
8 \$11 million a year for 20 years?

9 Again, going back to what Eugene  
10 attempted to start with. In the  
11 presentation, on page 48, under 143-13 Joint  
12 Live Work Quarters for Artists it states, in  
13 part, "The contribution amount should be \$75  
14 per square foot of floor area to be charged  
15 from a Joint Live Work Quarter for Artists to  
16 a residential use as of the date of the  
17 adoption and shall be adjusted by the  
18 chairperson annually."

19 The \$75 figure quoted there is news to  
20 me.

21 VICE CHAIR KNUCKLES: Time.

22 MR. LAWRENCE: And I'm sure everyone --

23 VICE CHAIR KNUCKLES: Mr. Lawrence?

24 Mr. Lawrence, your three minutes has expired.  
25 You are welcome to submit your testimony in

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1 writing.

2 Thank you, sir.

3 MS. ORTIZ: I have a --

4 VICE CHAIR KNUCKLES: You have a  
5 question?

6 MS. ORTIZ: More of a comment than a  
7 question.

8 I just wanted to let you know that in  
9 review sessions, you know, a number of  
10 commissioners have asked questions about the  
11 fund. You know, we recognize that a lot of  
12 the details have not been worked out. We've  
13 expressed concerns about that and I think we  
14 all want to see more information about how  
15 the fund is being administered, what it's  
16 used for, you know.

17 I think that remains a point of  
18 consideration, so I just wanted to let you  
19 know that.

20 MR. LAWRENCE: Thank you very much for  
21 that.

22 VICE CHAIR KNUCKLES: Thank you.

23 Thank you, Commissioner Ortiz.

24 Todd Fine.

25 MR. FINE: Thank you.

1 Across Brooklyn, across New York City,  
2 there are people who are crying about the  
3 demolition of Grand Prospect Hall; the 1892  
4 opera house for German immigrants. And I  
5 actually hold you responsible because you are  
6 indicating doing a major rezoning in Gowanus,  
7 that area exactly. And just like this  
8 rezoning, LPC is doing nothing. They haven't  
9 done individual landmarks.

10 In this case, we're talking about the  
11 most important historic districts in the  
12 entire world. In the entire world. I mean,  
13 maybe top twenty, thirty, forty of major  
14 urban areas.

15 LPC never had a session with the  
16 public. LPC was not here today. LPC has not  
17 landmarked a single individual building in  
18 the vicinity or in the outside that could be  
19 under threat. LPC has not given any advice  
20 on the contextual standards that the Envision  
21 process prompts. LPC doesn't have any  
22 opinion about the idea of upzoning a historic  
23 district, and we can't get their  
24 commissioners or their executive director to  
25 participate in this process at all.



1                   Maybe because they're actually opposed  
2                   to it and they just are embarrassed for their  
3                   professional credibility to be involved. I  
4                   don't know. But I know that your agency is  
5                   -- cannot pass a major rezoning of one of the  
6                   most important historic districts in the  
7                   world without the agency that created the  
8                   historic district to be part of it. I mean,  
9                   you would be a laughingstock in every history  
10                  book of landmark preservation, of urban  
11                  planning, ever. It just can't happen. It  
12                  needs to be started again with LPC and it  
13                  can't just be -- it's not about just the  
14                  rezoning. It's the periphery.

15                 For instance, 241 Canal Street, you  
16                 know that big, red pagoda bank, the grand  
17                 Golden Pacific National Bank and the  
18                 Starbucks, beautiful Chinese -- that's going  
19                 to be destroyed under the plan. There hasn't  
20                 been any discussions about it. We're just  
21                 going to destroy famous Chinatown landmarks.  
22                 It's part of the rezoning, as everyone knows  
23                 it, but nobody is commenting on it. There's  
24                 no hearing. There's nothing.

25                 So this process has to include LPC. It

1           can't go forward as termed. It's gotta be  
2           scrapped and LPC needs to be involved. There  
3           is no alternative, is there? I mean, how can  
4           you finish it if LPC isn't -- doesn't  
5           participate? I'd like somebody to explain  
6           this to me.

7                     I mean, I'm a historian of a Little  
8           Syria neighborhood, Lower Manhattan. You've  
9           heard me talk about 5 World Trade Center.  
10          There's other opportunities, but you can't  
11          endanger New York's industry this way. And  
12          the crying over Grand Prospect Hall is going  
13          to be crying of people in Chinatown and SoHo  
14          to see these really important buildings  
15          destroyed with you guys not caring about it.  
16          I mean, this is things people love all around  
17          the world.

18                    Thank you.

19                    VICE CHAIR KNUCKLES: Thank you.  
20          Question, sir.

21                    MS. LEVIN: No, not a question, just an  
22          observation.

23                    I have had that same question in my  
24          mind, what's the role of LPC here? I should  
25          have asked at the review session. I'll

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1                   certainly be asking it in the follow-up.

2                   MR. FINE:    Yes.   No one knows.

3                   VICE CHAIR KNUCKLES:   Thank you.

4                   Amit Solomon?   Amit Solomon, to be  
5 followed by Rainer Judd.

6                   MR. SOLOMON:   Good afternoon.   Can you  
7 hear me?

8                   VICE CHAIR KNUCKLES:   You, sir, are?  
9 Are you Amit Solomon?

10                  MR. SOLOMON:   Yes.

11                  VICE CHAIR KNUCKLES:   Thank you.  
12 Proceed.

13                  MR. SOLOMON:   Thank you for letting me  
14 speak today.   I'm commenting as a NoHo  
15 resident, but also as a PhD econometrician.  
16 I'm going to comment on the JLWQA conversion  
17 fee.

18                  So, after much delay, we were finally  
19 able to obtain the study in the data that DCP  
20 used to justify the proposed conversion fee  
21 of \$100 a square foot.   This fee will result  
22 in assessment, according to my calculation,  
23 almost half a billion dollars levied on the  
24 existing SoHo and NoHo long-term residents,  
25 with the proceeds going almost entirely

1 outside of SoHo and NoHo. I'll say DCP was  
2 not forthcoming with this information.

3 It required a freedom of information  
4 request, an appeal, and a protest on the  
5 appeal. And even then, the information was  
6 only given five days, five business days  
7 before this hearing. Well, what we found is  
8 some serious data errors, which makes the  
9 entire study not just unreliable but biased.  
10 DCP included dozens of non-market JMWQA  
11 transactions; such as transactions due to  
12 divorce or inheritance are in the study,  
13 including some with prices as low as \$90 per  
14 square foot.

15 The City included transactions for  
16 commercial and retail space as part of JMWQA  
17 sales, including for basement space. And in  
18 the comparison group that is named regular or  
19 loft, the City included a large number of  
20 massive renovated penthouses and with the  
21 majority of the group being condos, rather  
22 than co-ops. Well, as they say, "garbage in,  
23 garbage out."

24 In other words, the inclusion of this  
25 irrelevant sales data of JMWQA units and a

1 large proportion of penthouses and condos in  
2 the comparison group invalidates this study.  
3 When these errors are taken out, there is no  
4 statistically significant difference  
5 whatsoever between JLWQA units and those  
6 labeled regular or loft. None.

7 For all intents and purposes, the price  
8 per square foot is the same. Since this  
9 study is the only justification DCP provided,  
10 the support of this fee, the only reasonable  
11 course of action for you is to eliminate this  
12 fee in its entirety. I also wanted to point  
13 out that no such study was conducted as to  
14 the appreciation of developing lots the  
15 rights of property owners. There is no fee  
16 proposed on what will be a massive  
17 appreciation in value.

18 Thank you.

19 VICE CHAIR KNUCKLES: Thank you.

20 Rainer Judd? Rainer Judd, to be --

21 MS. JUDD: Hi, I'm here.

22 VICE CHAIR KNUCKLES: Okay. Thank you.  
23 To be followed by Sam Moskowitz.

24 Please proceed. Thank you.

25 MS. JUDD: Thank you. I'm Rainer Judd.

1 I'm president of Judd Foundation. And I want  
2 to thank Chair Lago and the commissioners for  
3 the opportunity to testify today.

4 Judd Foundation is a not-for-profit,  
5 founded by the will of artist Donald Judd.  
6 We own 101 Spring Street, a permanently  
7 installed building with art of Judd's and  
8 other artists of his time; the time being the  
9 '60s and '70s.

10 None of our staff or our board members  
11 live in SoHo. However, we support those who  
12 currently do live there. And I agree with  
13 Anita Brandt from CB2 that this challenge is  
14 an opportunity for us to work together to  
15 secure the distinct and unique future for the  
16 community of SoHo and the continuos  
17 neighborhoods.

18 And I want to thank the hard work of  
19 community members, you all, borough  
20 presidents, many elected officials, CB2,  
21 Village Preservation, Cooper Square, NoHo  
22 Bowery Stakeholders, Youth Against  
23 Displacement, Out of Chinatown, Sierra Club  
24 and so many others.

25 Judd Foundation is committed to our

1 community of artists and low-income  
2 residents. I, myself, was born at 101 Spring  
3 Street in 1970. My parents, Donald Judd and  
4 Julie Finch, bought 101 Spring Street in 1968  
5 for \$68,000. It's a five-story cast-iron  
6 building, architect, Nicholas White. They  
7 were cofounders of Artist Against the  
8 Expressway in the '60s that opposed the  
9 City's plan to raise multiple boxes of  
10 cast-iron buildings.

11 Artists and residents were not  
12 supported at all by the City when they  
13 inhabited and bought buildings, fought for  
14 them and saved them. The idea that artists  
15 should be charged now is appalling. Charging  
16 a fee to luxury residents and retailers would  
17 make more sense.

18 It is important to keep in the  
19 forefront historic preservation, its value  
20 and its challenges while continuing to  
21 support current rent-controlled residents and  
22 affordable housing. No more luxury housing,  
23 no new offices, please, no demolition. Judd  
24 Foundation spent ten years in planning and  
25 two years of work to restore our building at

1           101 Spring Street. It is expensive to upkeep  
2           and restore these magnificent buildings, and  
3           we're happy to share our experiences of the  
4           challenges and resources available for  
5           historic preservation with anyone who would  
6           like to ask us.

7                   And before I wrap up, I want to mention  
8           something that I would consider as a city  
9           leader, if I were a city leader, that the  
10          income these neighborhoods bring to the City  
11          will be diminished in parallel as the  
12          historic quality diminishes in the process of  
13          demolition and development.

14                   And in wrapping up, I'd like to bring  
15          your attention to a letter that I quite  
16          admire that was sent to you all, dated  
17          March 25, 2021, from the National Trust for  
18          Historic Preservation. Happy to send it to  
19          you again. It was sent to the Mayor and  
20          Chair Lago.

21                   And it ends with "The SoHo/NoHo  
22          neighborhood plan includes a dramatic  
23          increase in FAR that would impact the  
24          56-block, 146-acre project area, 80 percent  
25          of which overlaps the boundaries of six



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1 historic districts, including the SoHo  
2 cast-iron historic district. According to  
3 our local partners at the Municipal Art  
4 Society, the most recent September 2020 --"

5 CHAIR LAGO: Ms. Judd? Ms. Judd?

6 MS. JUDD: Yes.

7 CHAIR LAGO: I'm afraid your  
8 three minutes is up.

9 MS. JUDD: Okay.

10 CHAIR LAGO: Thank you for having  
11 submitted it before. And we'll make sure it  
12 is available to all the commissioners.

13 MS. JUDD: Thank you so much.

14 CHAIR LAGO: Thank you for testifying.  
15 Our next speaker is Sam Moskowitz, to  
16 be followed by Spencer Williams.

17 MR. MOSKOWITZ: Can you hear me okay?

18 CHAIR LAGO: Yes. Welcome.

19 MR. MOSKOWITZ: Okay. Hi. My name is  
20 Sam Moskowitz, and I'm speaking on behalf of  
21 Village Preservation, formerly the Greenwich  
22 Village Society for Historic Preservation.  
23 And we strongly urge you to reject the  
24 SoHo/NoHo rezoning plan.

25 It is full of lies, distortions, and

1           misrepresentations about the affected  
2           neighborhoods and what it would do. It's  
3           also full of blatant giveaways to the mayor's  
4           developer, donor friends who've lobbied for  
5           it, while masquerading as a social justice  
6           and affordable housing plan.

7                     That's why housing and tenant groups,  
8           like the Met Council on Housing and Tenants  
9           Pac, strongly oppose it. That's why over  
10          7,500 New Yorkers, through our website alone,  
11          have written you, urging you to reject it.

12                    How can you justify a plan that would  
13          allow the construction of over 10 million  
14          square feet of space in a small area, but  
15          only accounts for about a third of it being  
16          built? How can you justify a plan which  
17          allows big-box chain retail stores of  
18          unlimited size, NYU dorms, huge office towers  
19          and hotels, and luxury condos and rentals  
20          with zero affordable housing, as long as they  
21          don't exceed 25,000 square feet per zoning  
22          odd?

23                    How can you justify a plan which would  
24          likely create little or no affordable housing  
25          due to multiple loopholes but would

1           potentially displace hundreds of lower-income  
2           tenants, disproportionately seniors, artists,  
3           and Asian Americans, and permanently  
4           destroyed their rent-regulated affordable  
5           housing? How can you justify allowing  
6           development up to two and a half times the  
7           size currently allowed here? How can you  
8           justify a plan which literally erases  
9           Chinatown, renamed here "SoHo East" and  
10          targets the largest upzonings and  
11          displacements for that area?

12                 This plan will not make these  
13          neighborhoods, or our city, more equitable,  
14          fair or affordable. It will eviscerate parts  
15          of Chinatown, destroy the scale and character  
16          of nationally and internationally recognized  
17          historic neighborhoods, help push out the  
18          roughly one third of rezoning area residents  
19          who make less than the City average income  
20          and make these neighborhoods richer, more  
21          expensive and less diverse than they are now.

22                 Do not simply accept the misleading,  
23          incomplete and skewed data and analysis from  
24          the Department about the rezoning. For the  
25          sake of SoHo, NoHo, Chinatown and all of

1 New York City, please reject this plan.

2 Thank you.

3 CHAIR LAGO: Thank you, Mr. Moskowitz.

4 Our next speaker is Spencer Williams,  
5 to be followed by Julie M. Finch.

6 MR. WILLIAMS: Good afternoon,  
7 Commissioners. My name is Spencer Williams,  
8 speaking with the Municipal Art Society of  
9 New York. Thank you all for the opportunity  
10 to comment today.

11 The City's SoHo/NoHo proposal comes on  
12 the heels of other neighborhood rezoning  
13 efforts that have largely been concentrated  
14 in the lower-income communities of color.  
15 SoHo and NoHo, like all neighborhoods  
16 throughout the City, have a responsibility to  
17 help address New York City's housing crisis  
18 and advance fair housing.

19 The City's Where We Live Report  
20 highlights the serious and strategic  
21 opportunity to bring housing choices to a  
22 wealthier, higher opportunity neighborhood.  
23 However, the current proposal misses the  
24 opportunity to establish the additional tools  
25 that are needed until there's a zoning to

1           effectively manage the change, while  
2           supporting existing residents and businesses  
3           through the process of encouraging additional  
4           density of affordable housing.

5           A successful housing plan should be  
6           measured by how well it increases net  
7           affordability and housing choice, not just an  
8           increase in unit production, to ensure that  
9           the area is liveable for people of all  
10          incomes with full access to stores, transit,  
11          and schools.

12          MIH alone is a blunt zoning tool that  
13          lacks the sufficient nuance to effectively  
14          address the socioeconomic complexities of  
15          SoHo/NoHo. While the requirement of new  
16          affordable units triggered by MIH is an  
17          important tool, more is needed; affordable  
18          housing production, historic preservation  
19          protections can coexist and be mutually  
20          beneficial. Ultimately, historic districts  
21          help manage change, not prevent it.

22          A more contextual planning approach  
23          could be achieved by scaling back the  
24          proposed zoning across the entirety of the  
25          project area, particularly the commercial

1           uses. To successfully infuse economic and  
2           racial diversity, the City must also  
3           prioritize other strategies to increase  
4           production, including site acquisition and  
5           new unit production through partnerships.

6           The City must do more to facilitate  
7           deeper and broader affordability across all  
8           income scales and maximize housing choice  
9           within the neighborhood.

10          Eighty percent of the rezoning area is  
11          within historic districts, 73 historic  
12          architectural resources are -- have been  
13          identified that are on the state and national  
14          resource list that are expected to be  
15          demolished under the plan. We are confident  
16          the Draft Environmental Impact Statement has  
17          not addressed the full extent of potential  
18          development and the subsequent impacts.

19          Non-landmark districts should have a  
20          greater guidance for shaping new development  
21          and relating to the historic resources, like  
22          the Bowery Historic District, the Samuel  
23          Tredwell Skidmore House and the Old  
24          Merchant's House.

25          The City should collaborate and work

1 well with LPC, SHPO, and other key  
2 stakeholders to identify priority resources  
3 and develop tools protections and design  
4 guidelines that can more fully mitigate areas  
5 of interest that fall outside of the  
6 protection under the local landmarks law.

7 I thank the members of the Planning  
8 Commission for your thoughtful review of this  
9 proposal. I encourage you to take a wider  
10 view beyond zoning to adequately increase  
11 housing choice, expand access to opportunity,  
12 respect the area's historic resources, and  
13 ultimately make the neighborhood more livable  
14 for artists, residents and smaller  
15 businesses.

16 CHAIR LAGO: Thank you for testifying,  
17 Mr. Williams.

18 Our next speaker is Julie M. Finch, to  
19 be followed by Michael Rayhill.

20 MS. FINCH: Hello.

21 CHAIR LAGO: Welcome.

22 MS. FINCH: I was the chair of Artist  
23 Against the Expressway. And I am shocked,  
24 completely shocked, that this cast-iron  
25 historic district is being gobbled up with

1 different planned towers in the middle of  
2 this beautiful cast-iron district.

3 What the heck is going on? We fought  
4 to save this cast-iron district. We kept an  
5 expressway from going through it, and now  
6 what? Also, I'm very concerned about  
7 Chinatown. And how dare you, how dare your  
8 staff call it SoHo East? That is crazy.

9 I am very proud of my daughter who  
10 spoke just recently, and I want to say that  
11 the limit of the zoning, the height of the  
12 zoning should be 125 feet. No more. And we  
13 should keep the cap on 5,000 square feet and  
14 10,000 square feet of commercial space.  
15 Without subsidies, there will be hardly any  
16 affordable housing built. And as Chinatown  
17 is an historic place, it's not something that  
18 you can just gentrify and tear down and send  
19 all those aged people out.

20 Where are they going to go? I approve  
21 of the CB2 alterative plan and the Cooper  
22 Square plan. And I think the arts fee is a  
23 punitive penalty and I think it's vengeful.  
24 And I knew -- sorry. Excuse me. I knew when  
25 there were advisory committees and public



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1           hearings and all that claptrap for the last  
2           year or two, I knew it was a phony plan. I  
3           knew you were just gonna -- the City Planning  
4           Commission would just go ahead and do what  
5           the mayor wants and what his REBNY developer  
6           friends want. And I'm against this plan.

7                     Thank you very much.

8                     CHAIR LAGO: Thank you for taking the  
9           time to testify, Ms. Lynch -- Ms. Finch.  
10          Apologies.

11                    Our next speaker is Michael Rayhill, to  
12          be followed by Marna Lawrence.

13                    MR. RAYHILL: Hello. Just a moment.  
14          Hi. My name is Michael Rayhill. I'm a  
15          resident of Manhattan, an interior designer  
16          and an architectural historian who  
17          specializes in the history of NoHo.

18                    I respectfully request that the City  
19          Planning Commission vote "No" on the current  
20          upzoning of Chinatown, NoHo, and SoHo  
21          proposal, as it is insufficient in its  
22          current state. There needs to be more  
23          built-in protections and minimum guarantees  
24          for affordable housing in new development,  
25          not just wishful incentives.

1           The reason we're even having this  
2           discussion is another glaring example of  
3           runaway developments' pernicious minimizing  
4           of environmental and uncompensated public and  
5           long-term cultural costs, an advancement of a  
6           recklessly cavalier agenda bent on subverting  
7           community consensus and engendering backroom  
8           Gilded Age deal-making.

9           This would simply be another way for  
10          developers to circumnavigate existing secret  
11          law. Need I remind you that in SoHo alone is  
12          the best preserved but fragile historic  
13          interiors of the Merchant's House Museum,  
14          they're still under threat, as is the  
15          structure itself, by developer looking next  
16          door.

17          Development should proceed in tandem  
18          with those who will be impacted the most  
19          having a seat at the table, generating the  
20          new terms, not pushed through as an "a fait  
21          accompli" for the developers. Instead of  
22          naively tipping the scales in full favor to  
23          developers under the misguided hope that they  
24          will mercifully carve out community  
25          concessions in their empty monolith of

1 stratified luxury, do the work righting the  
2 wrongs of centuries of racist and inequitable  
3 housing practices.

4 New York is one of the most segregated  
5 cities in the country. Specifically, it  
6 ranks as the ninth most segregated city in  
7 the country, according to a June study at the  
8 Othering and Belonging Institute at the  
9 University of California Berkeley.

10 The pandemic has disproportionately  
11 affected communities of color and the  
12 multigenerational families and businesses of  
13 Chinatown have had to endure incredible  
14 hardships during the time. Voting for this  
15 upzoning will unquestionably shift what  
16 agency and equity is still community-centered  
17 to the pitless realm of Wall Street hedge  
18 funds.

19 Voting "No" is the only path forward to  
20 ensuring a harmful and problematic legacy of  
21 civic abandonment and plutocratic zeal are  
22 put at bay in service of the individuals,  
23 small businesses, and families who actually  
24 live in apartments and invest back in their  
25 communities, and not empty condos owned by

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1 shell corporations. Trickle-down development  
2 does not work.

3 Thank you for your time.

4 CHAIR LAGO: Thank you for testifying,  
5 Mr. Rayhill.

6 Our next speaker is Marna Lawrence, to  
7 be followed by Cherie Ward.

8 MS. LAWRENCE: Can you hear me?

9 CHAIR LAGO: Yes. Welcome.

10 MS. LAWRENCE: I live in a special  
11 Little Italy district neighborhood -- another  
12 disappearing act, apparently -- on Cleveland  
13 Place, the block that is the eastern side of  
14 Petrosino Park Square, directly across from  
15 SoHo.

16 What happens on the western side of  
17 Petrosino Park on Lafayette Street affects  
18 all that happens on the eastern side on  
19 Cleveland Place and vice-versa. I'll take a  
20 moment to speak on behalf of my neighborhood  
21 of Little Italy.

22 Demographic studies indicate that many  
23 Little Italy residents are middle or  
24 lower-income who continue to live in  
25 relatively affordable housing. There is too

1 little focus on how -- no focus, on how the  
2 SoHo/NoHo rezoning could also impact the  
3 special Little Italy district.

4 I say this because, already, there's a  
5 great deal of pressure on my block to amend  
6 the split zoning, which protects the  
7 residential character of the neighborhood and  
8 open space. I refer to the Kenmare Square,  
9 LLC application to amend the zoning at 22 and  
10 25 Cleveland Place in order to built an  
11 outsized eight-story commercial building.

12 The Department of City Planning held a  
13 hearing in February and has yet to call the  
14 vote. One must wonder why it is taking so  
15 long. I wonder, could it be because the DCP  
16 is waiting for the onset of construction when  
17 it already approved new development across  
18 the street on Lafayette Street? Which would  
19 in turn give more incentive and permission to  
20 developers who have their eyes on Petrosino  
21 Park to build bigger and create an  
22 entertainment center, which in turn would  
23 displace most or all the residential units in  
24 the vicinity.

25 Chapter 21 regarding mitigation heeds

1 many negative environmental impacts the  
2 proposal could have on our parks -- open  
3 spaces, playgrounds, et cetera, but offers no  
4 solutions. This is the plan that doesn't  
5 include how it will mitigate the negative  
6 impact on real, live people.

7 On a personal note, I was already  
8 displaced for a period of time in the summer,  
9 due to an intent to constructively evict me  
10 through severe harassment. It is only  
11 because I had the residents on Cleveland  
12 Place file a lawsuit that included a  
13 temporary restraining order, that I'm in my  
14 home, or at least for now.

15 This is just one example of how  
16 policies pushed on our communities by the  
17 mayor and too many of our elect -- some of  
18 our elected officials. Thank God. Some  
19 only. Of course, the DCP, and negatively  
20 impacts New York City residents.

21 You know, I don't know why this is  
22 happening. I don't understand why the City  
23 Government of New York does not work on  
24 behalf of those residents who actually live  
25 here. Why individuals who are supposed to

1 represent our needs don't listen. But  
2 unfortunately, after attending so many  
3 workshops and meetings, take part in what's  
4 supposed to be a public process to address  
5 the rezoning of SoHo/NoHo is absolutely what  
6 I have observed and experienced.

7 One of the reasons I chose to live in  
8 this city so many years ago is because I  
9 loved and trusted our great city, made up of  
10 beautiful, varied, cultural communities, to  
11 do the right thing for those who inhabited  
12 the streets and sidewalks, office buildings,  
13 restaurants, retail stores, and residential  
14 parts of our city.

15 New York City used to be a community  
16 and civil society that was compassionate,  
17 generous, and sensitive to the needs of all  
18 of those who walked our streets and  
19 sidewalks. Unfortunately, that's not the  
20 case. Yet I show up, among all of us, again  
21 and again and again. Please, this is a cruel  
22 plan to make --

23 CHAIR LAGO: Thank you, Ms. Lawrence --

24 MS. LAWRENCE: Too many residence --

25 CHAIR LAGO: Thank you for showing up.

1 Thank you for testifying.

2 Our next speaker is Cherie Woods (sic),  
3 to be followed by Richard Moses.

4 MS. WARD: I'm Cherie Ward. And I'm a  
5 resident of SoHo. I've lived here since  
6 1999, and I vehemently oppose this upzoning  
7 rezoning and this \$100 tax.

8 It's clear that this is payback for de  
9 Blasio, for the developers. De Blasio  
10 allowed the looters to come into SoHo. I was  
11 there. I watched. Three nights. Told the  
12 police to stand down and no touch. And he's  
13 the one behind this plan. It's no good.

14 I encourage and beg City Planning to  
15 sharpen your pencils, do something that you  
16 can be proud of, and do something that the  
17 community can be proud of. I love Soho,  
18 NoHo, Chinatown. Don't destroy this historic  
19 area. The globe enjoys SoHo, NoHo, and  
20 Chinatown. So, please, please, do the right  
21 thing and do something that you can be proud  
22 of, that people can get behind. Because this  
23 plan is not that.

24 And also with regard to the \$100 tax,  
25 it was brought up in one of the first Zoom



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1 meetings in June, that they were trying to  
2 understand where this 100-dollar figure came  
3 from. And a gentleman called the woman, as I  
4 understand it, said, "How did you come up  
5 with this figure?" And she said, "Well, you  
6 have to start somewhere." So, please.

7 CHAIR LAGO: Thank you, Ms. Ward.

8 Our next speaker is Richard Moses, to  
9 be followed by Jennifer Carlston.

10 MR. MOSES: Good afternoon,  
11 Commissioners and Madam Chair. I'm Richard  
12 Moses, president of the Lower East Side  
13 Preservation Initiative, also known as LESPI.

14 LESPI strongly opposes the mayor's plan  
15 to upzone SoHo and NoHo, which includes parts  
16 of Chinatown and the East Village. If  
17 approved, this plan would allow buildings to  
18 be build up to two and a half times larger  
19 than what was currently permitted. It would  
20 promote out of scale luxury condominiums and  
21 office buildings, destroy the character of  
22 these neighborhoods, including the historic  
23 districts, and set a dangerous precedent,  
24 threatening neighborhoods and historic  
25 districts throughout the City.

1 Included in these neighborhoods are  
2 some of New York's most popular historic  
3 districts. The plan, as it now exists, would  
4 dramatically alter the scale within those  
5 districts. It would also allow the  
6 proliferation of large chain big-box stores,  
7 making it more difficult for small  
8 independent and family-owned businesses to  
9 survive.

10 While this upzoning plan has presented  
11 a means to promote affordable housing, the  
12 specifics of the plan belie this plan. There  
13 are no provisions for explicitly middle and  
14 lower-income residents. Actually, the  
15 plan promises to make the neighborhood --

16 CHAIR LAGO: Mr. Moses? Mr. Moses, I'm  
17 afraid that your time has expired. But we  
18 would welcome your submitting your written  
19 submission.

20 MR. MOSES: It says I have a minute  
21 41 seconds left.

22 CHAIR LAGO: Oh, I apologize. The  
23 clock in the room is different, so please  
24 continue.

25 MR. MOSES: Okay. Thank you.

1                   Actually, the plan promises to make the  
2                   neighborhoods less affordable, neighborly,  
3                   and hospitable than they are now. Instead,  
4                   LESPI supports the community rezoning plan  
5                   for SoHo/NoHo, supported by many local  
6                   community organizations.

7                   This plan would help create more  
8                   affordable housing for the area while  
9                   maintaining the neighborhood character that  
10                  so many residents, businesses, and visitors  
11                  cherish. The charm and livability of New  
12                  York City lie in its neighborhoods and their  
13                  distinctive qualities. Those distinct charms  
14                  are what draw perspective residents to live  
15                  in New York and tourist to visit.

16                  Our historic districts and  
17                  neighborhoods are not only characterized by  
18                  beautiful, irreplaceable architecture, but  
19                  typically with a lower scale that allows for  
20                  light and air, particularly, important in  
21                  these times of pandemic.

22                  I respectfully urge the City Planning  
23                  Commission to defend New York City  
24                  neighborhoods and reject the SoHo/NoHo  
25                  neighborhood plan.

1 Thank you.

2 CHAIR LAGO: Thank you, Mr. Moses.

3 And again, apologies. I had the wrong  
4 clock up.

5 Our next speaker is Jennifer Carlston,  
6 to be followed by Katherine Schoonover.

7 CO-HOST: Jennifer is not here.

8 CHAIR LAGO: Okay. Then we will go to  
9 Katherine Schoonover, to be followed by  
10 Adrienne Sosin.

11 MS. SCHOONOVER: Good afternoon,  
12 Commissioners. My name is Katherine  
13 Schoonover, and I am also speaking on behalf  
14 of Village Preservation.

15 Another critical reason why this plan  
16 should be sent back to the drawing board is  
17 procedural. Almost everyone responsible for  
18 it will be out of office once it's  
19 implemented, and they know they can't be held  
20 responsible for whether or not it actually  
21 fulfill its highly, questionable promises  
22 about affordable housing.

23 Let's be clear, with every rezoning the  
24 City has implemented, they have been wildly  
25 off in their projections about what its

1 effects would be, including regarding  
2 affordable housing. Whether it's Downtown  
3 Brooklyn or East Midtown, West Chelsea, or  
4 East New York, the City has always failed to  
5 paint an even vaguely accurate picture of  
6 what their rezonings would do.

7 And if critics are correct and this  
8 plan will not only fail to produce promised  
9 affordable housing, but will instead displace  
10 low-income residents and destroy affordable  
11 housing, those responsible need to be held to  
12 account. More importantly, to help make for  
13 a better outcome, those making this decision  
14 need to know they can and will be held to  
15 account and will have to face the voters for  
16 what they have done.

17 They need to know that they can't just  
18 promise one thing with this plan and then be  
19 immune to accountability because they're  
20 immediately term-limited out of office, like  
21 the mayor and the outgoing first council  
22 district member. This decision should be  
23 left to the new City Council Member for the  
24 district and the new mayor to decide, so that  
25 they will be around to be held accountable

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1 for their decision.

2 For this and so many other reasons, we  
3 urge you to vote "No" on this irresponsible  
4 and damaging plan.

5 Thank you.

6 CHAIR LAGO: Thank you, Ms. Schoonover.  
7 Our next speaker is Adrienne Sosin, to  
8 be followed by Ariel Kates.

9 MS. SOSIN: Good afternoon. Do you  
10 hear me?

11 CHAIR LAGO: Yes. Welcome.

12 MS. SOSIN: Oh. Thank you. I thank  
13 you for the opportunity to speak. And I tell  
14 you that I was at the City Planning  
15 Commission hearing yesterday about the  
16 Seaport where I live, where I opposed the  
17 outsized and inappropriate development that  
18 is being requested by Howard Hughes  
19 Corporation.

20 I also oppose the SoHo/NoHo rezoning as  
21 a preservationist and as a person interested  
22 in historic preservation and the long-term  
23 good that this area brings to New York, in  
24 terms of the richness of life, the harkening  
25 back to history, the cast-iron buildings, the

1 small galleries and publishers and all the  
2 art and restaurants that go on in SoHo and  
3 NoHo.

4 I also object to the fact that  
5 Chinatown would be bearing a large impact  
6 from this plan that does not take into  
7 account the many people who live there. I  
8 think the residents of New York City deserves  
9 to be heard, at least as much as the  
10 developers. And I don't think that the  
11 developers in this case have the City's best  
12 interest in mind. They only have their own  
13 profit motive.

14 I think this is a plan that should be  
15 opposed and should be set aside. I think  
16 there's a rush in the outgoing administration  
17 to push this plan, to push the Seaport  
18 rezoning plan. These are poor reasons to go  
19 along with it. In the long-term, better  
20 things can be done in both SoHo, NoHo, and  
21 Chinatown, as well as in the Seaport.

22 And I thank you for your work and your  
23 efforts on everyone's behalf, not just the  
24 developers who stand to push out the  
25 residents and have louder and more money

1 voices.

2 So, thank you very much.

3 CHAIR LAGO: Thank you.

4 And I should give special shout-outs to  
5 you, Ms. Sosin, and the others who have, on  
6 back-to-back days, testified before us. We  
7 really appreciate civic engagement.

8 Thank you.

9 MS. SOSIN: Thank you.

10 CHAIR LAGO: Our next speaker is Ariel  
11 Kates, to be followed by Michael McKee.

12 MS. KATES: Hello. I'm Ariel Kates,  
13 and I'm speaking on behalf of Village  
14 Preservation, formerly the Greenwich Village  
15 Society for Historic Preservation.

16 Among the many reasons to oppose this  
17 deeply troubling plan is the gargantuan scale  
18 of development it would allow and the  
19 consequences of doing so. For all practical  
20 purposes, the current maximum allowable FAR  
21 here is five, since a higher FAR is only  
22 allowed for a very narrow band of community  
23 facilities, like houses of worship.

24 Whereas, under the rezoning, the  
25 allowable FAR would be a minimum of 6.5,



1 given the much wider range of very lucrative  
2 community facility uses allowed. Thus, the  
3 plan would grant increases in the allowable  
4 size of development of at least 30 percent to  
5 6.5 FAR up to a 94 percent increase to 9.7  
6 FAR, and even a 140 percent increase to 12  
7 FAR. This is enormous. Not only compared to  
8 the very generous size of new development  
9 currently allowed, but more importantly,  
10 compared to the existing buildings in the  
11 rezoning area, which average around 4.8 FAR.

12 The maximum allowable FAR of 12 is thus  
13 nearly three times that size and 20 percent  
14 larger than allowed for residential  
15 development on Billionaires' Row in Midtown.  
16 This not only means grossly out of scale  
17 construction but huge financial incentives  
18 for demolishing existing buildings smaller  
19 than what the new rezoning allows. That  
20 includes buildings of historic significance,  
21 both landmark buildings and both listed on  
22 the national register but not landmarked, and  
23 buildings with affordable rent-regulated  
24 units within.

25 It also means huge oversized penthouse

1 additions to buildings throughout the  
2 rezoning area, none of which the  
3 environmental analysis plan takes into  
4 account.

5 The dramatic and unprecedented proposed  
6 upzoning is not only wrong, it's unnecessary.  
7 Retaining something like the current five FAR  
8 while designating some areas for residential  
9 development with mandatory affordable housing  
10 and others for commercial, so the two uses  
11 are not competing with one another, would  
12 more effectively achieve the plan's purported  
13 goals without the irreversible damage and  
14 developer giveaways.

15 Thus, we unequivocally urge rejection  
16 of this plan.

17 Thank you so much.

18 CHAIR LAGO: Thank you, Ms. Kates.

19 Our next speaker is Michael McKee, to  
20 be followed by Anna Marcum.

21 MR. MCKEE: Good afternoon, and thank  
22 you for the opportunity to testify. My name  
23 is Michael McKee. I am a tenants' rights  
24 organizer and advocate. I am testifying on  
25 behalf of my organization Tenants Political

1 Action Committee. We oppose this plan. We  
2 think it's a very bad plan. There are some  
3 -- a few good points to it, and everyone  
4 agrees that SoHo and NoHo needs updated  
5 zoning and SoHo and NoHo need affordable  
6 housing, but this plan does not provide that  
7 and that's why we oppose it.

8 I'm going to con -- I've submitted a  
9 longer written statement, but I'm going to  
10 concentrate my limited time here on the issue  
11 of demolition, which is something I know  
12 something about.

13 I have worked for 51 years as a rent  
14 control and rent-stabilized advocate, and I'm  
15 very familiar with the rent laws. Now, the  
16 problem is, you are putting a target on the  
17 back of the rent-regulated, rent-controlled  
18 and rent-stabilized, as well as loft tenants  
19 by increasing the FAR for these buildings.  
20 Demolition is the only major mechanism left  
21 to landlords who want to get units out of the  
22 system.

23 All the other mechanisms were pretty  
24 much closed off by the state legislature  
25 two years ago, but demolition was left

1 intact. Now, demolition is a difficult  
2 time-consuming and costly process for  
3 landlords or developers. But if the  
4 incentive is great enough, they will do it.  
5 And I'm afraid that by increasing the FAR for  
6 these building addresses by such -- even by  
7 30 percent, let alone, you know, up to  
8 94 percent and 140 percent, you are creating  
9 that incentive.

10 Your staff has basically poo-pooed this  
11 issue. It won't happen. I'm telling you, I  
12 think it is a very serious issue. And I  
13 would urge you that if this plan is going to  
14 go through, you de-map these buildings,  
15 remove all of the buildings with  
16 rent-regulated apartments, remove all of the  
17 loft unit buildings, of which we don't know  
18 how many there are, but there got to be some,  
19 and not increase the FAR for those addresses  
20 by any amount at all. That would make for a  
21 complicated map, but it's the only way you  
22 could protect these buildings and protect  
23 these tenants.

24 I also want to insist that your staff  
25 should release the complete information about

1           these buildings. The City Planning staff  
2           says there are 185 buildings, Village  
3           Preservation has been able to identify 108  
4           with some research and door-knocking. But we  
5           want to know where the others are, so we  
6           would really like you to release those.

7           Thank you very much.

8           CHAIR LAGO: Thank you, Mr. McKee.

9           Our next speaker will be Anna Marcum,  
10          followed by Susan Stoltz.

11          MS. MARCUM: Hello, can everybody hear  
12          me?

13          CHAIR LAGO: Yes. Welcome.

14          MS. MARCUM: Okay. Thank you.

15          Hi. I'm Anna Marcum, speaking on  
16          behalf of Village Preservation, formerly the  
17          Greenwich Village Society for Historic  
18          Preservation.

19          One of the many falsehoods this plan is  
20          based on is that it will certainly result in  
21          a 25 to 30 percent up-space and all new  
22          development being affordable housing; this is  
23          simply untrue. The plan doesn't require or  
24          guarantee a single unit of affordable housing  
25          being built and will likely result in little,

1           if any, of it.

2                       On the southwest corner of Bowery and  
3           4th Street where the Department claims  
4           affordable housing will be built, a  
5           commercial towers is said to go up with zero  
6           units of affordable housing. That's because  
7           the plan exempts from its affordable housing  
8           requirements -- all retail space, offices,  
9           hotels, community facilities, which includes  
10          NYU dorms and other private university  
11          facilities and even luxury condos and rentals  
12          of 25,000 square feet per zoning lot or less.

13                    As per the detailed analysis we have  
14          submitted, on every single site in the  
15          rezoning area where the City predicts  
16          affordable housing will be built, the  
17          rezoning actually provides a stronger  
18          incentive for not including it by allowing  
19          developers more market-rate space, if they  
20          exclude affordable housing than if they  
21          include it.

22                    This is a simple fact, which the  
23          Department continues to deny. By using the  
24          affordable housing exemption for residential  
25          uses of 25,000 square feet or less on over

1           90 percent of the projected development  
2           sites, developers could build the maximum  
3           allowable floor area without including any  
4           affordable housing whatsoever.

5                     In the tiny fraction of sites where  
6           they can't achieve the maximum allowable  
7           floor area without affordable housing, they  
8           can still build much more market-rate floor  
9           area by not including affordable housing than  
10          by including it. It's magical thinking, or  
11          simply a lie, to say that profit-driven real  
12          estate developers will forego these financial  
13          incentives and include affordable housing  
14          when the plan offers them so many lucrative  
15          ways not to do so.

16                    This rezoning is, in fact, designed not  
17          to produce affordable housing, but merely to  
18          use its false promise as a fig leaf for the  
19          obscene giveaway to developers. We sincerely  
20          urge you not to be an accomplice in this  
21          willful deception and to reject this plan.

22                    Thank you.

23                    CHAIR LAGO: Thank you, Ms. Marcum.

24                    Our next speaker will be Susan Stoltz,  
25          to be followed by Bruce Williams.

1 MS. STOLTZ: Can you hear me?

2 CHAIR LAGO: Yes. Welcome.

3 MS. STOLTZ: Okay. I'm an artist, loft  
4 tenant and senior. And I've lived in SoHo  
5 for 42 years. I moved to the loft with a  
6 wave of young, multidisciplinary artists in  
7 1979. We shared rebuilding the interior, the  
8 ramp and working together creatively. We  
9 became the artists of the 80s and the 90s,  
10 the East Village club scene, new genres  
11 requiring collaboration. I worked in puppet  
12 animation.

13 In SoHo and in my loft, a new  
14 generation of feminist communities developed.  
15 Artists continued to thrive in SoHo and give  
16 back to New York City. The Loft Law, an  
17 ongoing process, gave us stability, time, and  
18 space to create and meet -- creating a  
19 security of a legalized lock with JLVQA, live  
20 work studios.

21 Like many artists, in addition to my  
22 own work, I spent much of my life working in  
23 diverse and underserved communities of young  
24 adults and children in schools, hospitals and  
25 other communities. My SoHo loft provided



1 safe workspace; such as an animation studio  
2 for young teenage Latina girls.

3 This plan maliciously undermine laws  
4 protecting hundreds of rent-regulated  
5 tenants, loft tenants within the zoning area,  
6 many of us seniors aging in place. As  
7 seniors, we are not only vulnerable but will  
8 be targeted as the City's new allowances for  
9 overwhelming construction and demolition made  
10 possible by the granting of new FAR to  
11 property owners; this puts us directly in the  
12 harassment zone.

13 I've been there before, targeted  
14 because I was a woman leaseholder by a  
15 landlord owning 40 buildings. We had  
16 ten days to cure. I was young with all the  
17 energy to fight. It becomes your life.  
18 Today, of the archives of organizations, a  
19 state of life painter partner and my own art  
20 to distribute, COVID-19 has interrupted this  
21 process, as has the impending doom of the  
22 upzoning process.

23 While these development rights are  
24 being given free to speculators, it's been a  
25 one sided process. The community and its

1 residents have been promised nothing in  
2 return for this major expansion -- not a  
3 senior center, not an inch of green space,  
4 and no help with harassment or potential  
5 displacement. DCP offered the help line, a  
6 joke in an emergency.

7 The \$100 square foot conversion fee  
8 from JMWQA to residential use is  
9 unprecedented and unfairly displaces fixed  
10 and lower-income seniors, especially  
11 vulnerable in co-op buildings. An answer  
12 to --

13 CHAIR LAGO: Ms. Stoltz?

14 MS. STOLTZ: Yeah.

15 CHAIR LAGO: I'm afraid that your  
16 three minutes is up. But we would welcome  
17 your submitting any written testimony that  
18 you have.

19 MS. STOLTZ: Okay. This is --

20 CHAIR LAGO: And thank you for  
21 testifying.

22 MS. STOLTZ: Okay. Thank you.

23 CHAIR LAGO: Our next speaker is Bruce  
24 Williams, to be followed by Lena Rubin.

25 MR. B. WILLIAMS: Hello. My name is

1           Bruce Williams. I have been a resident of  
2           NoHo. I'm a resident and a city-certified  
3           artist. I've been here 26 years.

4                   This plan is nothing but a giant  
5           giveaway to commercial development. The  
6           changes to commercial FAR and bulking will  
7           result in huge big-box stores and  
8           entertainment venues coming in, and the  
9           spillovers that this will affect on  
10          Chinatown, the East Village and all those  
11          surrounding neighborhoods is going to be  
12          tremendous. By making it impossible for  
13          small businesses to exist, these big-box  
14          stores destroy the resilience of the  
15          neighbors, of the neighborhoods and make it  
16          impossible for any kind of community to  
17          exist.

18                   The changes to the bulking and the  
19          giveaways to developers to build penthouses  
20          on these buildings will not result in any  
21          type of affordable housing whatsoever.  
22          There's just so many loopholes in this that  
23          it cannot possibly produce the desired effect  
24          of affordable housing.

25                   So I urge the Commission to deny this

1 plan. It's -- we do need rezoning and we do  
2 need a better plan to go into the future, but  
3 giving it away to developers with massive  
4 cash giveaways -- and it's cash when you let  
5 developers put in stuff that destroy  
6 neighborhoods.

7 So, please reject this and thank you  
8 very much.

9 CHAIR LAGO: Thank you for testifying,  
10 Mr. Williams.

11 Our next speaker is Lena Rubin, to be  
12 followed by Darlene Lutz.

13 MS. RUBIN: Hello. I'm Lena Rubin,  
14 speaking on behalf of Village Preservation,  
15 formerly the Greenwich Village Society for  
16 Historic Preservation. One of the many  
17 unconscionable elem -- allowance for big-box  
18 chain retail and eating and drinking  
19 establishments of unlimited size throughout  
20 the entire rezoning area.

21 Who thinks SoHo/NoHo and Chinatown or  
22 New York City need more of these? What  
23 social justice or housing equity agenda does  
24 this fulfill? What is the justification for  
25 allowing destination mega-retail of unlimited

1 size on narrow side streets; such as Greene,  
2 Wooster, Bleecker, or Baxter Street. Such an  
3 allowance will only make it impossible for  
4 anything other than a huge chain store or a  
5 giant restaurant or bar to survive here and  
6 harm smaller, local independent businesses.

7 Who does this help, other than the big  
8 developers and big landlords who have been  
9 lobbying for this plan? Large chains take  
10 revenue out of our city and turn our  
11 neighborhoods into giant outdoor malls,  
12 indistinguishable from anywhere else.

13 Oversized chain stores, bars and restaurants  
14 make life difficult for residential neighbors  
15 and don't intend to support healthy,  
16 successful retail environments, as we see  
17 higher retail vacancies in areas with large  
18 numbers of chains than those of independent  
19 businesses.

20 These types of giant retail, along with  
21 the other proposed oversized developments,  
22 generate huge amounts of traffic in what is  
23 already one of the most traffic-clogged areas  
24 in New York City. One of many reasons that  
25 groups like the Sierra Club NYC oppose this

1 plan on environmental grounds.

2 Have you seen the daily  
3 bumper-to-bumper gridlock along Broome,  
4 Canal, Grand and other streets where the  
5 largest new developments are proposed, which  
6 this will only make exponentially worse.  
7 Residents agree that allowance for a greater  
8 range of as-of-right retail uses make sense  
9 but with reasonable size limits like 5,000  
10 square feet for eating and drinking  
11 establishments and 10,000 square feet for  
12 general retail. But this proposal is nothing  
13 more than an unmitigated giveaway to powerful  
14 corporate interest and should be rejected.

15 Thank you.

16 CHAIR LAGO: Thank you, Ms. Rubin.

17 Our next speaker is Darlene Lutz, to be  
18 followed by Arthur Schwartz.

19 MS. LUTZ: Good afternoon. Thank you  
20 for the opportunity to give my testimony. I  
21 am Darlene Lutz and have been a resident and  
22 in the arts community in West SoHo since  
23 1978.

24 I'm going to paraphrase what I believe  
25 I heard Commissioner Levin say two days ago,

1           that the CPC doesn't always get it right in  
2           rezonings. Wiser words have never been  
3           spoken, in recent memory. A mere ten years  
4           ago, Hudson Square, which shares a border  
5           with SoHo on 6th Avenue is rezoned for  
6           residential development. That rezoning was  
7           crafted by the largest land owner, Trinity  
8           Church Wall Street and spearheaded revolving  
9           doorman Carl Weisbrod.

10           The words "affordable housing" and  
11           "housing crisis" never entered that rezoning  
12           discussion. The Hudson Square rezoning has  
13           resulted in multiple 30-story as-of-right  
14           highrise luxury condos, but it's the  
15           commercial developments that have taken  
16           center stage.

17           Disney's avenue to avenue, block to  
18           block massive campus, on land leased from  
19           Trinity Church Wall Street, is on the rapid  
20           rise. But Trinity is not developing housing  
21           for these budding musketeers going to be  
22           working there. Trinity reneged on their  
23           third -- on their signature 50-story, 800  
24           plus units rental housing development with a  
25           450 pre-K through 5th grade school, public,

1 at the base of that building located at 6th  
2 Avenue and Canal Street. The start date for  
3 that development, which never materialized,  
4 was 2013. Right now, that vacant 24,000  
5 square lot is currently a banging outdoor  
6 party bar with booze and burlesque.

7 In 2019, Trinity announced that they  
8 have deep-sixed that housing development and  
9 the new plan was for a 490-foot skyscraper,  
10 which would be a hundred percent office  
11 tower. Yes, CPC got it really wrong with the  
12 Hudson Square Rezoning and is poised to  
13 repeat this history.

14 I have a question about medium-income  
15 housing, MIH, which has been bandaid around  
16 these conversations for the last few hours.

17 Does MIH include racial quota? Is race  
18 a considered factor in the application  
19 process? I already know the answer, but do  
20 you? Impractical application of MIH, this  
21 plan is a farce. The race bathing in this  
22 process has been vile, and the genesis of  
23 that is on the City.

24 The public defamation and slander  
25 against the community by city officials is



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1           actionable, and I caution all to keep their  
2           bias out of this. I support my Community  
3           Board 2 and those elected --

4                   CHAIR LAGO: Thank you, Ms. Lutz.

5                   I'm afraid that your time is up, but we  
6           will gladly accept your written testimony, in  
7           addition to your oral testimony.

8                   Thank you.

9                   Our next speaker is Arthur Schwartz, to  
10          be followed by Alexis Fowler.

11                   CO-HOST: Arthur Schwartz is not here.

12                   CHAIR LAGO: Okay. Then Alexis Fowler,  
13          to be followed by Allie Ryan.

14                   CO-HOST: Alexis Fowler is also not  
15          here.

16                   CHAIR LAGO: Okay. We'll move on to  
17          Allie Ryan, to be followed by Jocelyn Anker.

18                   MS. RYAN: Hello, can you hear me?

19                   CHAIR LAGO: Yes. Please proceed.

20                   MS. RYAN: Okay. Thank you. Sorry,  
21          I'm driving today, but Wi-Fi works. Okay.  
22          Hello. My name is Allie Ryan. As a  
23          long-term resident, a former practicing  
24          artist, and the neighborhood party candidate  
25          running for City Council District 2, I oppose

1 the SoHo/NoHo neighborhood plan.

2 I have witnessed over the past  
3 15 years, the number of rent-stabilized  
4 apartments decreased as market-rate  
5 apartments increased causing a discord and  
6 divide in the people who live in my  
7 neighborhood. People who live in real  
8 affordable housing, such as NYCHA,  
9 rent-stabilization, Mitchell Lama, Joint Live  
10 Work Quarters for Artists, affordable home  
11 ownership, and homesteads are able to live  
12 here for the long-term because of the low  
13 cost of living. Whereas, market-rate  
14 apartments attract short-term renters,  
15 typically, young professionals and college  
16 students who only live in this area for a  
17 couple of years.

18 The discord shows equality of life  
19 issues that have been well-documented in the  
20 news with rooftop parties, backyard parties,  
21 trash, empty storefronts, and landlords  
22 warehousing empty apartments and storefronts  
23 because they don't want to rent below  
24 market-rates. I'd like to cite as an  
25 example, the Cabrini Nursing Home in the East

1 village, which cared for 240 low-income  
2 elderly patients. In the early 2010s, it was  
3 sold and gutted to become Bloom 62, a luxury  
4 residential building of 81 units. And right  
5 now, a two-bedroom apartment is on the market  
6 for \$4,500 a month.

7 The Department of City Planning has  
8 been intentionally floating pre-COVID numbers  
9 as reason to pass this plan through.  
10 According to the Envision plan, 7,769  
11 residents live in this proposed rezoning  
12 area. And this plan wants to add new 3,200  
13 housing units. And of those, 800 are  
14 affordable. The proposed plan is trying to  
15 increase density in an already -- and a  
16 downturned market with an uncertain future on  
17 multiple levels.

18 For example, in the New York public  
19 school system, enrollment has gone down.  
20 Hundreds of thousands of students over the  
21 past 18 months, which signals the number of  
22 families who once lived in New York pre-COVID  
23 are moving out.

24 After watching the City Planning  
25 Commissioners approve the Governors Island

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1 rezoning plan and the East Side Coastal  
2 Resiliency project --

3 CHAIR LAGO: Ms. Ryan, I'm afraid that  
4 your time is up. But we would welcome your  
5 submitting your written testimony to us. And  
6 I'm actual relieved to see that you,  
7 yourself, were not the one behind the wheel.

8 Thank you for testifying.

9 Our next speaker is Jocelyn Anker,  
10 followed by Vincent Cao.

11 MS. ANKER: Hello, can you hear me  
12 okay?

13 CHAIR LAGO: Yes. Welcome.

14 MS. ANKER: Oh. Thank you very much.  
15 And there is my clock. Thank you very much.  
16 So, good afternoon, and thank you,  
17 Commissioner Levin, for your kind tone  
18 through all of this and your professionalism.  
19 And thank you, also, Commissioner Ortiz for  
20 continuing to ask clarifying questions,  
21 especially of the experts who are testifying.  
22 I, myself, am not an expert on anything,  
23 other than being a resident of this  
24 neighborhood.

25 My name is Jocelyn Anker, and my family

1 has been living here on Wooster Street since  
2 1978. I currently live here with my mother  
3 and my daughter. So it is, in fact, our  
4 longtime family home. SoHo has become a  
5 wealthy neighborhood, but not all owners are  
6 wealthy. In fact, the neighborhood has  
7 become so expensive that it has also become a  
8 challenge for artist families like ours to  
9 remain here.

10 With the proposed JLWQA tax -- of  
11 course, we're still trying to get  
12 clarification, but just assuming that what's  
13 been presented so far is actually true, we  
14 would actually have to sell our home in order  
15 to pay this conversion fee. And I find it  
16 pretty ironic that we as the artists who  
17 helped create SoHo as a cultural center would  
18 have to give up our home to help sponsor an  
19 artist fund; that seems somewhat  
20 self-defeating.

21 I'd also -- as Commissioner Ortiz  
22 mentioned very early on -- would like to do  
23 some other ground-truthing. The city  
24 agencies already have a very hard time  
25 addressing the quality of life issues in this

1 neighborhood, and the current plan really  
2 does not adequately address how those can be  
3 improved. For example, Holland Tunnel  
4 traffic is one of the key sources of noise  
5 and air pollution in our neighborhood. And  
6 the DOT does not adequately manage cars  
7 blocking intersections, so much so that it  
8 can be difficult, sometimes impossible, to  
9 cross the street as a pedestrian.

10 The SoHo West area, as someone just  
11 mentioned, in this proposal is completely  
12 flanked by the worst of the Holland Tunnel  
13 traffic, which I'm sure contributed to the  
14 Trinity Group deciding to relocate their  
15 mixed-use condominiums down to Greenwich  
16 Street. I can't imagine anyone, especially  
17 those who can afford luxury housing, wanting  
18 to live in that area. And I think that in  
19 turn would encourage any developers to turn  
20 that into a commercial space instead, since  
21 there's no requirement to build on housing.

22 The last has to do with open spaces.  
23 We've all heard people say there are no open  
24 spaces and that open streets would be one way  
25 to address that. Through the pandemic, the

1 rodent problem has only become worse. If we  
2 increase the food to 5,000 square feet and  
3 continue with open streets, I can't even  
4 imagine what would happen. So -- I only have  
5 three seconds left.

6 Thank you, again, for your time.  
7 Hopefully that was helpful.

8 CHAIR LAGO: And thank you, Ms. Anker.

9 I do feel it important, as Commissioner  
10 Ortiz just before, to clarify, there appears  
11 to be a misperception that the conversion fee  
12 somehow would be payable immediately upon  
13 adoption of the zoning. That, in fact, is  
14 absolutely not the case. And we will --  
15 Commissioner Levin, apologies. But at  
16 post-hearing follow-up, we will be beyond  
17 crystal clear about that. And I'm very sorry  
18 that folks are concerned about something that  
19 actually is not in the proposal.

20 We will next go to Vincent Cao,  
21 followed by John Wotowicz.

22 MR. CAO: (Mandarin dialect in  
23 progress.)

24 THE INTERPRETER: I'm sorry. I didn't  
25 hear there was a request for a Mandarin

1 translator. I apologize. So, let me  
2 translate for what he say so far.

3 CHAIR LAGO: Thank you.

4 THE INTERPRETER: Yes. I apologize.

5 MR. CAO: I have been living in the  
6 neighborhood for a decade. Because of the  
7 policy changes in the past few years, the  
8 rent for the commercial area has been  
9 significant increase. Because of the COVID,  
10 there's a significant increase of the rent  
11 income for the commercial and residential in  
12 SoHo, NoHo and Chinatown, especially in the  
13 Chinatown area. A lot of people can't afford  
14 to pay the regular expenses, and the  
15 government even fought further expanding the  
16 development of luxury condominium buildings.

17 I personally reject the vote because I  
18 have saw over the past so many years, the  
19 City and the government has been utilized to  
20 provide affordable housing, but affordable  
21 housing is not actually affordable,  
22 especially for the small business owners in  
23 Chinatown community. It has destroyed our  
24 community. I would strongly recommend to  
25 reject the vote.



1 (Mandarin dialect in progress.)

2 THE INTERPRETER: Excuse me. There's a  
3 time limit. There's a time limit. So, the  
4 final word from him -- because there's a  
5 limit, the final word from him is:

6 MR. CAO: Because there's little  
7 notification from the government to the  
8 Chinatown community.

9 CHAIR LAGO: I'll note that  
10 five minutes are given for translation, so  
11 please continue.

12 THE INTERPRETER: Sorry. Go ahead. Go  
13 ahead.

14 MR. CAO: So, once again, I don't  
15 recommend the government to say "yes" to this  
16 zone changing policy. And I will recommend  
17 the government to come up with better policy  
18 to support the Chinatown community.

19 Thank you.

20 CHAIR LAGO: Thank you for taking the  
21 time to testimony, Mr. Cao.

22 Our next speaker will be John Wotowicz,  
23 followed by Carter Booth.

24 CO-HOST: John is not in the Zoom.

25 CHAIR LAGO: Okay. Then we will move

1 to Carter Booth, followed by Laura Sewell.

2 MR. BOOTH: Thank you, Chair Lago,  
3 Commissioners, good afternoon. My name is  
4 Carter Booth. I represented CB2 on the  
5 Envision SoHo/NoHo Advisory Group. I was,  
6 until recently, the Chair of Manhattan  
7 Community Board 2, and living and represent  
8 CB2 on the NoHo bid.

9 DCP never delivered on the continuing  
10 engagement that was promised to the advisory  
11 group and community during Envision, that's  
12 probably why there's so many issues today.  
13 One aspect I want to reinforce is the risk of  
14 displacement discussed earlier of current  
15 rent-stabilized units through demolition,  
16 especially in the opportunity zones, which  
17 are not protected under the 2019 reforms.

18 This is a risk here, given the  
19 underlying economic environment. How many  
20 neighborhoods are there calls to co-ops with  
21 offers to buy the whole building with a  
22 premium? Rental buildings will be  
23 demolished. Internal demolition with façade  
24 remaining has been allowed by DCP before, and  
25 there's no good reason to believe that LPC

1 will not allow such demolition in SoHo and  
2 NoHo. This will make all existing  
3 rent-regulated residents vulnerable to  
4 displacement.

5 Usually, there's a lot of give and take  
6 around land use and development issues,  
7 trying to strike a balance and get things  
8 right. Why is that reengagement that is  
9 necessary to get this right not happened?  
10 There are two issues I want to touch on;  
11 first, housing. This process has made it  
12 clear, certainly to me, that there is a  
13 housing crisis, especially for real  
14 affordable housing.

15 SoHo and NoHo and the northwest corner  
16 of Chinatown have a very limited number of  
17 lots to contribute. Those lots are all we  
18 have. The big housing unit numbers that you  
19 hear are based on developing just about all  
20 those lots for housing.

21 On Tuesday, the answer from DCP,  
22 basically, we have a baby thumb on the scale  
23 for housing, but there will be commercial  
24 development because we want the mixed-use.  
25 To quote from Tuesday's meeting, "We think

1           it's very important to still have very  
2           healthy commercial FAR in SoHo and NoHo."  
3           So, it's clear, they are going to build  
4           commercial on many of their lots that are  
5           supposed to be residential, and that we were  
6           told will be residential.

7                     Second, the arts fund; lots of issues  
8           with the fund itself as others, including  
9           Eugene and Amit, have raised and the fees,  
10          which was reduced by DCP from the materials  
11          presented on Tuesday to \$75 per square foot;  
12          nobody seems to be mentioning that. Keep  
13          asking your questions about this.

14                    What I want to talk about with the arts  
15          fund is the other problem it's supposed to  
16          solve. The arts fund is also the mechanism  
17          to solve the problem for those who want to  
18          sell their J1WQA space as a residential unit  
19          and not a manufacturing unit. As a side  
20          note, this does not solve issues for current  
21          noncompliant residents that were raised  
22          extensively during the Envision process.

23                    So, in addition to paying into this  
24          fund, you also have to convert the  
25          manufacturing J1WQA 17D space to Residential

1           Use Group 2, including significant and costly  
2           code compliance to get the C of O change  
3           through an Alt-1 process. This hasn't been  
4           explored thoroughly and it needs to be  
5           discussed. If it doesn't work, it's not  
6           going to happen and the arts fund won't be  
7           funded. I'm happy to answer any questions.

8           CHAIR LAGO: Thank you, Mr. Booth.

9           Our next speaker will be Laura Sewell,  
10          to be followed by Connie Murray.

11          MS. SEWELL: Hello. Thank you for  
12          allowing me to speak today. The City's plans  
13          to up-zone SoHo and NoHo continues to move  
14          forward, despite fierce opposition from a  
15          large number of community organizations,  
16          including the East Village Community  
17          Coalition of which I'm an executive director.  
18          But we've not heard just from groups from  
19          this neighborhood. We've heard from  
20          communities in Brooklyn who've suffered this  
21          type of upzoning and shared their experiences  
22          with the consequences.

23          How the City's proposed plan will  
24          result in anything besides a wave of  
25          hyper-gentrification defies logic. The plan

1 at best only mandates 25 percent affordable  
2 housing and allows 75 percent luxury housing.  
3 It has numerous loopholes with no public  
4 benefit of any kind required to develop  
5 commercial space for private institutes and  
6 facilities. It would permit institutional  
7 expansion and crowd out local independent  
8 businesses by allowing more big-box chain  
9 stores, as well as eating and drinking  
10 establishments of unlimited size.

11 We echo others' calls for protections  
12 for tenants, especially against construction  
13 and demolition. Many of our neighbors fall  
14 well below the medium-income figures that  
15 have been shown. Show us where upzoning or  
16 the absence of landmarking and other  
17 protections has created affordable housing  
18 for these individuals.

19 These policies result in demolitions  
20 and the lost of rent-stabilized units, as  
21 we've seen again and again. These policies  
22 results in a marginalization, the loss of  
23 retail diversity and independently owned  
24 small businesses, as we've seen again and  
25 again. Housing doesn't trickle down. It's

1 bought and held as a commodity.

2 Of course, some zoning sanctions are  
3 needed, especially when it comes to  
4 commercial space and height restrictions and  
5 as-of-right development. Not only do the  
6 existing commercial spaces require a special  
7 permit, they are far too large to be within  
8 the reach of most independent small business  
9 owners. The community rezoning plan would  
10 help create more affordable housing and help  
11 retain existing independent small businesses  
12 while retaining the creative neighborhood  
13 character that draws residents and visitors  
14 alike.

15 Allowing out of scale enlargements in  
16 an adjacent to six historic districts sets a  
17 terrible precedent, not only for this  
18 neighborhood but for historic districts  
19 citywide. Please reject this deeply flawed  
20 plan.

21 Thank you.

22 CHAIR LAGO: Thank you for testifying,  
23 Ms. Sewell.

24 Our next speaker is Connie Murray,  
25 followed by Alison Sky.

1 MS. MURRAY: Hi, can you hear me?

2 CHAIR LAGO: Yes. Welcome.

3 MS. MURRAY: My name Connie Murray.

4 I'm a lifelong New Yorker and a former SoHo  
5 resident. I oppose the City's plan to rezone  
6 SoHo/NoHo, as this proposal will likely not  
7 produce any affordable housing, despite that  
8 very promise being this project's top selling  
9 point of allegedly providing more  
10 opportunities to low-income New Yorkers.

11 This rezoning will also eliminate  
12 tenant protections for over 1,200 residents  
13 in over 600 buildings in their already  
14 existing deeply affordable home. These are  
15 vulnerable elderly and immigrant residents.  
16 They deserve to be considered in this  
17 process. They deserve to be protected, and  
18 we all have a moral obligation to keep these  
19 folks in their homes.

20 As well, MIH affordable housing is not  
21 all that its name is cracked up to be.  
22 Recent affordable housing listings to an NY  
23 YIMBY reflect salary requirements above  
24 \$80,000 for small studios and one bedroom  
25 units, which went upwards for \$3,000 a month.



1           These are not apartments for working class  
2           families.

3                   Who are these developers really  
4           building for? They never create  
5           three-bedroom units. And via advertorials  
6           and real estate media, developers are even  
7           marketing their alleged affordable housing to  
8           household earning over \$100,000 annually.

9                   This rezoning's proponents focus so  
10          heavily on this fallacy of its opposition  
11          being wealthy. But, in fact, it's the  
12          residents who are not wealthy and whose homes  
13          will be threaten who are here today speaking  
14          out against this proposal. The very wealthy  
15          do not care. They can move. They have other  
16          homes. They have endless resources.

17                  It's the residents without endless  
18          resources who are opposed to this plan. The  
19          people who are mostly elderly and mostly who  
20          built these neighborhoods into what they are  
21          today. And now they are being shown the door  
22          out of this magical place they created with  
23          their own hands, money, sweat, love and  
24          tears. What a vicious betrayal by the City.

25                  Adding to that betrayal is the false

1 narrative promoted by YIMBY zealots, that  
2 these senior residents are members of the Ku  
3 Klux Klan, and that their neighborhoods  
4 should be burned like Dresden. Elderly  
5 residents have been bullied out of public  
6 engagement meetings because their pictures  
7 were taken and posted on social media, so to  
8 shame them as alleged racists who no longer  
9 deserves to stay in their homes.

10 They do deserve to stay. They don't  
11 deserve these lies, so let's protect them.

12 Thank you.

13 CHAIR LAGO: Thank you for testifying,  
14 Ms. Murray.

15 Our next speaker is Alison Sky, to be  
16 followed by Zeke Luger.

17 CO-HOST: Alison is not in the room.

18 CHAIR LAGO: Zeke Luger, to be followed  
19 by Karla Fisk.

20 MR. LUGER: Hi, can you hear me and see  
21 me?

22 CHAIR LAGO: We hear you. We don't yet  
23 see you.

24 MR. LUGER: Okay. That's good.

25 CHAIR LAGO: And now we see you. You

1           may proceed.

2                   MR. LUGER: Thank you so much for  
3           letting me speak today. My name is Zeke  
4           Luger. So, the Department of City Planning  
5           has one main community partner for the SoHo  
6           rezoning and that's Open New York. Almost  
7           all of the testimonies in favor of the  
8           rezoning that we heard today are from members  
9           of Open New York. So I want to talk to you  
10          about Open New York for a minute.

11                   I got introduced to Open New York last  
12          December. I ended up getting enlisted by  
13          people in Flushing, Queens to help fight back  
14          against the rezoning there, not far from  
15          Queens College where I go to school.

16                   Flushing is a really lively and unique,  
17          majority Asian American working class  
18          neighborhood. But like many other New York  
19          neighborhoods, recently much of Flushing's  
20          downtown has been demolished after a series  
21          of rezonings and large variances that allowed  
22          the construction of enormous glass towers and  
23          pushed out thousands of local residents  
24          living in rent-stabilized housing. The  
25          rezoning we failed to prevent will bring in

1 1,700 more million-dollar condos and 900 new  
2 hotel units to Flushing.

3 I ended up writing an opinion piece  
4 opposing the Flushing rezoning. And within a  
5 couple of hours, I was terrified of its  
6 publication. I was terrified to find that I  
7 had more than 60 comments on my opinion  
8 piece, almost all of them calling me stupid,  
9 a liar, they didn't know what I was talking  
10 about, I was promoting homelessness or that I  
11 was a NIMBY.

12 I talked about this with SoHo residents  
13 recently, and people seem to have had similar  
14 experiences recently, which is why I'm  
15 speaking here today.

16 Open New York is a pro-developer  
17 astrict of organization founded by a  
18 quantitative real estate investor who makes  
19 money by betting on these rezonings he's  
20 attempting to influence. Open New York  
21 operates by pretending to ally themselves  
22 with young people on Twitter interested in  
23 transit and urbanism and who are terrified of  
24 climate change.

25 Their paid leaders bombard them with

1 hyperaggressive messaging saying that if you  
2 don't support these upzoning and build a new  
3 luxury housing, you're a climate arsonist.  
4 And eventually, these young people start  
5 imitating them and bullying local housing  
6 activists.

7 Despite their self-description as  
8 grassroots, I've seen zero evidence that they  
9 do any kind of on-the-ground outreach to  
10 local residents in the neighborhoods they  
11 advocate in. Open New York loves to claim  
12 that their organization only advocates in  
13 high-opportunity neighborhoods but that's not  
14 true. They push knowledge and ideology that  
15 applies to all neighborhoods. One of their  
16 leaders who works for the foundation  
17 Quantitative Real Estate Company, spent a day  
18 in June trying to convince everyone that a  
19 friend of mine from Flushing has taken money  
20 from the North Korean government, which is  
21 super racist and super dumb.

22 Basically, the way they operate on  
23 Twitter, they wouldn't let Flushing activists  
24 post anything without butting into their  
25 feeds, calling them NIMBYs. I'll add that an

1 hour ago right after a Chinatown resident  
2 testified, Open New York members were  
3 commenting on their slide page saying DCP  
4 should introduce a plan to rezone Chinatown,  
5 so people quit lying about this one. They  
6 also called the speaker anti-Semitic, which I  
7 find very inappropriate.

8 So, to sum up, I think New York is a  
9 really -- I think Open New York is a really  
10 inappropriate community partner for a city  
11 agency.

12 Thank you.

13 CHAIR LAGO: Thank you for testifying.

14 And if you'd like to submit your  
15 written testimony, we'd welcome that as well.

16 MR. LUGER: I would. How do I submit a  
17 written testimony?

18 CHAIR LAGO: Thank you.

19 Yes, Ryan.

20 MR. SINGER: The testimony can be  
21 submitted if you go to our website  
22 [planning.nyc.gov](https://planning.nyc.gov), if you click on the sort of  
23 CPC page and then there's a link there for  
24 submitting testimony.

25 CHAIR LAGO: And again, thank you.

1 Our next speaker is Karla Fisk, to be  
2 followed by Kathryn Freed.

3 MS. FISK: My camera is live. Is your  
4 camera live? Oh, here we go. Here I am.  
5 Hi.

6 CHAIR LAGO: Welcome.

7 MS. FISK: My name is Karla Fisk. I am  
8 a rent-stabilized tenant in Inwood. I'm a  
9 member of the Inwood Legal Action Steering  
10 Committee. We sued the City of New York, and  
11 won, to annul the Inwood rezoning in State  
12 Supreme Court -- we won in State Supreme  
13 Court in December of 2019. Justice Verna  
14 Saunders found our claims, which included the  
15 claim that the City refused to do racial  
16 impact study on the impacts of the rezoning  
17 on Inwood.

18 She found in our favor and the rezoning  
19 was annulled for almost one year. I'm here  
20 because although some people will claim that  
21 SoHo/NoHo and -- actually, Chinatown, that's  
22 the real big target, which was silenced,  
23 which was erased by the City through their  
24 own version of racial -- you know, of ethnic  
25 cleansing.

1           Someone people will claim that  
2           SoHo/NoHo and rezoning in Inwood are very  
3           different types of rezonings, in fact,  
4           they're not. Because this rezoning is  
5           designed specifically to measure for  
6           developers that we have good reason to  
7           believe the City has been in private  
8           conversation with for months, for years, for  
9           years in planning this rezoning, just as they  
10          have -- they were with Inwood.

11          My biggest concern as a rent-stabilized  
12          tenant in Inwood and my concern for the  
13          residents of Chinatown and the East Village  
14          is the almost certain complete displacement,  
15          displacement of hundreds of Chinese and  
16          Chinese American working class people from  
17          their home directly, through direct  
18          displacement.

19          And also what's happening in Washington  
20          Heights will happen -- if this rezoning goes  
21          through, will happen in Chinatown and in the  
22          East Village and Lower East Side, is indirect  
23          displacement as market-rates are raised by  
24          this predatory rezoning and rent-stabilized  
25          tenants in other -- in adjacent neighborhoods



1 will be displaced, just as they were -- as is  
2 documented by several studies.

3 The neighbors of Williamsburg, the  
4 Williamsburg rezoning, you know, thousands of  
5 black and brown people were displaced through  
6 the Williamsburg rezoning, thousands also  
7 were displaced who lived adjacent to  
8 Williamsburg.

9 So, I call on you, City Planning  
10 council, to vote "No" on this predatory  
11 rezoning, which will hurt so many thousands  
12 of New Yorkers and force them out of their  
13 homes.

14 Thank you.

15 CHAIR LAGO: Thank you, Ms. Fisk.

16 And I do need to correct, for the  
17 record, that on appeal, the rezoning in  
18 Inwood was upheld and is currently in effect.

19 Our next speaker will be Kathryn Freed,  
20 to be followed by Michelle KupperSmith.

21 MS. FREED: Hello. Thank you for  
22 allowing me to testify today. For some  
23 reason, I don't see -- okay. There we go.

24 Hi.

25 CHAIR LAGO: We see you.

1 MS. FREED: I'm former City Council  
2 Member for the council district that includes  
3 SoHo, NoHo, and Chinatown. And, in fact, I  
4 moved into the district that's considered  
5 SoHo in 1969, and I was involved in a lot of  
6 the landmarking and special zoning for both  
7 SoHo and NoHo. And so I have a little bit of  
8 a history with this.

9 But I just want to say, I'm opposed to  
10 this proposed upzoning. I know you're saying  
11 that it's an attempt to get affordable  
12 housing and increase diversity when it's  
13 likely to do exactly the opposite. What it  
14 really is, is a giveaway that will open the  
15 floodgates to allow developers with large  
16 scale commercial properties and the likely  
17 demolition of a lot of buildings that  
18 currently have moderate to low-income  
19 tenants.

20 In fact, if you wanted to have an  
21 affordable housing proposal, perhaps you  
22 should have not allowed the demolition of  
23 buildings in this district, especially in the  
24 Chinatown opportunity area, which has been  
25 referred to as SoHo East. It will most

1           likely result in demolition of a lot of those  
2           buildings and the displacement of the tenants  
3           in them.

4                   Also, I don't understand why we haven't  
5           heard from Landmarks Preservation. It's very  
6           clear that increasing the FAR, particularly  
7           on the core buildings in SoHo, which you are  
8           doing, the landmark are the cast-iron  
9           buildings, which are a unique form of  
10          architecture that only exist now in SoHo,  
11          NoHo, Tribeca -- except for a few buildings  
12          in Chicago and a few in Paris.

13                   But by increasing the FAR, you are  
14          allowing developers to build over these  
15          buildings, which will completely change the  
16          landscape of SoHo, and the old landmarks  
17          preservation would never have allowed that  
18          and they never did. It seems to me that  
19          what's going on here is, this is the first  
20          elbow in the war against city landmarks and  
21          Landmarks Preservation because clearly this  
22          will decimate and eviscerate landmarks. So,  
23          I'm sorry that we haven't heard from them  
24          because we really should have.

25                   Just a couple of other things. First,

1 I don't understand why Chinatown was even  
2 added to this upzoning, except to make it an  
3 area that developers have been trying to get  
4 ahold of for years, just like they have been  
5 trying to get ahold of SoHo since it became  
6 so chichi and profitable. But it seems to me  
7 like --

8 CHAIR LAGO: Thank you, Ms. Freed.

9 Ms. Freed, I'm afraid that your time is  
10 up. But we would welcome getting your  
11 written testimony. And thank you for taking  
12 the time to testify.

13 Our next speaker will be Michelle  
14 Koppersmith, followed by Lynn Ellsworth.

15 CO-HOST: Michelle is not here.

16 CHAIR LAGO: Okay. Then Lynn  
17 Ellsworth, follow by Zack Winestine.

18 MS. ELLSWORTH: Hi. Am I there?

19 CHAIR LAGO: Yes. Welcome.

20 MS. ELLSWORTH: Thank you. I am Lynn  
21 Ellsworth. I'm chair of Human-Scale NYC  
22 Network in the City. I'm also the founder of  
23 Tribeca Trust and the Friends of Duane Park.  
24 Testimony from our group is as follows:

25 The opposition logic is compelling.

1           This rezoning will not deliver significant  
2           affordable housing nor lower housing prices.  
3           It will not diversify the neighborhood. It  
4           will exacerbate displacement effects, enrich  
5           a tiny list of developers and do irreparable  
6           harm to the historic districts. The  
7           alternative community plan is vastly better.

8           Many believe that MIH is a huge policy  
9           fail. There are less destructive ways than  
10          MIH to figure out how to get more affordable  
11          housing. For example, our group was the  
12          first to call for 100 percent affordable  
13          housing at 5 World Trade more than two years  
14          ago. We've also called for citywide  
15          displacement risk to be handled through  
16          stronger legislative means prior to any  
17          attempt to upzone and gentrify.

18          We've called for a regional plan for  
19          allocating density in affordable housing  
20          rather than targeting attacks to core  
21          neighborhoods that are already dense. We've  
22          called for a new affordable housing fund, a  
23          hundred percent public low-rise in-fill on  
24          NYCHA estates, and end to single-family home  
25          zoning, incentivizing auxillary units and

1 investment in a regional unified transport  
2 network, among many other policies. So it's  
3 a puzzle to us.

4 Vicki Been and Ed Glazer's published  
5 attempt to justify an attack on historic  
6 districts is some ten years old now, and it  
7 has been convincingly challenged, both  
8 theoretically and empirically. So, why does  
9 nobody seem to care? Why are so many stuck  
10 in the dying paradigm of trickled down supply  
11 side fundamentalism and crying the virtues of  
12 infinite density in the core?

13 From the outside, it looks vindictive,  
14 like someone is hell-bent on wreaking some  
15 kind of revenge on historic district  
16 residents. Why would intelligent people act  
17 this way? I don't have the answer. But to  
18 me, it seems best explained by a hunting  
19 metaphor, of hunting dogs who bay and runs  
20 for their prey and who bands to their  
21 master's bidding. They prey here is historic  
22 districts and the masters -- well, I leave  
23 that to your imagination.

24 Last, Tony Tung, a former LPC  
25 commissioners, author of Preserving the

1 World's Cities confessed in his book, growing  
2 realization that many of his decisions made  
3 in the name of compromise and expediency had  
4 done harm. He wrote, "Standing in the  
5 shadows of these compromised second class  
6 buildings, I saw that I had been complicit in  
7 wounding the cityscape."

8 The echo of those words spoken on  
9 behalf of expediency had long faded and what  
10 remained was a permanently injured city. I  
11 can only hope that our leaders and policy  
12 technocrats learn from Mr. Tung's  
13 self-realization, grace and honesty. Please  
14 reject this unfixable proposal.

15 Thank you.

16 CHAIR LAGO: Thank you for testifying,  
17 Ms. Ellsworth.

18 Our next speaker is Zack Winestine, to  
19 be followed by Victoria Hillstom.

20 CO-HOST: Zack is not here.

21 CHAIR LAGO: Okay. Then Victoria  
22 Hillstom, to be followed by Monica  
23 Rittersporn.

24 MR. SINGER: Ms. Hillstom, you should  
25 be able to unmute your mic and turn on your

1 camera.

2 (No response.)

3 MR. SINGER: We just had her do this  
4 yesterday.

5 CHAIR LAGO: Excuse me?

6 MR. SINGER: This is a repeat speaker  
7 from yesterday, so we know that she can do  
8 this. We just -- we'll --

9 CHAIR LAGO: We'll come back.

10 MR. SINGER: -- come back.

11 CHAIR LAGO: Okay. At this point, we  
12 are getting relatively near the end of  
13 speakers who have signed up to speak on this  
14 matter. And if you haven't registered to  
15 speak but have decided during the course of  
16 this hearing that you would like to, please,  
17 now is the time to register. And you can  
18 find instructions on how to register, whether  
19 online or via telephone at  
20 [www.nyc.gov/nycengage](http://www.nyc.gov/nycengage).

21 And with that, we'll turn to Monica  
22 Rittersporn.

23 CO-HOST: Monica is also not in the  
24 room.

25 CHAIR LAGO: Okay. Then Henry



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1 Dombrowski, to be followed by Julie Harrison.

2 CO-HOST: Hank is also not in the room.

3 CHAIR LAGO: Okay. Then Julie  
4 Harrison, to be followed by Kirsten Theodos.

5 MS. HILLSTOM: Hello.

6 CHAIR LAGO: Welcome.

7 MS. HILLSTOM: Am I on?

8 CHAIR LAGO: Yes. Who is speaking?

9 MS. HILLSTOM: This is Victoria  
10 Hillstom.

11 CHAIR LAGO: Oh. Great. Good.  
12 Welcome.

13 MS. HILLSTOM: Shall I go ahead?

14 CHAIR LAGO: Please go ahead. Yes,  
15 please.

16 MS. HILLSTOM: Thank you, Madam Chair,  
17 Commissioner. My name is Victoria Hillstom.  
18 We've lived in Tribeca since 1983. Our lofts  
19 are at 385 Greenwich, a.k.a. 71 North Moore,  
20 dating back to 1805 and 1815.

21 Our life savings are invested in these  
22 buildings to bring them up to code, that we  
23 saved from two major fires. Damage from  
24 adjacent property, from the Greenwich Hotel  
25 now on 37 permits.

1 I would like to address today, this  
2 notion of demolition by construction. I  
3 don't know that -- if anyone quite exactly  
4 realize that we are victims of demolition by  
5 construction. And so I thought it was  
6 incumbent upon me to share our very shameful  
7 and embarrassing story of how our landlord  
8 mask themselves as kids in 199-square foot  
9 illegal bar in our attached single car  
10 garage, illegally subdivided from our lofts  
11 without permits.

12 We caught them illegal subdividing our  
13 electrical three times with Con Ed theft  
14 insured meter. We caught them lying to the  
15 public service commission it had been  
16 repaired. They damaged our lofts from stem  
17 to stern, caused our ceilings to fall in from  
18 improperly installed air-conditioning  
19 equipment on a roof with no drain.

20 They obstructed our secondary means of  
21 egress with a partial partition that presents  
22 a known fire hazard, never passed a full  
23 inspection and started a fire. It turns out  
24 that they had bribed a city inspector for an  
25 illegal C of O. Needless to say, 37 permits

1 later, Con Ed came in again and filed the  
2 hundred and first complaint. It turns out  
3 that they had illegally subdivided our gas  
4 lines, too.

5 When they started this fire, we wrote  
6 Mayor Bloomberg, his daughter was down the  
7 adjacent wall, and apparently the police had  
8 tipped them off that this illegal bar, that  
9 it was operating three times legal capacity,  
10 the kids from BHSN (phonetic), somehow the  
11 police had tipped them off that I had written  
12 Michael Bloomberg personally in order to --  
13 we knew that they failed to pull permits.

14 I am a designer. Carlos is a very  
15 famous architect in restaurant tour, above  
16 me. And Elizabeth Von Guttman is a very  
17 famous editor of System Magazine. And they  
18 immediately sued us to prevent the City from  
19 investigating that, in fact, it was an  
20 illegal business. And prevent the City from  
21 finding that the Greenwich Hotel had gone  
22 down three floors instead of one. Failing to  
23 survey the surrounding landmarks, hit the  
24 water line and caused the damage to our lofts  
25 on now 37 permits. It was obstructing -- our

1 windows were broken. So, when the fire  
2 started --

3 CHAIR LAGO: Ms. Hillstom, while your  
4 three minutes are up, I would very much like  
5 to welcome your submitting your testimony.  
6 But also we would be pleased to reach out and  
7 speak with you, if that would be helpful.  
8 And I would suggest that you could send it --  
9 Ryan would you be willing to be the conduit  
10 for this?

11 MR. SINGER: Yeah, sure.

12 CHAIR LAGO: To rsinger, S-I-N-G-E-R,  
13 @planning.nyc.gov. And thank you for taking  
14 the time to come and testifying. Thank you.  
15 Again, thank you.

16 Did I hear correctly that Henry  
17 Dombrowski is not in the room?

18 CO-HOST: Yes, Madam Chair.

19 MR. SINGER: That's true. Yeah, that's  
20 correct.

21 CHAIR LAGO: Thank you. Then we will  
22 go to Julie Harrison, followed Kirsten  
23 Theodos.

24 (No response.)

25 CHAIR LAGO: Is Ms. Harrison

1 connecting?

2 MR. SINGER: She was in the room. I  
3 will say that it looks like Kirsten Theodos  
4 has been waiting for a while, so she's ready.  
5 I've got her camera on, so we can jump to  
6 her --

7 CHAIR LAGO: Okay. So, why don't we go  
8 to Kirsten Theodos. Thank you.

9 MS. THEODOS: Can I go?

10 CHAIR LAGO: Yes, please.

11 MS. THEODOS: Okay. Thank you.

12 Good afternoon. Thank you for this  
13 opportunity to testify. My name is Kirsten  
14 Theodos, and I'm adamantly opposed to this  
15 rezoning. Just like every other neighborhood  
16 rezoning under the de Blasio administration,  
17 it is racist and does not create deeply  
18 affordable housing.

19 So who is really behind this push? No  
20 big surprise, but big real estate, Edison  
21 Properties that sits on REBNY's board of  
22 governors, owns two large parking lots in the  
23 proposed upzoning. Citizen's Housing and  
24 Planning Council, which includes an executive  
25 from Edison on its board, published an

1 opinion piece supporting the upzoning.

2 Among the many other notables on CHPC's  
3 board, is a legal lobbying firm, Kramer  
4 Levin, whom the mayor still owns \$300,000 to.  
5 Kramer Levin is on record advising "The land  
6 use process needs to be underway to ensure it  
7 is done by the time de Blasio leaves office."  
8 We can connect the dots to see why this  
9 rezoning was suddenly resurrected during a  
10 global pandemic.

11 Time is running out for Edison  
12 Properties to develop their lots under a  
13 favorable regime, not because of the  
14 "antipolice protest sparked by the killing of  
15 George Floyd," as Deputy Mayor Vicki Been  
16 shamefully said, while the city continues its  
17 erasure of Chinatown.

18 The sham public engagement process and  
19 the MIH upzoning plan are an absolute  
20 disgrace, and I urge City Planning to vote  
21 "No" on its inherently racist plan.

22 Thank you.

23 CHAIR LAGO: Thank you for taking the  
24 time to testify Ms. Theodos.

25 Is Julie Harrison now available?

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1 MS. HARRISON: Yes. I'm so sorry.

2 CHAIR LAGO: No worries. Welcome.

3 MS. HARRISON: Do I join as a panelist?  
4 Do I click join as an attendee or as a  
5 panelist?

6 MR. SINGER: We'll give you the  
7 panelist invite. Just a moment. There you  
8 go, Ms. Harrison. You should be able to  
9 unmute yourself and turn on your video.

10 MS. HARRISON: (Complies.)

11 MR. SINGER: There we go.

12 MS. HARRISON: Okay. Great.

13 I don't really want to repeat my -- I'm  
14 Julie Harrison, and I've lived in SoHo since  
15 1978, for 43 years. I've raised two kids  
16 there. I have a business there. I'm a  
17 working artist and have been for these years,  
18 and now I'm a senior citizen. So I hope I  
19 don't end up repeating what a lot of people  
20 have already said. There's been some  
21 fantastic input. I'm just trying to find my  
22 notes right now.

23 There has been some fantastic input on  
24 both sides. And probably the people that  
25 spoke early on are no longer online, but I

1           just, you know, I wanted to say to William  
2           Thomas of Open New York, I don't disagree  
3           with that strategy. I mean, you know, I  
4           think that -- I just want to paint the  
5           picture of who have been -- the people who  
6           have been here for all these years. I mean,  
7           we're working artists. And, typically,  
8           especially in New York City, that means we're  
9           kind of leaning left. And so affordability  
10          and diversity are just key words for us.

11                 I'm going to say "us" because I think  
12          there's a lot people that live in SoHo that  
13          would agree with this, who are longtime  
14          tenants. I don't mean the newbies. But, you  
15          know, I'm in a rent-stabilized building.  
16          Most of my building are -- six out of eight  
17          units are working artists who make their  
18          living on their artwork. And my husband has  
19          an art business as well. I would not be able  
20          to live in SoHo had I not been  
21          rent-stabilized.

22                 And I want to point out the reason  
23          we're against this plan is not because we're  
24          racist or -- and let me point that out, I am  
25          against the plan as it is defined now. It's



1 not because we're racists or we don't want it  
2 in our backyard. We're not NIMBYists. It's  
3 because we know -- we've been around long  
4 enough to know that this plan will not work,  
5 that the things have been promised -- I mean,  
6 my landlord, for example -- and I have a lot  
7 of respect for my landlord. I haven't been  
8 forced out by loud noise and other issues,  
9 you know, that other people had to endure.  
10 But, you know, our landlord went up for  
11 35 years in noncompliance of the City's  
12 regulations. So, we know that this doesn't  
13 work.

14 I voted for de Blasio because he had  
15 worked in Central America and I thought,  
16 "Okay. Good. Socialism." And, you know,  
17 yes, I want diversity and affordable housing  
18 in our city and in SoHo, you know, there's no  
19 question. So, why stop at 900 units? Get  
20 2,000 affordable units.

21 And let me remind you -- and I know my  
22 time is running out -- that affordability is  
23 different for all people. I would probably  
24 not be able to afford even the affordable  
25 housing in this neighborhood. So those are

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1 the issues that we're fighting against, not  
2 the NIMBY --

3 CHAIR LAGO: Thank you.

4 MS. HARRISON: Thank you very much.

5 CHAIR LAGO: Thank you for testifying.  
6 And thank you for promptly pointing out that  
7 you are a senior. As another senior citizen,  
8 I wear that badge proudly.

9 Our next speaker is Phyllis Rosenblatt,  
10 to be followed by Anita Jorgensen.

11 MS. ROSENBLATT: Hello?

12 CHAIR LAGO: Welcome.

13 MS. ROSENBLATT: Thank you.

14 I'm going to read what I've said. It's  
15 been proven over and over by every single  
16 community groups in these areas, the plan  
17 will not achieve stated goals for growth  
18 within these landmarked areas. As it is  
19 formulated currently, it will, in fact,  
20 destroy these areas.

21 If the most urgent need is for housing  
22 for equity for lower-income citizens, then  
23 make that the focus of the plan. Relying on  
24 private developers is clearly not the answer  
25 and the laws, as written, will permit lawless

1 overbuilding that will threaten the very  
2 people the administration claims to want to  
3 help provide housing for. Especially in  
4 Chinatown and among both other income  
5 dwellers actually here in the regions.

6 All persons in the communities involved  
7 want equity and housing. They do not want  
8 exclusive whites only gentrified housing, yet  
9 the plan stands to clearly reinforce the  
10 expenses and whiteness of the region as it is  
11 formed.

12 Please, do not go through with the plan  
13 as it is currently formulated. Rethink it  
14 and listen to what the community suggests,  
15 since their ideas are not out of sympathy to  
16 the City's goals, just the planned means to  
17 them.

18 Because COVID has changed where and how  
19 people work and their potential office needs,  
20 working from home may become more dominant  
21 for a large number of people. Because the  
22 consequences of this pandemic over the next  
23 ten years is not knowable at this time, but a  
24 necessary element in the evaluation of the  
25 proposal projections, it cannot be made up as

1 fiction to be used for any realistic plan.

2 Because 12 communities have offered a  
3 clear statistically backed alternative plan,  
4 which the City's proposed plan has repeatedly  
5 ignored without reason. Because Laissez  
6 Faire retail, without procedures or scaled  
7 restrictions will choke the areas to death.

8 A small footprint retail is scale  
9 appropriate for these landmarked regions.  
10 Because no green space, schools, communities,  
11 service centers, health centers have been  
12 proposed in the DCP plan. Because MIH is not  
13 a real way to create anything affordable for  
14 the people this administration claims it  
15 wants to attract. And because the  
16 communities being affected are repeatedly  
17 disrespected and disregarded in the planning,  
18 the plan has not altered its talking points  
19 for several rounds.

20 Because the communities are seen as  
21 obstacles to real estate goals and are not  
22 active partners as citizens in this entire  
23 process and because DCP lacks understanding  
24 of what --

25 CHAIR LAGO: Thank you, Ms. Rosenblatt.

1 I'm afraid that your three minutes are  
2 up. But we would welcome getting your  
3 written testimony. And thank you for  
4 testifying.

5 MS. ROSENBLATT: Thank you.

6 CHAIR LAGO: Our next speaker will be  
7 Anita Jorgensen. And we also have a Hank  
8 Dombrowski, in addition to the Henry  
9 Dombrowski. I'm assuming, Ryan, it was the  
10 same person, right?

11 MR. SINGER: I believe so. It's a  
12 dial-in number, so it may indicate that  
13 they're trying to get back in.

14 CHAIR LAGO: Okay. So, then we'll go  
15 to Anita Jorgensen, and then to be followed  
16 by Henry Dombrowski or Hank Dombrowski.

17 MR. SINGER: Ms. Jorgensen, you should  
18 be able to unmute your microphone. I don't  
19 see Mr. Dombrowski in the room as well.

20 We'll get back to Mr. Jorgensen.

21 CHAIR LAGO: Okay. So then we'll go to  
22 Judith Stonehill after Ms. Jorgensen.

23 MR. SINGER: We'll reach out to  
24 Ms. Jorgensen.

25 CHAIR LAGO: Okay. So, then we'll go

1 to Judith Stonehill.

2 CO-HOST: Are both Ms. Jorgensen and  
3 Ms. Stonehill in the room?

4 MR. SINGER: We have Henry Dombrowski.

5 CHAIR LAGO: Welcome. Who is this?

6 MS. STONEHILL: Hi. Judith Stonehill  
7 here. I'm Judith Stonehill, speaking on  
8 behalf of Village Preservation, formerly the  
9 Greenwich Village Society for Historic  
10 Preservation.

11 One cannot examine the impacts of the  
12 proposed rezoning without looking at the  
13 disproportionate impact upon Chinatown and  
14 Asian Americans. And one can't look at the  
15 process by which this rezoning proposal was  
16 created without noting the complete failure  
17 to reach out to and include the Chinatown  
18 community or to acknowledge its impacts upon  
19 them. Even calling it the SoHo/NoHo  
20 rezoning, when several blocks of Chinatown  
21 are also included, is emblematic of this  
22 failure.

23 The Chinatown section of the rezoning  
24 is, in fact, targeted for the largest  
25 upzoning, with the largest incentive for

1 demolition and displacement, oversized  
2 development and new wealthier residents. In  
3 addition to Asian American residents, this  
4 area of Chinatown has a disproportionately  
5 higher concentration of lower-income  
6 residents and rent-regulated housing.

7 And as per documentation that we've  
8 submitted, blocks with consistently -- blocks  
9 with higher concentrations of Asian Americans  
10 throughout the rezoning area track  
11 consistently with where the City has targeted  
12 the highest upzonings creating the greatest  
13 pressure for displacement, oversized  
14 development, and new wealthier residents.

15 This is one of many ways in which the  
16 plan is not about social justice, equity or  
17 diversity, but about displacing and replacing  
18 the least well-off and least well-connected  
19 in these neighborhoods. All for the benefit  
20 of developers and real estate interests.  
21 It's one more reason why this plan should  
22 definitely be rejected.

23 Thank you.

24 CHAIR LAGO: Thank you, Ms. Stonehill.  
25 And Ryan, do we have any of the other recent

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1 names back on the line?

2 MR. SINGER: Henry has dropped out  
3 again. We're not sure what happened there.  
4 Let me just add -- Ms. Jorgensen, you should  
5 be able to unmute your microphone.

6 (No response.)

7 MR. SINGER: You can continue.

8 CHAIR LAGO: Okay. Then we will move  
9 on to Atit Javeri, followed by Joan Melnick.

10 CO-HOST: Atit is not here.

11 CHAIR LAGO: Okay. Then Joan Melnick,  
12 to be followed by Andy Zhang.

13 MR. ZHANG: Hello.

14 CHAIR LAGO: Welcome.

15 MR. ZHANG: Hi. My name is Andy Zhang,  
16 and I'm here to call in to support the  
17 proposed rezoning. I'm not here to support  
18 the SoHo/NoHo upzoning, I'm in support for  
19 working towards the goal of increasing  
20 housing affordability.

21 To clarify, I do not support every part  
22 of this rezoning, even more housing need to  
23 be included currently and I propose lowering  
24 the commercial and office densities in order  
25 to increase and add additional housing units



1           that are needed. Time and time again we have  
2           seen from the data and the evidence collected  
3           from not just cities and neighborhoods in New  
4           York, but over America, over the entire  
5           world, that more housing units -- hello?

6           CHAIR LAGO: Yes. Please continue.

7           MR. ZHANG: That more housing is needed  
8           in order to increase affordability and ease  
9           overcrowding conditions. In New York City  
10          alone, we have over 300,000 residents that  
11          are being crammed into overcrowded living  
12          conditions, and there is no way to ameliorate  
13          this condition and this problem without  
14          increasing the amount of floor space and  
15          housing units per person.

16          I reject any attempts to use the  
17          Chinese and Asian American communities as  
18          tools and chips against this rezoning, given  
19          how the vast majority of this rezoning will  
20          be concentrated on the wealthy and  
21          white-dominated SoHo and NoHo neighborhoods.

22          In the same way that we ask the rich to  
23          pay their fair share in taxes, it is up to us  
24          to also ask the wealthy property owners and  
25          land owners of this area to build their fair

1 share and their neighborhood. Demand that is  
2 spilling over from housing needs for students  
3 and people living in artistic and retail  
4 zones, like in SoHo, are spilling over into  
5 Chinatown, into Two Bridges and into other  
6 minority-dominated, lower-income residential  
7 neighborhoods. This must be stopped.

8 In order to build their fair share,  
9 every neighborhood needs to step up to  
10 ameliorate the housing shortage that New York  
11 City is facing right now. And I kindly  
12 request that the zoning commission does not  
13 use the Chinese Asian American and other  
14 people -- other minority communities and  
15 immigrant communities in this city as  
16 bargaining chips in this rhetorical game,  
17 that at the end of the day, serves nothing  
18 but real estate interest in the form of land  
19 and property speculation.

20 Thank you.

21 CHAIR LAGO: Thank you, Mr. Zhang.

22 Any other returnees, Ryan?

23 MR. SINGER: I believe that Anita  
24 Jorgensen is now able to speak.

25 MS. JORGENSEN: Yes, I'm here.

1 CHAIR LAGO: Welcome.

2 MS. JORGENSEN: I went into one of my  
3 favorite suppliers in my neighborhood, one of  
4 the very few hardware stores left, Lendy  
5 Electric. I'm a resident and work in the  
6 neighborhood. I'm an architectural lighting  
7 designer. The design field is not, as many  
8 people may know, a high-income occupation.

9 I think this plan is plain and simple a  
10 developer giveaway, a de Blasio donor Edison  
11 Properties, specifically, giveaway. It is  
12 criminal. It guarantees zero affordable  
13 housing.

14 Let me state, also, I am 100 percent  
15 for affordable housing, but not under this  
16 Senegal race-baiting guise for giving  
17 developers the right to create housing when  
18 there's no obligation for them to actually  
19 create housing.

20 I urge you to look at the Village  
21 Preservation's fantastic studies. They have  
22 brilliant studies and visuals on this matter.  
23 And it's well within the City and City  
24 Planning to provide affordable housing  
25 without this criminal upzoning that is for

1 the benefit of capital markets.

2 You know, SoHo was built on sweat  
3 equity. It was not built on private equity.  
4 We are the locals here. We live here. I  
5 raised my family here, despite the fact there  
6 are no schools here. I had to schlep to take  
7 my family to school. There are no parks.  
8 I've got to schlep to go to a nice little  
9 park. In SoHo, there are none.

10 So, please stop this ridiculous  
11 masquerade of providing housing when it will  
12 indeed not provide housing and may very well  
13 push out some of my very favorite suppliers;  
14 such as Lendy Electric and OK Hardware on  
15 Broome Street. These are the small  
16 businesses I depend on, but they cannot  
17 afford their rents any longer and this plan  
18 will only increase small businesses' rents.

19 As is clearly known by most people,  
20 storefronts have been vacant in SoHo for  
21 years because of capital market investments  
22 that depend on the gross value of a building  
23 based on rent income, which are  
24 unconscionable.

25 One of the best bookstores, McNally

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1 Jackson, in my neighborhood, my immediate  
2 vicinity, is in constant struggle to find a  
3 reasonable --

4 CHAIR LAGO: Ms. Jorgensen, I'm afraid  
5 that your three minutes are up. But we would  
6 welcome any written testimony that you'd like  
7 to submit. And thank you for making time,  
8 while you're out and about, to participate in  
9 our hearing.

10 Our next speaker will be Chris Ryan, to  
11 be followed by Denise Martin.

12 MR. SINGER: Mr. Ryan, you're muted.  
13 We can see you but we can't hear you.

14 MR. RYAN: Okay. I got you now. Thank  
15 you.

16 Hi. My name is Chris Ryan. I wasn't  
17 planning on testifying, but I've heard over  
18 six hours of testimony here sitting next to  
19 Candidate Allie Ryan, District 2. She was in  
20 a car. I'm in a boat now.

21 I just wanted -- I looked that you were  
22 interested in people having ideas, you have  
23 questions. And I just wanted to cite as an  
24 example, my situation, which is -- I've lived  
25 in East Village, District 2, 30 years. I was

1 the benefit of a low-income home ownership --  
2 hello? Can you hear me?

3 CHAIR LAGO: Yes. Please.

4 MR. RYAN: Okay. A home ownership  
5 program, one person did manage -- did mention  
6 affordable condos, and I would like to  
7 propose that as a consideration that low --  
8 affordable housing can also be a home  
9 ownership program.

10 I'm on the board of our building. We  
11 have a 30-unit building. All of our lives  
12 were changed by a program that was affordable  
13 home ownership. I would propose the NoHo  
14 portion of the plan, because people don't  
15 seem as up in arms about the NoHo part, which  
16 is more just east of Lafayette, where I can  
17 see in the zone for the plan had like  
18 140 percent increase.

19 If that could be built as affordable  
20 home ownership, that would be real affordable  
21 ownership. That would be real impact on  
22 people's lives, and we would have communities  
23 and those units with two, three bedrooms, not  
24 studios, not catering to who knows what;  
25 students, single people who are going to live

1 in the neighborhood briefly, but actually  
2 families.

3 And we could bring to that area, NoHo,  
4 which I don't see as very family right now,  
5 it could be a way to bring families to our  
6 neck of the woods, which is Community  
7 District 2 where Allie is running, and not  
8 displace artists, the people who put in the  
9 sweat equity and whatnot. And you know, let  
10 us take the hit. Let the East Village take  
11 the hit.

12 I'm living proof that these affordable  
13 ownership programs are life changers. Now  
14 I'm staying in the City raising a family, and  
15 we're giving back to the community. So,  
16 throughout all Allie's time and activism and  
17 now running for office, so that's my basic  
18 thing.

19 I wish all the candidates were here,  
20 but I'm happy to see Chris Marte and Allie  
21 Ryan here. And I thank you for the  
22 opportunity to testify today. Home  
23 ownership.

24 Thank you.

25 CHAIR LAGO: Thank you for testifying,

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1 Mr. Ryan.

2 MR. RYAN: Sure.

3 CHAIR LAGO: Our next speaker is Denise  
4 Martin. Please, welcome.

5 MS. MARTIN: Here? Yes?

6 CHAIR LAGO: Yes, right there.

7 MS. MARTIN: My name is Denise Martin,  
8 and I am speaking for my small artist co-op  
9 on Bond Street. We're one of the first  
10 artist co-ops in NoHo, 1970. It's been a  
11 long time. We went through the SRO business  
12 on Bowery. We went through crack epidemic.  
13 We've gone through high class architects  
14 coming to NoHo, but all these changes has  
15 created a neighborhood that we still  
16 recognize. And what this plan does is do  
17 away with all of the unique and recognizable  
18 components of NoHo, as an artist-oriented  
19 space.

20 And I've heard -- I went to all of the  
21 meetings. I've heard a lot today, and I  
22 appreciate the many opinions. But, you know,  
23 not many people have seemed to talk about  
24 what it means for the co-op board of a small  
25 co-op. We have only 13 units. We're not



1 big. We're not rich. Half of us are  
2 seniors. The other half, some of them have  
3 children in elementary schools in the  
4 neighborhood. We are a model, really, for  
5 NoHo, and we see that if someone in our group  
6 wanted to sell his JLWQA unit because he's 80  
7 and needs to move, and he would have this  
8 enormous tax to pay.

9 Well, that would have to come out of  
10 his price, but that's a lot of money; \$75 a  
11 square foot, \$100 a square foot. Our units,  
12 they're JLWQA, they are working units. These  
13 are painters. They have studios. They got a  
14 lot of square feet, but they don't have a lot  
15 of money.

16 Let's say they decide they have to  
17 sell. They get this very large tax and then  
18 to sell to a non -- to change the zoning,  
19 their unit has to be residential. That does  
20 a lot for the co-op, because we then are  
21 driven to consider the C of O of the entire  
22 co-op. We became a co-op in the 1970s.

23 I can assure you that code meeting --  
24 the code that we had to meet in the 1970s is  
25 not the code we would have to meet today, and

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1 we would have to pay for it. So, I just urge  
2 you to consider the situation of people who  
3 have lived in the City for a long time,  
4 50 years, and who are facing changes that  
5 would really make it difficult for them, for  
6 us, for me to stay here in the neighborhood  
7 that I really do love. And it has --

8 CHAIR LAGO: Thank you.

9 MS. MARTIN: Thank you very much.

10 CHAIR LAGO: Thank you for your  
11 testimony, Ms. Martin, and for bringing the  
12 perspective of the small co-op. Appreciate  
13 it.

14 Yes, Commissioner Ortiz.

15 Ms. Martin, would you mind taking a  
16 question from Commissioner Ortiz?

17 MS. LEVIN: There's a question from  
18 behind the pillar here.

19 (Laughter.)

20 MS. ORTIZ: I'm hiding.

21 So, one point of clarification -- and I  
22 know this has come up before, but the arts  
23 fund contribution that you're referencing, on  
24 the New York City Planning Twitter feed, they  
25 clarified that this is required for voluntary

1 conversion of artist-owned live-work space to  
2 regular residential.

3 MS. MARTIN: Yes.

4 MS. ORTIZ: So, if you -- I mean, if  
5 you go to regular residential and we lose a  
6 JLWQA, which I think we're saying we don't  
7 want to lose the arts in SoHo, it's under  
8 that -- it's in that situation where you  
9 would have to contribute. But if you -- is  
10 this correct? If you then sell --

11 MS. MARTIN: If you're going to sell to  
12 a noncertified artist, yes.

13 MS. ORTIZ: Yes. But if you want to  
14 retain artist in SoHo and you sell to a  
15 certified artist, you don't have to pay that  
16 fee.

17 MS. MARTIN: That's correct. But there  
18 are many, many advantages, obviously, for the  
19 owner who is old, to sell to someone who  
20 wants a residential thing. Plus, I gotta say  
21 that there are a lot of advantages in the  
22 plan, as I understand it.

23 Now, I'm not an architect. I don't  
24 know, but -- and it would be changing -- it  
25 would -- you're absolutely correct. It would

1           be changing from JMWQA to residential and  
2           that is what triggers these talks; that's  
3           correct.

4                   MS. ORTIZ: And I mean you can see that  
5           there are two sides of this.

6                   MS. MARTIN: Yes, if people can sell to  
7           another certified artist, absolutely. I will  
8           say that one of the things that we feel  
9           gaudily about is that we can see that there  
10          are things about the existing situation in  
11          NoHo that are not reasonable.

12                   CHAIR LAGO: Ms. Martin, at this point,  
13          it's answering the questions of the  
14          Commissioner.

15                   And thank you, Commissioner Ortiz, for  
16          your question.

17                   MS. MARTIN: That's about  
18          certification. You're absolutely right and I  
19          think I misspoke unintentionally. But I  
20          think that is what people fear, that when  
21          they go to sell they would be pushed to sell  
22          to someone who wanted a residential space,  
23          now that there is a way to do it, which there  
24          really was not before.

25                   CHAIR LAGO: Thank you for the

1 clarification, Ms. Martin. And again, thank  
2 you for your testimony.

3 Our next speaker who is no longer on  
4 video or on phone but here in person is Henry  
5 Dombrowski.

6 MR. DOMBROWSKI: Hello. Thank you for  
7 giving me the opportunity to speak. My name  
8 is Henry Dombrowski, and I have lived at the  
9 Spring Lafayette on the edge of the proposed  
10 rezoning. I'm speaking on behalf of myself  
11 and of other rent-regulated and affordable  
12 housing tenants working and living in the  
13 community. And I'm on the steering committee  
14 at Cooper Square Committee Housing Group in  
15 the East Village.

16 Living in this neighborhood in an  
17 affordable apartment where private equity,  
18 bad actors, or stewards of bad banks are in  
19 search of maximizing potential buildings will  
20 ensure years of diminished quality of life  
21 and constant harassment for all those in  
22 existing affordable or rent-regulated  
23 apartments.

24 There has been some talk of tenant  
25 protections. I can assure you, as many of my

1 neighbors who managed to remain will attest  
2 to that. Tenant protection laws are not  
3 enforced to the point where targeted tenants  
4 will be able to hold on to their existing  
5 affordable housing in many cases. This  
6 statement is proven with statistics  
7 reflecting losses of regulated apartments or  
8 an in-person visit to a housing corp on any  
9 day that it's in session.

10 Construction harassment, despite the  
11 introduction of new construction harassment  
12 laws, runs rampant right now. It's not  
13 illegal to accidentally poke hole through the  
14 tenant's ceiling while doing work on adjacent  
15 apartment. It's not illegal for a bad actor  
16 to refuse rent payments then bring a tenant  
17 to court for nonpayment. In housing court,  
18 tenant meets their adversary, corporate real  
19 estate lawyers. The accidentally piercing --  
20 I'm sorry.

21 In housing court, tenants meet their  
22 adversary, corporate real estate lawyers.  
23 The first time this can be alarming. It's  
24 not illegal for water pipes to be  
25 accidentally pierced and water allowed to run

1           for months into apartments that is inhabited.  
2           It's not illegal for electricity to be  
3           accidentally shutoff without notice during  
4           construction. You get the message.

5           Tenants always have the housing court  
6           system where they can get the repairs ordered  
7           by a judge. That may be true. But keep in  
8           mind that for the tenants, months and years  
9           in court defending their homes, there's  
10          almost no, zero compensation for their days  
11          off from work or the physically, emotional  
12          suffering that they are subjected to by these  
13          forces choosing to harassment citizens from  
14          their homes; this is what goes on.

15          As a member of this community who has  
16          worked and lived here for many years, it is  
17          clear to me that this tidal wave rezoning is  
18          not good for most everyone who has positively  
19          contributed to this community over the years.  
20          Poor, middle-income, wealthy think of your  
21          own position, your favorite place for coffee,  
22          jeopardized. Your shoemaker, jeopardized.  
23          The place you could leave your keys for a  
24          friend to pick up, jeopardized. Coolest  
25          building on your block, jeopardized -- so on

1           and so forth. This is not about nostalgia  
2           either. This is about choice. The choice to  
3           destroy or maintain a vital model  
4           community --

5                   CHAIR LAGO: Mr. Dombrowski, I'm afraid  
6           that your time is up. But I see that you  
7           have written testimony, and we very much  
8           welcome your submitting it.

9                   MR. DOMBROWSKI: Oh. Can I have ten  
10          more seconds?

11                  CHAIR LAGO: Ten seconds?

12                  MR. DOMBROWSKI: Yes.

13                  CHAIR LAGO: Okay. I'll be generous.  
14          You're the first person today.

15                  MR. DOMBROWSKI: Oh. Thanks so much.

16                  The choice to destroy or maintain a  
17          vital model community that it's magic has  
18          been copied and studied worldwide for the  
19          benefit of other communities seeking answers  
20          for their own societies.

21                  I urge the CPC to reject this  
22          shortsighted rezoning as it is and work with  
23          the community to come up with another  
24          groundbreaking example of what a society can  
25          offer, where the potential of the community



1 is maximized and not potential of a subset of  
2 buildings. An example where cities  
3 everywhere wants to copy and follow --

4 CHAIR LAGO: Mr. Dombrowski, I'm afraid  
5 that we're well --

6 MR. DOMBROWSKI: Thank you. I have  
7 three copies. Do you want all three?

8 CHAIR LAGO: If you could give one copy  
9 to Ryan here. And thank you for making the  
10 extra effort when you couldn't get in  
11 electronically.

12 Okay. Ryan, I will now read through  
13 the 15 names of people who signed up but did  
14 not testify, in the event any of them have  
15 returned to the room.

16 MR. SINGER: If you want I can -- Joan  
17 Melnick is in the room and we see her ready.

18 CHAIR LAGO: Okay.

19 MR. SINGER: Let's go ahead and get her  
20 going.

21 MS. MELNICK: Hello. My name is Joan  
22 Melnick. I live on Great Jones Street. I  
23 have been a resident here for over 50 years.  
24 I'm an artist, a college professor of  
25 history, and I am a painter. I have watched

1 my neighborhood, NoHo, go through a  
2 phenomenal evolution over these years. And I  
3 have watched the way the City has, basically,  
4 created this monster. The monster being the  
5 gentrification of SoHo and now NoHo.

6 There was a time when it was only  
7 artists living here, and they have been  
8 pushed out. And the reason they were pushed  
9 out was because there was no enforcement of  
10 the mixed-use, which was artist  
11 certification.

12 I find, and I do believe I represent as  
13 the vice president of my co-op, which is  
14 seven floors, that we do not support this  
15 rezoning. The idea of tearing down buildings  
16 to make way for new construction is beyond my  
17 understanding. I do not believe that this  
18 will create affordable housing. I do believe  
19 that this is a gift for de Blasio as part of  
20 his legacy when he leaves office, that he  
21 owes and he's being -- this is gifting these  
22 developers.

23 I do also believe, and this is without  
24 any proof, that the City has much real estate  
25 that has not been developed. It has also

1           allowed for warehousing apartments all over  
2           the City and not punishing the people with  
3           taxes who come in from out of the country to  
4           put their money into real estate and not use  
5           it, nor do they participate in their  
6           communities here in New York. I don't want  
7           to reiterate on information that has already  
8           been stated. I think you're all pretty tired  
9           by now.

10                   But we are a small co-op. We bought  
11           the building in the early '80s, and we've  
12           developed it. We certainly cannot afford to  
13           go through the idea of paying a tax on  
14           something we as artists are paying ourselves,  
15           some absurd tax that will never reach --

16                   CHAIR LAGO: Ms. Melnick, I'm afraid  
17           that your time is up, but we would welcome  
18           your submitted --

19                   MS. MELNICK: Thank you very much.

20                   CHAIR LAGO: And thank you for  
21           testifying.

22                   And Ryan, I think you indicated that  
23           none of the other 14 people are in the room?

24                   MR. SINGER: No, there are no further  
25           people in the Zoom who have not already

1 spoken.

2 CHAIR LAGO: Okay. And since I can't  
3 see around the poles, if there is anyone in  
4 the room who has not yet testified that is  
5 interested, now would be the time to come  
6 forward.

7 (No response.)

8 CHAIR LAGO: It appears there are none.  
9 The record on this matter is going to remain  
10 open through Monday, the 13th of September,  
11 to receive written comments on the Draft  
12 Environmental Impact Statement.

13 And with that, the only public hearing  
14 on today's calendar, the one of this matter,  
15 is closed. And is there any other business?

16 MR. SINGER: There is no further  
17 business.

18 CHAIR LAGO: The meetings is closed.  
19 And I thank the Commissioners for not only  
20 two days of long public hearings, but for  
21 battling the elements.

22 Thank you.

23 (TIME NOTED: 4:06 p.m.)

24

25

C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on September 2, 2021.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of September 2021.

*Sabrina Brown-Stewart*  
Sabrina Brown Stewart



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8:19,21,22,23 9:4,5,8 10:12,15,18 26:7 44:10 47:17 50:24 52:25 53:17 55:21 65:13 68:4 76:5 85:18 88:12 91:15 101:21,22 106:19 107:2,4 118:7 125:12,13,15 137:14 141:15,17 157:18,18 170:25 174:3,18,19 175:11 180:14 185:8,9 187:25 190:22,23,24 193:24,25 196:4 203:15 204:7 210:8 211:7 215:3 219:15 221:17,18,18 226:22,22 231:10,24 236:17 237:15,17 244:5,6,7 247:4,4,5,17,18 250:6 255:13 265:14 266:3 271:9,10 273:23 274:25,25 279:3,5,5 282:9 288:1,2,18 291:5 296:5 301:10 303:16 304:2 306: 20,21,22,23,25 307:6,8 310:17,18 (107)  <b>yourself</b> 9:7 247:7 282:9  <b>youth</b> 162:15 201:22  <b>zachary</b> 105:15,20,22,24 (4)  <b>zack</b> 271:17 274:18,20  <b>zeal</b> 214:21	<b>zealots</b> 261:1  <b>zeke</b> 6:5 261:16,18 262:3 (4)  <b>zella</b> 3:22 78:11 91:20 97:5,9 99:16,21 123:8 (8)  <b>zero</b> 50:12 205:20 233:5 264:8 294:12 306:10 (6)  <b>zerosum</b> 72:22  <b>zhang</b> 6:18 291:12,13,15,15 292:7 293:21 (7)  <b>zishun</b> 4:19 160:4 162:12,14 (4)  <b>zone</b> 40:2 41:25 81:21 86:22 91:1 101:9 141:3 236:12 252:16 297:17 (10)  <b>zoned</b> 139:2  <b>zones</b> 15:17,21 16:21 39:19,21 94:12 253:16 293:4 (8)  <b>zoning</b> 13:3,4 14:23,25 15:3,7 19:20 26:13 41:3 51:17 52:14 57:23 64:14 66:17 71:18 74:7,8,14 75:14 83:14 89:11 92:6 111:18 112:16 113:14 119:1 123:17,18,23 124:13,24 125:1 126:2 127:1,20 129:1 130:2 131:21 138:7,9,16 141:7 145:9,15	154:25 167:4 175:9 180:24 205:21 207:25 208:12,24 210:10 211:11,12 216:6,9 230:5 233:12 236:5 250:13 258:2 269:6 272:25 293:12 300:18 (66)  <b>zoningled</b> 49:16  <b>zoom</b> 1:6 66:8 73:25 105:23 122:23 154:6 219:25 252:24 310:25 (9)  <b>205</b> 177:24  <b>240</b> 246:1  <b>241</b> 196:15  <b>250</b> 65:24 135:14 142:16 158:5 (4)  <b>300</b> 71:9  <b>304</b> 178:13  <b>385</b> 276:19  <b>390</b> 20:23  <b>406</b> 311:23  <b>450</b> 242:25  <b>550</b> 51:25  <b>600</b> 169:14 259:13  <b>635</b> 48:18  <b>650</b> 111:6  <b>800</b> 242:23 246:13  <b>900</b> 21:5 70:12	93:1,11 103:15 159:6 263:1 284:19 (8)  <b>911</b> 109:7  <b>958</b> 71:8  <b>1000</b> 111:10  <b>1017</b> 1:8  <b>1142</b> 169:16  <b>1200</b> 259:12  <b>1600</b> 71:5 173:22  <b>1700</b> 263:1  <b>1805</b> 276:20  <b>1815</b> 276:20  <b>1868</b> 50:11  <b>1892</b> 195:3  <b>1968</b> 202:4  <b>1969</b> 269:5  <b>1970</b> 202:3 299:10  <b>1977</b> 64:7  <b>1978</b> 241:23 248:2 282:15  <b>1979</b> 97:17 235:7  <b>1983</b> 276:18  <b>1984</b> 88:23  <b>1996</b> 58:7  <b>1997</b> 168:20  <b>1998</b> 69:8  <b>1999</b> 219:6	<b>2000</b> 284:20  <b>2001</b> 150:2  <b>2004</b> 63:15  <b>2005</b> 155:6  <b>2008</b> 162:21  <b>2010</b> 18:5 20:20 103:8  <b>2012</b> 126:6  <b>2013</b> 243:4  <b>2014</b> 48:24  <b>2015</b> 138:21  <b>2017</b> 14:22 103:8  <b>2018</b> 178:15  <b>2019</b> 23:11 112:3 243:7 253:17 266:13 (5)  <b>2020</b> 18:5 82:25 204:4  <b>2021</b> 1:4,2 7:2 11:22 54:18 55:24 203:17 312:11,17 (9)  <b>2023</b> 54:6  <b>3200</b> 246:12  <b>3500</b> 21:5  <b>4000</b> 71:12 111:11  <b>5000</b> 155:4 211:13 241:9 250:2 (4)  <b>7500</b> 205:10  <b>7769</b> 246:10
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NYC - Department of City Planning SoHo.NoHo Neighborhood Plan  
Public Hearing

September 2, 2021

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**8000** 71:6

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**13985** 48:25  
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**24000** 243:4

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**53000** 20:20

**70000** 63:11

**74712** 155:7

**300000** 292:10

**600000** 18:6,6

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Jeannine Kiely, *Chair*  
Susan Kent, *First Vice Chair*  
Valerie De La Rosa, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
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## COMMUNITY BOARD No. 2, MANHATTAN

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July 27, 2021

Marisa Lago, *Chair*  
City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on July 26, 2021, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

### **Opposition to the City's Proposed Plan to Rezone SoHo, NoHo and Chinatown**

ULURP Application Nos. C210422 ZMM, N210423 ZRM  
Draft Environmental Impact Statement CEQR No. 21DCP059M

#### **Whereas:**

#### **A. The proposed SoHo, NoHo and Chinatown rezoning fails to achieve affordable housing goals and instead incentivizes office, dormitory and large retail development and will displace existing rent-protected and low-income residents.**

1. Manhattan Community Board 2 (CB2) is committed to the protection of existing rent-regulated housing and the creation of new equitable affordable housing for NYC residents who are most in need.
2. The [\*SoHo NoHo Neighborhood Plan\*](#) (the Mayor's Plan) is unlikely to produce any affordable housing, while being falsely presented as a proposal to *expand* affordable housing and instead incentivizes commercial and dormitory uses.
3. The Mayor's Plan fails to protect against displacement, particularly for residents in Chinatown, seniors aging-in-place and tenants who are rent stabilized, rent controlled or protected under New York State Loft Law.
4. The Mayor's Plan also fails to secure the future or consider expansion of the highly successful JLWQA use as well as fails to mitigate the significant adverse impacts on open space, shadows, historic and cultural resources, transportation and construction noted in the Draft Environmental Impact Statement<sup>1</sup> (DEIS).

5. Adaptive reuse has been the heart of NoHo and SoHo's success. Artists and small retailers transformed a dying industrial district into a highly distinctive, architecturally significant, world-renowned neighborhood.
6. In its wake, the Mayor's Plan will eliminate the zoning that makes these historic districts unique, attractive and highly successful.
7. The Final Scope of Work (FSOW) of the Mayor's Plan remains virtually unchanged from the Draft Scope of Work (DSOW) and ignores recommendations from sincere housing and community advocates – including CB2's own detailed, [40-page critique of the Draft Scope of Work](#) – and from the [Envision SoHo/NoHo](#) report and Advisory Group sponsored by DCP, Manhattan Borough President Gale Brewer and Council Member Margaret Chin.
8. The rushed rezoning plan is designed to coincide with the last days of Mayor de Blasio's administration and prevents input from the incoming mayor and city council.
9. The plan, conceived during the depths of the COVID-19 pandemic, cannot take into account post-pandemic changes in live-work and usage of commercial space.
10. The city's public meetings, none of which were held in-person, failed to include members of the Chinatown community, where almost half of the projected new development will be built.

***For all these reasons, and for the specific areas of concern detailed below, Manhattan Community Board 2 rejects the City's fundamentally flawed and unacceptable SoHo NoHo Neighborhood Plan.***

## **B. Key Areas of Concern**

### **1. The Mayor's Plan Fails to Guarantee Any Critically Needed Affordable Housing.**

- a. The City admits that there is **zero** guarantee that any affordable housing units will be created as a result of the proposed Plan.
- b. The rezoning will incentivize the replacement of existing architecture with new, out-of-scale luxury residential structures with a minimal number of affordable units or with commercial or dormitory uses. [Mandatory Inclusionary Housing](#) (MIH) (i) allows building enlargements with no affordable housing required, (ii) creates new luxury housing with no affordable housing on site if the developer pays into a housing opportunity fund to build it elsewhere, (iii) permits exemptions based on deep lot size and small building footprints and (iv) most importantly, fails to create affordable housing for those most in need in our community<sup>2</sup> – at income levels that fall below 40% Area Median Income<sup>3</sup> (AMI).
- c. These incentives for commercial<sup>4</sup> and dormitory use as well as the proposed modification to preserve large buildings (60,000 sq. ft. and larger) for commercial use<sup>5</sup>, will result in a proliferation of large office and/or other commercial structures with no affordable housing at all.
- d. The addition of residential use will allow dormitories of up to 6.5 FAR, which were previously not permitted and, given the limited development sites and proximity to a number of universities, will create another use that competes against affordable housing.
- e. In fact, ***the Mayor's Plan will likely result in a net reduction of the number of affordable housing units.*** It incentivizes the demolition of existing low-rise buildings and the displacement of rent-stabilized tenants in ***at least*** [635 rent-regulated units](#) and

*likely much more in at least 185 buildings.*<sup>6</sup> These units are disproportionately located in the rezoning areas with the highest proposed upzonings – the 12 FAR zones – and are therefore especially threatened by the plan. Particularly at risk are residents in Chinatown (located in the SoHo East designated opportunity zone, where one property owner has multiple contiguous properties that will benefit from higher commercial FAR) and senior citizens aging-in-place, especially those tenants in smaller JLWQA and rent-stabilized buildings, which are prime targets for demolition.

- f. The Mayor's Plan will fail to achieve a more socioeconomically and racially diverse neighborhood in part because MIH relies on large-scale luxury development with low numbers of affordable units.
- g. Any future rezoning plan must review and include protections for tenants at risk of displacement.<sup>7</sup>
- h. CB2 also insists that any rezoning plan addresses options for *adding more permanently affordable housing, including supportive housing, without the addition of more luxury housing*, including (i) incentivizing adaptive reuse and sustainability, (ii) converting empty hotels and offices to affordable housing; (iii) constructing 100% affordable housing on the federally-owned parking lot at 2 Howard Street under existing HPD programs, (iv) identifying opportunities to build more affordable housing, particularly on vacant sites, while addressing displacement concerns, and (v) acquiring and subsidizing the development of 100% affordable housing and/or supportive housing on sites within the rezoning area, including bold and imaginative uses of the limited developable land in SoHo, NoHo and Chinatown.

## 2. **Zoning changes will squeeze out small retail stores and negatively impact quality of life for current and future residents.**

- a. CB2 supports allowing as-of-right ground-floor local retail less than 10,000 sq. ft. under Use Group 6, appropriate for a mixed-use residential district.
- b. CB2 supports maintaining a special permit for retail more than 10,000 total sq. ft., as is the case in most commercial districts in the city<sup>8</sup> to ensure community input in the creation of large-scale retail uses and to give voice to and support small business owners and opposes<sup>9</sup> any zoning-led bailout for overleveraged retail property owners.<sup>10</sup>
- c. CB2 continues to support the enforcement of the city's loading berth<sup>11</sup> requirements to reduce noise, pollution and congestion from frequent deliveries and trash pickup, based on total selling space, including basements.
- d. CB2 supports maintaining a size limit and creating a special permit for eating and drinking establishments above 5,000 sq. ft. or seating capacity above 200, similar to requirements in the nearby Special Hudson Square District<sup>12</sup> and Special Tribeca Mixed Use District.
- e. The Mayor's Plan projects residential use to increase<sup>13</sup> but does not address quality of life concerns for current and future residents. Any future rezoning plan should (i) require a special permit for any commercial rooftop or outdoor eating and drinking, club, meeting hall, event space, accessory to retail or catering uses and (ii) prohibit eating and drinking uses and high-impact retail uses above the 2nd floor. To date, voluntary city programs, including those promoted by our area's Business Improvement Districts, have not

successfully addressed quality-of-life concerns for the residential community and should not be expected to mitigate those known impacts in the future.

- f. CB2 does not support new developments or conversions that mix commercial and residential on the same floor, nor places commercial uses above existing residential uses within a building.

**3. The Proposed “Mechanism” for Converting Manufacturing Use Group 17-D, Joint Living-Work Quarters for Artists (JLWQA), to Residential Use Group 2 Creates Adverse and Unknown Consequences for Current Residents and will Eliminate this Unique Use.**

- a. The Mayor's Plan would eventually eliminate Manufacturing Use Group 17-D JLWQA units, the defining characteristic of SoHo and NoHo's M1-5A and M1-5B zoning districts<sup>14</sup> through a last minute and ill-conceived “mechanism” to remove this special use. Payments into an undefined Arts Fund do not provide a long term sustainable model using one-time contributions and DCP provided no financial analysis to support this proposal despite repeated requests from CB2.
- b. The proposed “mechanism” does not meet the stated goal of creating dedicated space for arts & culture through mandated space within buildings per zoning requirements, instead relying on arbitrary decisions directed by market forces and availability, and only then would an arts or culture use have an option for a grant to rent space.
- c. **Why 17-D?** Manufacturing Use Group 17-D is the unique designation of space for the manufacture of art, which also allows for residential use and requires occupancy by at least one certified artist in each unit. This permitted the adaptive reuse of disused manufacturing spaces for arts and residential uses and set in place similar movements to revitalize industrial districts in cities around the world.
- d. **Plan Ignores Existing Population of Artists.** Despite large numbers of Certified Artists who participated in the [Envision SoHo/NoHo](#) process and continue to utilize JLWQA units for the production of art, DCP vastly underestimates the number of working artists in SoHo and NoHo and abruptly forms its own conclusions through incorrect interpretations of the state's Department of Cultural Affairs (DCLA) data (there is no requirement that *all* artists must go through certification) and a yawning lack of interest in the underlying reasons for the drop in applications over the decades (a regimen of non-enforcement and a lengthy certification process).
- e. **Expanding Definitions.** The Mayor's Plan ignores [Envision SoHo/NoHo](#)'s recommendations to “consider a potential expansion of live-work definition that reflects current and future trends” nor does it “encourage and support artist/maker/cultural worker occupancies.” This would evolve this unique and emulated use to include a broader spectrum of certified artists or makers.<sup>15</sup>
- f. **Punitive Fee.** The Mayor's Plan imposes a \$100 per sq. ft. conversion fee that is financially punitive, particularly to pioneering legally conforming senior citizens who are aging-in-place and who went through considerable hardship to legalize their spaces and buildings under the current zoning laws. In addition, the conversion fee does not mitigate any adverse impact from the Mayor's Plan in Soho, NoHo, or Chinatown, especially the elimination of art manufacturing spaces.<sup>16</sup> Meanwhile, the Mayor's Plan would newly

allow as-of-right ground floor retail, department store, dormitory, and other uses, and significant increases to commercial FAR, at no cost to commercial building owners. Moreover, the Mayor's Plan fails to make a distinction between those property owners who legally conform to the current zoning requirements and those who do not, which results in an excessive punitive conversion fee for those who have gone to great lengths to both convert and legally occupy Use Group 17-D spaces.

- g. **Cost for Building Code Consequences.** The Mayor's Plan neither adequately considers nor did DCP adequately explore the complexity and impact of converting Manufacturing Use Group 17-D JLWQA units to Residential Use Group 2 units including the myriad changes required by the city's building code compliance during conversion from a manufacturing to a residential use and the associated costs to the "pathway to legalization" including architects, engineers, lawyers and tradespeople to do the necessary work to be code-compliant.
- h. **Displacement of Rent-Protected JLWQA Tenants.** The Mayor's Plan fails to adequately address harm that could occur to current rent regulated tenants residing in rent-stabilized loft law/former Interim Multiple Dwelling (IMD) JLWQA units or those currently protected by the loft law; DCP has acknowledged that they are not experts on loft law units<sup>17</sup> and have not initiated any conversations with our local state elected officials on the impacts on these tenants.
- i. **Adverse Impacts on Individual Owners.** The Mayor's Plan fails to adequately address co-ops or condos and the likelihood that these boards could impose conversions from Use Group 17D to Use Group 2 for all existing JLWQA units throughout their building. As a result, individual shareholders or owners could face elimination of allowable arts uses and significant financial hardship, up to and including loss of their unit.
- j. **Ill-Conceived Arts Fund.** The creation of an Arts Fund is ill conceived because it fails to acknowledge or memorialize the contributions of artists to adapting, reusing and rebuilding SoHo and NoHo and instead would simply create a non-city source for arts funding to distribute beyond the SoHo, NoHo and Chinatown proposed rezoning area which would not reflect the loss of spaces for the creation of art in SoHo and NoHo. In 1973, the Landmarks Preservation Commission (LPC) stated that "the [SoHo-Cast Iron Historic] district demonstrates one way in which the core of an old city can be given new life without the destruction of its cultural heritage."<sup>18</sup>
- k. CB2 supports the continued evolution of JLWQA, not its replacement with Residential Use Group 2<sup>19</sup>, updating and reviewing the definition of "Artist" as defined by the state and administered by the Department of Cultural Affairs (DCLA), such as the inclusion of Maker and other living-work uses.<sup>20</sup>
- l. Given the complex interplay between the city's zoning text and Article 7-B in the state's Multiple Dwelling Law, CB2 supports working in tandem with local state elected officials *before* proposing changes to JLWQA. To date, DCP has not done this.

#### 4. **Massive Increases in Allowable Square Footage will Erase the "Historic" of the Once-Historic Districts and fundamentally transform SoHo, NoHo and Chinatown.**

- a. CB2 opposes the proposed increase in allowable Floor Area Ratio (FAR) – from the current level of 5 to levels up to 12, the maximum FAR allowed under New York State law. This FAR increase incentivizes the demolition of existing buildings in the six

historic districts<sup>21</sup> that give these neighborhoods their defining character and that comprise over 80%<sup>22</sup> of the rezoning area, in Chinatown and the adjacent neighborhoods. This increased development pressure as a result of the rezoning will lead to residential and commercial displacement, and loss of significant historic and cultural assets in some of the already most economically challenged parts of the district.

- b. The proposed increase in FAR also will permit (i) vertical expansion of buildings in historic districts, putting great pressure on the LPC to approve such highly visible enlargements because the zoning allows it; (ii) construction of new towers that will destroy the best features of the existing historic neighborhood context such as the predominant street wall, mass and scale of the buildings; and (iii) pairing with “bonus” packages such as [Elevate Transit: Zoning for Accessibility](#) that will increase the size of buildings an additional 20%.
  - c. All members of the [Envision SoHo/NoHo](#) Advisory Group agreed that the historic character of the SoHo and NoHo Historic Districts should be preserved. The Group understood that historic cast-iron buildings and the legacy of an artists’ community are what draws people to this neighborhood, and fuels an economic engine of residents, workers and visitors. DCP did not consider this unanimous consensus of its own Advisory Group during the rushed, irresponsible formulation of the Mayor’s Plan.
  - d. **LPC Discretion.** While such increased allowances are still at the discretion of the LPC, this increase in the zoning would send a signal to the LPC that much larger development should be approved, and give developers a greater incentive to seek permission to demolish. In fact, the Mayor’s Plan anticipates the demolition of 73 historic architectural resources in historic districts.<sup>23</sup>
  - e. **LPC Not Consulted.** DCP has stated that they would rely on LPC review to protect the historic districts located within the Plan Area. However, despite bringing in many city agencies throughout the [Envision SoHo/NoHo](#) Neighborhood Plan processes, DCP has never included the LPC as part of that public engagement.
  - f. **Adverse Impact on Displacement.** There is also significant risk of “eviction through construction” for rent regulated and loft law tenants because of proposed as-of-right allowances for additions to buildings that are occupied.
  - g. **Adverse Impact on State/National Register (S/NR) of Historic Places.** The rezoning also will impact buildings in the S/NR of Historic Places including the portions of the SoHo Historic District, Bowery Historic District, and Chinatown and Little Italy Historic District that are outside of the impacted NYC-designated landmarked districts, the SoHo-Cast Iron Historic District and Extension, NoHo Historic District and Extension, NoHo East Historic District, and parts of the Sullivan-Thompson Historic District.
  - h. **Development Rights.** CB2 opposes the transfer of development rights beyond currently permitted contiguous lots and any future proposal must maintain the contextual 85 ft. street wall height.
5. **The Mayor’s Plan offers no mitigation measures for the significant adverse impacts on open space, shadows, historic and cultural resources, transportation and construction.**

- a. CB2 cannot accept the DCP's plan to mitigate<sup>1</sup> the adverse impact on open space by creating "additional passive open space" even though 70% of the study area population will use active open space and the study area is better served by passive open space.<sup>24</sup>
- b. The DEIS acknowledges flooding in the southwest corner of the rezoning area but fails to offer a plan to address sustainability, resilience and climate change<sup>25</sup>.

## 6. Other Concerns.

- a. **Virtually Unchanged Plan Ignores Input.** The Mayor's Plan remains virtually unchanged from the Draft Scope of Work (DSOW), ignoring CB2's, Elected Officials and the community's constructive well-considered suggestions and criticisms – including details from CB2's 40-page, 16,000-word [December 2020 resolution](#) in response to the DSOW and many responses<sup>26</sup> from stakeholders, residents and others.
- b. **No Chinatown Outreach.** The city has failed to reach out to the many residents who will be displaced and have been left in the dark by the mayor and DCP. The city continues to marginalize the residents of Chinatown by utterly failing to directly outreach to residents of Chinatown even though 43% of the new housing development is projected in Chinatown. For example, the City only hosted one meeting on April 30, 2019 for the Chinatown community and only one person attended. More recently, on July 15, 2021, a member of a family with significant property holdings in Chinatown and multiple contiguous in the SoHo East designated opportunity zone was quoted in a major local Chinese Daily newspaper *Sing Tao Daily* stating that they only recently became aware of the proposed rezoning.
- c. **Failure to Share Financial Analyses.** DCP has refused to share any of the financial analyses that CB2 has repeatedly requested in response to the DSOW and the FSOW, without which it is impossible to understand the rationale of the Mayor's Plan.
- d. **Insufficient Review Time.** CB2 was not granted sufficient time to review the Mayor's Plan<sup>27</sup> as provided for in the 2019 Charter Revision changes overwhelmingly supported by New York City voters.
- e. **Plan Underestimates Development and Mitigation.** The Mayor's Plan, with only 26 Projected Sites, underestimates the actual development that will occur and thereby underestimates required mitigations, which is supported by studies of recent City rezonings.<sup>28</sup> The DEIS ignores 58 Potential Sites because the Mayor's Plan randomly assumes they will be developed in years 11 to 20.

## Therefore, be it resolved that Manhattan Community Board 2:

1. **Rejects the Mayor's Plan because it fails to meet its stated goals** – to create affordable housing, allow a wider range of commercial and residential uses, and support the creative community. Instead:
  - a. **It fails to achieve its affordable housing objectives and fails to protect against displacement of low-income tenants**, particularly Chinatown residents, seniors aging-in-place and tenants who are rent-stabilized, rent controlled or currently only protected under New York State Loft Law. Instead, the Mayor's Plan must provide significantly



more affordable housing through direct city investment in 100% affordable housing construction, adaptive reuse of existing buildings, and revise requirements that mandate far greater numbers of affordable housing units with lower median incomes than currently under the city's MIH program;

- b. **It fails to strengthen the unique mixed-use neighborhood, incentivizing commercial development and large retail at the expense of small businesses.** Eliminating retail caps threatens small businesses and removing eating and drinking caps eliminates the community's voice on uses that may be incompatible with residential neighborhoods. These changes will negatively impact the expanding residential community;
  - c. **It fails to secure the future or consider expansion of the highly successful JLWQA use** and instead (i) proposes the eventual elimination through an ill-conceived "mechanism" identified as an arts fund with no meaningful details, (ii) charges a punitive tax on current residents, many of whom are legally conforming seniors aging-in-place and (iii) imposes costly code compliance requirements as a result of the change from manufacturing to residential use that DCP has not even considered;
  - d. **It fails to protect the six historic districts** and buildings in the adjacent areas and in fact encourages unprecedented encroachment of massive commercial development within them;
  - e. **It utterly failed to directly reach out to residents of Chinatown** and include their input even though 43% of the new housing development is projected in Chinatown. It failed to engage with the community as promised throughout the [\*Envision SoHo/NoHo\*](#) process, including residents, other stakeholders, our state elected officials, the Manhattan Borough President, our local city council members and city council land use staff in the formation of the City's Plan;
  - f. **It fails to mitigate the impact of the Mayor's Plan** on active open space, shadows, historic and cultural resources, transportation and construction; and,
  - g. **It fails to modernize and preserve** the governing framework for SoHo and NoHo, to expand on the clear success achieved and does not evolve the zoning to meet the city's objectives.
- 2. Joins with tenant groups, preservationists and many highly respected organizations in SoHo, NoHo and Chinatown and across the city (see Appendix A) in opposing the Mayor's Plan that clearly financially benefits property owners and does not take into account the negative long-term effects.
  - 3. Urges the city to resume its planning process under an administration that will work in good faith to balance the goals of those advocating for affordable housing and historic preservation, since it is possible to do both, by specifically addressing the plan's failures detailed above.
  - 4. Implores our elected officials to do what DCP has refused to do – LISTEN TO THE COMMUNITY!

**Vote:** Passed with 36 Board members in favor (S. Aaron, W. Benesh, K. Berger, C. Booth, A. Brandt, R. Caccappolo, C. Dawson, V. De La Rosa, R. Ely, M. Fitzgerald, J. Gallagher, S. Gammie, D. Gruber, W. Kawadler, S. Kent, J. Kiely, I. Kwan Arce, P. Laraia, M. Levine, J. Liff,

M. Metzger, D. Miller, B. Pape, D. Raftery, B. Riccobono, R. Rothstein, S. Russo, R. Sanz, S. Sartiano, S. Secunda, G. Silvera Seamans, C. Spence, S. Wittenberg, A. Wong, E. Yoo, A. Zeldin) and one opposed (C. Dignes)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair  
Community Board #2, Manhattan



Anita Brandt, Chair  
Community Board #2, Manhattan  
SoHo/NoHo Working Group

JK/jt

c: Hon. Jerrold Nadler, U.S. Representative  
Hon. Carolyn Maloney, U.S. Representative  
Hon. Nydia Velazquez U.S. Representative  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Yuh-Line Niou, Assembly Member  
Hon. Bill de Blasio, Mayor  
Hon. Vicki Been, Deputy Mayor  
Hon. Jumaane Williams, Public Advocate  
Hon. Scott Stringer, City Comptroller  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Corey Johnson, City Council Speaker  
Hon. Margaret Chin, City Council Member  
Hon. Carlina Rivera, City Council Member  
Edith Hsu-Chen, Manhattan Director, Dept. of City Planning  
Sylvia Li, Dept. of City Planning  
Andy Cantu, Dept. of City Planning

## Appendix A

### Letters and Statements from Affordable Housing and Tenant Groups, Neighborhood and Preservation Organizations Against the Mayor's Plan

#### Joint Letters and Statements

- (a) [May 2021 Joint Letter](#) to Borough President Brewer, Councilmembers Chin and Rivera, and Speaker Johnson
- (b) [June 2021 Press Release](#), *Affordable Housing and Tenant Groups, SoHo, NoHo, and Chinatown Neighborhood Organizations, and Artists and Historic Preservationists Slam de Blasio SoHo/NoHo Upzoning Plan, Urge "NO" Vote*

#### Affordable Housing and Tenant Groups

- 1. [Chinatown Working Group](#) <sup>(a), (b)</sup>
- 2. [Cooper Square Committee](#) <sup>(b)</sup> ([view letter](#))
- 3. [Met Council on Housing](#) <sup>(b)</sup>
- 4. [New York City Loft Tenants](#) <sup>(a)</sup>
- 5. [Tenants PAC](#) (a statewide housing and tenant group) <sup>(b)</sup>

#### Historic and Environmental Preservation Organizations

- 6. [Friends of the Upper East Side Historic Districts](#) ([December 2020 letter](#))
- 7. [Historic Districts Council](#) <sup>(b)</sup> ([June 2021 statement](#))
- 8. [Landmark West!](#) ([December 2020 letter](#))
- 9. [Municipal Arts Society](#) ([December 2020 testimony](#)) ([April 2021 statement](#)) ([July 2021 letter](#)) (*Comparison Sliders: Potential & Projected Development from SoHo/NoHo Neighborhood Plan*)
- 10. [National Trust for Historic Preservation](#) ([March 2021 letter](#))
- 11. [New York Landmarks Conservancy](#) ([Upzoning Overkill](#)) (*The Times Story on SoHo / NoHo has Flawed Assumptions*) ([July 2021 letter](#))
- 12. [Preservation League of NYS](#) <sup>(b)</sup> ([March 2021 letter](#))
- 13. [The Victorian Society New York](#) ([letter](#))
- 14. [Village Preservation](#) ([December 2020 letter](#)) (December 2020, [Community Alternative Zoning Plan](#). March 2021, [Upzoning SoHo and NoHo: Why the City's Rezoning Plan Will Decrease Socio-Economic Diversity and Reduce Net Affordable Housing](#). May 2021, [The Many Ways de Blasio's SoHo/NoHo Plan Encourages Developers to Build Without ANY Affordable Housing...](#)) <sup>(a), (b)</sup>
- 15. The Sierra Club ([July 2021 statement](#))

#### Neighborhood Organizations

- 15. Alexandr Neratoff, Architect (Envision SoHo/NoHo Advisory Group) ([July 2021 letter](#))
- 16. [Bowery Alliance of Neighbors](#) <sup>(a)</sup>
- 17. Bowery Block Association
- 18. Broadway Residents Coalition <sup>(a), (b)</sup>
- 19. [Downtown Independent Democrats](#) ([December 2020 letter](#)) <sup>(a)</sup>
- 20. [East Village Community Coalition](#) <sup>(a)</sup>
- 21. [Human-Scale NYC](#) <sup>(a)</sup>
- 22. [Lower East Side Preservation Initiative](#) <sup>(a)</sup>
- 23. [NoHo-Bowery Stakeholders](#) (June 2021, [A Better Zoning Plan for SoHo and NoHo](#))

## Appendix A cont'd.

24. [NoHo Neighborhood Association](#) <sup>(a)</sup>
25. [SoHo Alliance](#) <sup>(a), (b)</sup>
26. [SoHo Design District](#) <sup>(a)</sup>
27. [South Village Neighbors](#) <sup>(a)</sup>
28. [Tribeca Trust](#) <sup>(a)</sup>

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## Endnotes

1. DEIS, [Chapter 21, Mitigation](#), page 21-1.
2. PS 130 on Baxter Street continues to serve on average 4,500 to 6,000 free meals every day.
3. The U.S. Department of Housing and Urban Development defines [Area Median Income](#) (AMI) each year. The 2021 AMI for the New York City region for a three-person family is \$107,000 at 100% AMI, \$42,960 at 40% AMI, \$64,440 at 60% AMI, \$85,920 at 80% AMI, and \$139,620 at 130% AMI.
4. Commercial development in the proposed M1-6/R10 areas where commercial space can be built to 10 FAR without any MIH penalty vs. 12 FAR for residential use with MIH. As we see in Hudson Square, developers are opting to build office space and forego residential development at a FAR of 9 or with inclusionary housing with a 3 FAR bonus. For example, Hudson Square Properties is breaking ground on a 270,000 sq. ft. speculative office development. On July 21, 2021, [Hudson Square Properties—a consortium of Trinity Wall Street, Hines, and Norges Bank—will break ground](#) on a speculative office development at 555 Greenwich Street.
5. See “non-residential floor area retention”, DEIS, [Chapter 2, Land Use, Zoning and Public Policy](#), page 2-42 and [City Planning Commission Review Session](#), slide 72.
6. Village Preservation identified [635 units in 105 buildings](#). DCP identified [185 rent regulated buildings](#) but did not identify the number of units.
7. Anti-displacement provisions should a) not permit upzoning of any site that has rent regulated or loft law units because this will create financial incentives for demolition, b) eliminate sites where additional FAR can only be used to add vertical enlargements because this will result in penthouse additions and no affordable housing and c) include [Certification of No Harassment](#) provisions before applying for a permit for a change in use or demolition as supported by the [Chinatown Working Group](#), Pratt Center for Community Development. [Preserving Affordability & Authenticity: Recommendations to the Chinatown Working Group](#), December 2013, page 79. Reliance on legal remedies to cure displacement by construction, neglect or harassment requires tenants to take often-unavailable time to find and consult with attorneys, take off from work to provide testimony and attend related appointments and can take months to years to work its way through the courts, all while the tenants and their families experience dangerous, sometimes barely livable conditions.
8. “The representatives have argued that existing oversized retail along Broadway, which have been cited with violations for illegal conversion from manufacturing space by the Department of Buildings as recently as April 10, 2017 make this proposal within the character of the neighborhood. Illegal uses and/or establishments as the rationale for a land use decision is illogical.” Borough President’s Comments, Recommendation on ULURP Application C 170192 ZSM – 462 Broadway By 462BDWY LAND, L.P., May 22, 2017.
9. “The SoHo community is under daily siege by illegal large-scale retail. This agreement at 462 Broadway to approve retail use below the second floor, but only for stores with less than 10,000 square feet of selling space including the cellar, includes tough new quality of life restrictions to address persistent issues like overnight deliveries, trash, illumination, and sidewalk-jamming pop-up events. Most importantly, it creates a desperately needed new paradigm in this iconic neighborhood.” Press Release - CM Chin, Community Board 2 & SoHo Residents Win Agreement Blocking Illegal Big-Box Retail at 462 Broadway, August 21, 2017.
10. [REBNY Retail Reports](#), 2000 – 2021. [Soho’s Prince Building Tumbles \\$130M After Artists & Fleas Flees](#) (Commercial Observer, June 3, 2019.) [Transfers: \\$12.8M Thor Equities SoHo Foreclosure](#) (PincusCo, May 4, 2021.)
11. The Cable Building, located at 611 Broadway in the NoHo Historic District, includes loading berths on Mercer Street. In addition, the new building at 300 Lafayette at East Houston in SoHo was built with required an off-street loading berth, in conjunction with use group10 retail space within that development.
12. [City Planning Commission Resolution, January 23, 2013](#), pages 31-32.
13. Residential use will increase from the current 40% of sq. ft., [Envision SoHo NoHo: A Summary of Findings and Recommendations](#), November 2019, page 32.

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## Endnotes cont'd.

14. M1-5A and M1-5B districts are distinct from other manufacturing districts as they provide for Joint Living-Work Quarters for Artists (JLWQA), which is a use group that allows for the residential occupation and use of manufacturing buildings for manufacturing art by [Certified Artists](#) as defined by the Department of Cultural Affairs.
15. [Envision SoHo NoHo](#), pages 58 and 63.
16. Other ULURPs have created funds to mitigate adverse impacts.
  - Ex. #1 To mitigate the adverse impact on open space, the nearby 2013 Special Hudson Square District created an **Active Open Space Fund Of** only \$5 per sq. ft. for new, converted or expanded residential development and allowed these funds to be spent in Hudson Square in consultation with the local community board and councilmember as detailed in the [March 20, 2013 Restrictive Declaration](#), Section 3, Active Open Space, pages 8-9.
  - Ex. #2 To [mitigate](#) the adverse impacts on open space, shadows and transportation, the March 2017 Greater East Midtown Rezoning created a [Public Realm Improvement Fund \(PRIF\)](#). The [rezoning increased FAR by 3, ranging from 21 to 30 FAR and allowed the transfer of development rights](#) throughout the entire district, creating significant value, particularly for landmarked sites. In return, 20% of the sale of development rights fund the PRIF, at an estimated cost of [\\$61 per sq. ft.](#)
17. "I don't pretend to be a loft law expert." DCP at CB2's SoHo NoHo Working Group Meeting, July 8, 2021, [Livestream](#), 58:07.
18. Ranzal, Edward. New York Times. "[SoHo Made A Historic District](#)." August 17, 1973, page 35.
19. "The continued use of special permits to eliminate JLWQA in favor of residential use will have an adverse effect on the conforming uses in the surrounding area as there will be a systematic reduction in affordable artist housing in SoHo.", "If JLWQA is to be phased out in the neighborhood, then alternative programs for artist housing should be discussed", Borough President's Comments - Recommendation on ULURP Application No. C 130066 ZSM – 498 Broome Street By Goose Mountain NYC, LLC, December 22, 2014.
20. Testimony by Alexandr Neratoff, Architect, on the SoHo NoHo Rezoning, June 2021. He also participated on the [Envision SoHo/NoHo](#) Advisory Group, representing the NYC Loft Tenants Association.
21. The six historic districts are the 1) [SoHo–Cast Iron Historic District](#) was designated by the Landmarks Preservation Commission (LPC) in 1973 consists of 26 blocks, contains approximately 500 individual buildings, 2) [SoHo–Cast Iron Historic District Extension](#), designated by LPC in 2010, consists of approximately 135 properties, 3) [NoHo Historic District](#), designated by LPC in 1999, comprises approximately 125 buildings and 4) [NoHo Historic District Extension](#) designated by LPC in 2008, consists of 56 buildings, 5) [NoHo East Historic District](#), designated by LPC in 2003, consists of 42 buildings, and 6) a small part of the Project Area is within the [Sullivan-Thompson Historic District](#), designated by LPC in 2016. DEIS, [Chapter 7, Historic and Cultural Resources](#).
22. DEIS, [Executive Summary](#), page S-6.
23. DEIS, [Chapter 7, Historic and Cultural Resources](#), page 7-3.
24. DEIS, [Chapter 5, Open Space](#), page 5-22.
25. DEIS, [Appendix B, Known Developments and Waterfront Revitalization Programs](#).
26. Experts and community stakeholders submitted 145 written comments to DCP on the Draft Scope of Work included in the Final Scope of Work including [Joint Testimony](#) from the Office of Council Member Margaret S. Chin and the Office of the Manhattan Borough President Gale A. Brewer.
27. In letters to DCP from CB2 on April 27, 2021, and again on April 30, 2021, CB2 raised issues with DCP and stated that CB2 did not believe DCP was in compliance with the 2019 amendments to Uniform Land Use Review Procedure (ULURP) provisions under the City Charter, Section 197-c, paragraph c, and asked for clarification. DCP responded to the first letter but failed to address issues with compliance raised in the second letter, including information from the 2019 Charter Revision Commission. The Manhattan Borough President's Office followed up with DCP following an inquiry from CB2 requesting a response, but no written response was ever provided. On June 23rd, 2021, during a CB2 public meeting, DCP representatives were asked about the letter. They stated that they were aware of the letter but did not explain why no written response was provided. DCP's lack of sincere participation in the public process of the SoHo NoHo Neighborhood plan was noted in several public remarks made by Manhattan Borough President Brewer, Council Member Chin and Council Member Rivera. CB2's inquiries on DCP's compliance with the 2019 amendments to ULURP provisions under the City Charter, Section 197-c, paragraph c have not been resolved with CB2 or adequately addressed by DCP, raising serious concerns regarding the ULURP process.
28. Municipal Arts Society, "[A Tale of Two Rezoning: Taking a Harder Look at CEQR](#). Vast Miscalculations of Potential Development Have Lasting Impacts on Rezoned Neighborhoods." November 8, 2018.



DEBORAH J. GLICK  
Assemblymember 66<sup>TH</sup> District  
New York County

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Higher Education Committee  
Intern Committee

COMMITTEES  
Environmental Conservation  
Rules  
Ways & Means

**Testimony of Assemblymember Deborah J. Glick  
Regarding the SoHo/NoHo Neighborhood Plan & ULURP  
Zoning Text Amendment N210423ZRM  
Before the New York City Planning Commission**

**September 2, 2021**

Thank you for the opportunity to testify before you today regarding the application for the Department of City Planning's (DCP) rezoning proposal known as the SoHo/NoHo Neighborhood Plan. This application includes a significant change to the zoning code and text for the Lower Manhattan neighborhoods of SoHo and NoHo. As per the DCP, this Uniform Land Use Review Procedure (ULURP) is targeted at creating new affordable housing in downtown communities which are transit rich and do not currently have income subsidized affordable housing. The DCP further purports that this ULURP will aid economic recovery and small business development by expanding commercial uses and opportunities throughout the neighborhood while modernizing arts uses throughout these districts. Finally, DCP argues that an update to the current zoning in these neighborhoods will support the existing historic districts in SoHo/NoHo and allow for new construction only in areas where larger floor area ratio (FAR) is permissible.

Despite the nearly two-year process known as Envision SoHo/NoHo, an extended pre-certification timeline during which DCP held several listening session with the community, and review by Manhattan Community Board 2 (CB2), I still have serious concerns about this project and feel that the this Administration is ignoring the community's desires for their neighborhood. I agree with organizations like CB2 who claim that this plan falls short of the Mayor's affordable housing goals and continue to be concerned about subsidies funded by luxury development to produce affordable housing.

The harsh reality is that there is no guarantee this plan will produce any affordable housing, making it difficult to justify the other negative aspects of this plan. The City has chosen to leave out a workable solution for artists or those who live in Joint Live Work Quarters for Artist (JLWQA) lofts and instead included a fee thought to add to potential loss of an arts district in SoHo and NoHo. I am alarmed that retail concerns in SoHo and NoHo have not been directly addressed despite that they have been the subject of years of meetings and organizing on the part

of concerned citizens and elected offices. For these and other reasons, I believe that the Manhattan Borough President's Office should not recommend approval of this ULURP.

### **JLWQA & Legalization Mechanism Concerns**

The SoHo and NoHo neighborhoods have a long history of housing artists, including JLWQA and other provisions for artist residences. I have successfully sponsored the Loft Law bill in the State Legislature, as well as any subsequent updates that would bring additional units into rent regulations under the New York State Department of Homes and Community Renewal (HCR). In 2016, I joined my colleagues Senator Brad Hoylman, then Senator Daniel Squadron, and Councilmembers Margaret Chin and Corey Johnson in writing to Mayor de Blasio asking if following the implementation of MIH and its partner program, Zoning for Quality and Affordability (ZQA), the city would pursue the legalization of Interim Multiple Dwelling (IMD) buildings. Despite the success of the Loft Law and the JLWQA program, there are still many non-certified buildings in SoHo and NoHo where artists live in unregulated IMD units. While an artist in that space may have a right to the apartment under rent regulation, they lack the full thrust of protections because the entire building has gone unregistered with the Loft Board. This is a voluntary delinquency on the part of the building owner/landlord and the city, who are tasked with enforcing this provision, but have failed to do so for many years.

As I understand it, this Administration's plan would eliminate Manufacturing Use Group 17-D for JLWQA units, which is specifically designed to legalize the particular uses which are seen in live-work spaces occupied by artists. If DCP's goals of creating significant housing in SoHo and NoHo are realized, I am concerned that the lack of protections for artists within the zoning code will create situations ripe for harassment and potential evictions. While SoHo and NoHo have become desirable in recent decades and the median income in these communities has dramatically increased, this may not necessarily be an accurate reflection of the financial situations for artists living in SoHo and NoHo. Throughout the Envision SoHo/NoHo process, community members repeatedly brought up the need to address JLWQA residents and their unique status. I am alarmed that DCP has chosen to disregard these community members and were unmoved when asked to make a special accommodation for these individuals.

Furthermore, as I understand it, DCP will allow JLWQA units to continue to exist within SoHo and NoHo even when the M1-5A and B districts are converted to residential uses. However, DCP has proposed an arts fund which will serve as the mechanism for converting their JLWQA unit—which only exists in manufacturing designations—to a fully residential space under the zoning change proposals in this plan. The arts fund imposes a \$100 per square feet fee charged by the city, which will then go into an arts fund run by the New York City Department of Cultural Affairs without any clarity as to how these funds will be utilized or any criteria for who might be eligible for them. While this a completely voluntary program, the arts fund fails to address residents who are currently legally conforming and would potentially be compelled to pay additional fees to bring their spaces into compliance with the city. At the same time this may make some people more vulnerable to eviction.

JLWQA units exist in mixed use and mixed designation buildings where some tenants are rent-regulated, market-rate, or own their apartments. It is a complex situation, and I am concerned



that DCP is choosing to rely on a blanket rezoning and the arts fund to solve this problem. JLWQA units are relatively few compared to the overall community; however, this does not mean those tenants and residents do not matter. During hearings held with CB2, representatives from DCP deflected questions about JLWQA units in mixed-residential buildings, especially those which may be governed by co-op boards. Clearly, a JLWQA tenant who lives in a co-op building could be outnumbered if their fellow shareholders chose to bring their building into compliance with the new zoning changes in the SoHo/NoHo Special Use District. If a building wishes to comply with the R-7 or R-9 designations, it is unclear if a JLWQA unit could be compelled to pay the \$100 per square foot fee for the dubious arts fund or face penalty from their board. While DCP claims this program is voluntary for the JLWQA unit, they are not considering the nature of co-ops which have other mechanisms to force a shareholder to comply. I am deeply concerned that this is a situation where the zoning change can inspire the loss of an artist's residence simply because of the bad policy.

### **Zoning Changes & Inclusionary Housing Programs**

The DCP proposal includes the conversion of whole portions of SoHo and NoHo from M1-5A and M1-5B districts into one Special SoHo/NoHo Special Use District zoned for R-7 and R-9 designations. This plan would also create three special opportunity zones which would be mixed M1-6 and R10 designations located on the northeast, southeast, and southwest corners of these communities. These changes would result in significant potential height increases from the current 5 floor area ratio (FAR) to 6.5, 9.7, and 12 FAR allowances throughout the rezoned areas. These new FAR options are significantly higher than what is currently seen, and I am concerned that these height increases will only further add to the speculative environment which has harmed other communities in the past during rezoning proposals. These height increases are being justified by the creation of affordable housing they will allow. However, projections estimate that only 3,200 housing units will be created overall with the increase of FAR, of which 600 to 900 would be affordable. For context, Independence Plaza, which was built in the 1970s and for years existed under the Mitchell-Lama Housing Program, consists of 1,329 residential units. That is more affordable units in a single residential complex than this proposal even purports to create throughout the entire rezoned community.

The DCP proposal does not prohibit the mixing of commercial, retail, and community uses with residential construction. Given that this Administration is relying on Mandatory Inclusionary Housing (MIH) to construct potential affordable housing at 25% or 30% of new residential buildings if requirements are met, developers will be able to further build a luxury paradise in SoHo and NoHo. There are few backstops to curb the construction of buildings with retail on the ground floor and a mixed office residential use on the subsequent floors landing just shy of the MIH requirement of 25,000 square feet. Yet again, the fund which developers will have to contribute to as a penalty for not building affordable housing becomes their typical cost-of-doing-business rolled into the overall project cost. Additionally, because of the allowable increases in FAR, the proposal incentivizes developers to demolish low-rise buildings—or allow them to deteriorate until they are condemned—and then displace the remaining residents.

Inclusionary housing programs like MIH have had difficulty in the past and many policy professionals do not feel they live up to the policy goals they claim to accomplish. Research



surrounding inclusionary housing programs in New York City and in comparable cities in the US and elsewhere have shown that there are better policy mechanisms cities can use to achieve this goal. In 2017, Samuel Stein wrote in the *Journal of Urban Affairs* that zoning changes with MIH and ZQA have only further exacerbated affordable housing issues by causing real estate speculation when developers anticipate a zoning change and buy up properties, thus driving prices higher despite the goal of housing development.<sup>1</sup> Stein's research shows that the speculative nature of a zoning change displaces more residents in the period during which a ULURP is approved than the number of dwelling units (DUs) MIH proposes to create in the first place. Proponents of progressive housing policies have long held that inclusionary housing is a laudable goal and that all housing built moving forward should include affordable regulatory provisions and further ensure that neighborhoods truly are mixed income.

Finally, I am concerned about the increases in FAR in opportunity areas, which could go as high as 12.0 for residential buildings and 10.0 for commercial under the current proposal. This could result in potential building heights anywhere from 125 feet to 275 feet. While these areas are not within the historic districts seen throughout the DCP proposed rezoning area, they abut these them. I am concerned that tall buildings may create shadows in the SoHo Historic District and the NoHo Historic District which will detract from the character of these historic neighborhoods. Recently, the DCP voted to disapprove a proposal in Brooklyn where a development would have cast shadows over large parts of the Brooklyn Botanic Garden and the greenhouses which require sunlight in order to be functional. While SoHo and NoHo do not have the same specific concerns that the Brooklyn Botanic Garden have, these close opportunity zones can create negative conditions where light is denied to the historic districts. I raised the concern of shadows in my testimony during the scoping process for this ULURP and feel that further study should be done to better understand potential development and shadows in these areas.

## **Historic Neighborhoods**

The DCP proposal includes areas within the SoHo Historic District and Extensions, the NoHo Historic District and Extensions, and the Sullivan-Thompson Historic District. These historic designations comprise large parts of the proposed SoHo/NoHo Special Use District and are at threat to great increases in the vertical built environment because of the new allowable FAR in the DCP proposal. I have long been skeptical of the claim that zoning changes will not affect the character of historic districts because of the ability of the Landmarks Preservation Commission (LPC) to review projects in historic neighborhoods. Experience in other historic neighborhoods with varying zoning designation like the Greenwich Village Historic District have shown that tall buildings and non-contextual structures can be built. The LPC can only consider the aesthetic quality of building applications before them, and has specifically stated that cannot consider height in the as-of-right context in a neighborhood.

The desire to see historic districts preserved is not automatically opposition to residential development or affordable housing. Too often, neighborhoods are forced to choose between

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<sup>1</sup> Stein, S. (2017). Progress for whom, toward what? Progressive politics and New York City's Mandatory Inclusionary Housing. *Journal of Urban Affairs*, 40(6), 770–781.  
<https://doi.org/10.1080/07352166.2017.1403854>

equally desirable and necessary functions. Communities are so often confronted with the false choice between housing and park space, or density and historic character. The city can construct new housing, preserve existing affordable spaces, and leave historic neighborhoods intact. During the Envision SoHo/NoHo process, there was a general consensus among participants that the historic quality of these neighborhoods should be preserved. I am astounded that the DCP has chosen to ignore this position while also throwing up their hands saying that they are not the LPC and are unable to consider the needs of historic districts. To my knowledge, LPC has not been consulted regarding this proposal and any preemptive opinion on the vulnerability of these historic districts was not considered as part of the DCP proposal we are considering.

## **General Concerns**

Beyond the specific issues seen in this plan which affect neighborhood zoning, affordable housing production, and the general built environment, there have been several concerning aspects of how this ULURP and community engagement has been conducted. I see few changes in this plan which show that concerns raised in the Envision SoHo/NoHo process or that were brought up during the scoping hearing in December have been addressed or considered. Many people raised concerns over the three public engagement hearings this past winter which were answered but did not necessarily result in a clear change to the DCP—or this Administration's—goals in the proposal. This is unacceptable for the residents and community members who have given their time as part of the steering committee for the Envision SoHo/NoHo process and generally for the review of this ULURP. There is a social contract that if people participate in their government, their opinions will be heard and given serious and thoughtful consideration. This does not mean that all feelings of the public are weighed equally or incorporated, but community involvement should not be simply a box that is checked as it appears to be in this ULURP.

The problem of outreach as something to suffer through rather than a laudable and important feature has played out in the way DCP has interacted with the Chinatown community. As I understand it, many groups within Chinatown do not feel that their voice has been heard and are concerned that this Administration failed to adequately interface with residents. I have heard reports that there are still Chinatown residents who live within the rezoned area or in buildings that are prime targets for redevelopment who are unaware that this proposal is even being considered. This is due in part because this ULURP has been discussed during the COVID-19 pandemic while in-person meetings were not possible or generally avoided. All but three public meetings on this ULURP happened virtually and I am concerned that the overall community is unaware of what potentially may occur in their community.

## **Conclusion**

For these reasons I am opposed to the SoHo/NoHo Neighborhood Plan and ULURP and encourage the Manhattan Borough President's Office to recommend denial of this proposal. It is clear that the development of affordable housing is needed in our communities and developing more equitable neighborhoods is the goal of most elected officials and community members in New York City. That is why I feel that building a successful New York of the future includes the construction of truly affordable housing without the seemingly necessary evil of luxury

development. This plan does not achieve this goal, and I feel that this Administration, along with state partners, should work together to create a more successful and equitable proposal. This includes honoring the commitment to JLWQA tenants and residents, preserving historic neighborhoods, and building housing in our dynamic communities that is in line with the needs of low- and-middle-income New Yorkers who can and do make vital contributions to SoHo and NoHo. In closing I believe this ULURP should not be rushed through just because this Administration is mere months from ending.

Thank you.



**Testimony of Congressman Jerrold Nadler and State Senator Brad Hoylman  
Regarding the SoHo/NoHo Neighborhood Plan  
Project Number 2018M0375  
September 2, 2021**

We thank the City Planning Commission for the opportunity to testify on the SoHo/NoHo Neighborhood Plan proposal. SoHo and NoHo were not always as we know them today – they were once dying areas, struggling to maintain their former industrial identities. New York City and State helped legalize the burgeoning communities transforming former manufacturing buildings into lofts and artist housing, allowing for the neighborhoods to build the cultural cachet that has led them to become internationally renowned. Today, SoHo and NoHo are vital parts of the city – and major economic engines – that reflect the evolving nature of our neighborhoods and communities, and the ingenuity of New Yorkers to adapt and reuse our built environment.

*Residential Units & Affordable Housing*

This proposal has been promoted as a way to bring affordable housing to SoHo & NoHo through the Mandatory Inclusionary Housing program. We support allowing additional residential uses for buildings and lots where it is currently prohibited. However, we are concerned that as put forward, the proposal largely relies on demolition and replacement of buildings with rent regulated residents to generate additional housing.

In particular, we are concerned that families living in Joint Live-Work Quarters for Artists (JLWQA) units, and Loft-Law tenants, will lose their homes as a result of this proposal. Some have dismissed concerns regarding eviction and demolition by pointing to the landmark nature of the district, however not only is it not the job or role of the New York City Landmarks Preservation Commission to regulate interior uses – that would be the purview of DCP – it is also not within LPC's role to protect tenants. In fact, LPC regularly allows the façade of a building to be preserved, while the entire structure behind it is removed. In such an instance, the building has been preserved by LPC's standards, but demolished for the purposes of rent regulation and housing law. This disparity is all but certain to result in evictions of long-time residents.

Unfortunately, these evictions may not even generate a single unit of affordable housing. As Manhattan Community Board 2, Greenwich Village Society for Historic Preservation and others have pointed out in greater detail, on a majority of the lots the department projects housing, the current proposal allows for construction of mixed-used buildings that occupy the entire allowable FAR and, so long as the residential portion occupies less than 25,000 square feet, does not require any affordable housing. This loophole threatens to undermine much of the proposal's promise – but not guarantee – of the construction of additional affordable housing, and instead allows fully market rate buildings if they have mixed uses.

We are also concerned that even should some JLWQA residents remain, artists who may use loud or hazardous materials may be harassed from their homes as units around them convert to traditional residential housing. Further, we believe the proposal's Artist Fund to be extremely ill conceived. JLWQA units are a localized effort to support a concentrated artist community that

has been eroded by the city's own lack of enforcement. To compensate for the city's failure to maintain that effort in SoHo/NoHo, it is proposing an expensive flip tax on JLWQA units, that can be spent nearly anywhere in lower Manhattan.

### *Historic Preservation*

The broad upzoning of an established and well-functioning historic district may be without precedent in the city. The administration is shifting responsibility for housing preservation to historic preservation, while actively encouraging developers to evict rent regulated tenants. Tenants should not have to turn to LPC to attempt to prevent the demolition of their homes, and certainly not at the behest of DCP. We also believe the administration is increasingly inappropriately putting LPC in a policy making role, both with this proposal and at 250 Water Street, by forcing it to weigh issues such as housing priorities or non-profit support that are outside its purview of whether a property complies with historic preservation requirements.

We are also concerned that many of the buildings identified as soft sites for future construction are concentrated in the small portion of the proposal that forms the transition to Chinatown, designated the Soho East opportunity zone. Between this proposal, DCP's rejection of the Chinatown Working Group's report, Two Bridges and more, the agency continues a slow march of chipping away at the area.

### *Commercial Zoning, Special Permits*

The original endeavor of the *Envision SoHo/NoHo* process, a public engagement initiative launched in 2019 by the Manhattan Borough President, the Council Member for City Council District 1, and DCP, was to address the complicated commercial zoning of this district. We support as-of-right ground floor retail under 10,000 square feet. We also oppose the allowance of dormitory or hotel uses as part of this plan, and believe they should be restricted and removed altogether.

Large scale retail above 10,000 square feet frequently generates conflicts and quality of life issues, from trash to noise to lines and deliveries. At the moment, the special permit process, onerous as it is, is the only pathway residents in a mixed-use district have to attempt to migrate those concerns. We are disappointed that the city did not take this opportunity to identify a new mechanism to address the persistent quality of life issues related to big box stores over 10,000 square feet, and urge the city to maintain the special permit for such large-scale retail until such a process can be created.

Any proposal should also include restrictions on high-impact uses above the second floor – including eating and drinking establishments – as recommended by both CB2 and the SoHo Broadway Initiative.

### *Conclusion*

Taken in totality, we believe DPC has fallen short of its stated goals – originally to untangle the onerous commercial retail restrictions, now to create affordable housing. Despite many conversations and engagement, DPC has not identified effective solutions to the concerns of SoHo/NoHo. We remain hopeful the Commission is willing to admit this mistake, and that it

rushed a plan too quickly, and go back to complete the work of crafting a proposal that can generate broad agreement.

Should the Commission continue to pursue a proposal, the SoHo Broadway Initiative, charged by the city with maintaining and enhancing this special neighborhood, has proposed far more reasonable height, bulk and setback limits that the Commission should consider to better maintain the character of SoHo/NoHo.

Thank you for your consideration of our comments.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 9:12:48 PM  
**Attachments:** [Village Preservation Testimony SoHo NoHo Chinatown.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Andrew Berman**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **Village Preservation**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I write to submit comments regarding the proposed SoHo/NoHo Upzoning. On behalf of Village Preservation, the largest membership organization in Greenwich Village, the East Village, and NoHo, and the largest neighborhood preservation organization in New York City, I strongly urge you to disapprove the application. The proposed rezoning would have terrible consequences for not only SoHo and NoHo, but for Chinatown, parts of which are included in the rezoning, surrounding neighborhoods like the Lower East Side and East Village, and New York City as a whole.



August 30, 2021

Chair Marisa Lago and Members of the City Planning Commission  
120 Broadway, 31st Floor  
New York, NY 10271

## **Re: SoHo/NoHo Rezoning Proposal**

Dear Chair Lago and Commissioners:

I write to submit comments regarding the proposed SoHo/NoHo Upzoning. On behalf of Village Preservation, the largest membership organization in Greenwich Village, the East Village, and NoHo, and the largest neighborhood preservation organization in New York City, I strongly urge you to disapprove the application.

The proposed rezoning would have terrible consequences for not only SoHo and NoHo, but for Chinatown, parts of which are included in the rezoning, surrounding neighborhoods like the Lower East Side and East Village, and New York City as a whole.

### **We strongly object to the plan, because it would:**

- Facilitate grossly out-of-scale new development in the area, including new ground-up construction and vertical enlargements.
- Encourage the demolition of historic buildings.
- Encourage and greatly increase the likelihood of the demolition and permanent loss of rent-regulated affordable housing, of which well over 635 units remain in the rezoning area, displacing its disproportionately lower-income, senior, Asian American, and artist residents.
- Provide huge financial incentives that don't currently exist for landlords to seek to remove tenants in rent regulated housing, likely resulting in increased harassment, intimidation, and other kinds of pressure exerted upon vulnerable tenants.
- Facilitate the proliferation of big box chain stores and eating and drinking establishments of unlimited size, making it

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Andrew Berman

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extremely difficult for smaller, independent businesses and arts- and design-related uses to compete and remain.

- Allow NYU and other private universities to vastly expand in the area, which they currently cannot do, in spite of promises when the City Planning Commission approved the NYU 2031 expansion plan that those approvals would constitute the limits of the university's expansion.
- Allow huge commercial developments such as large office buildings and hotels with no public benefits (such as affordable housing) whatsoever.
- Allow luxury market rate condos and rentals with no affordable housing whatsoever, so long as the residential uses are limited to under 25K sq. ft. per zoning lot.
- Make these neighborhoods considerably wealthier than they are now, with fewer lower income residents and more high income residents than they have now. Even in the unlikely case that new residential developments include 25-30% "affordable" housing, this housing would be too expensive for, and reserved for people of higher incomes, than the least well-off 25-30% of households currently in the neighborhood.

**We also strongly object to the plan because it would NOT:**

- Ensure that new development is in scale for the neighborhood, as the proposed increases in allowable size of new development—from 5 FAR to 6.5, 9.7, and 12 FAR—and the allowable heights of new development of 145, 205, and 275 feet, are dramatically greater than is typical for these neighborhoods (the proposed 12 FAR — the highest legally allowable density in New York State for residential development and 20% greater than allowed on Billionaire's Row in Midtown — is particularly egregious).
- Require or guarantee the creation of a single unit of affordable housing. In fact, the plan is structured with multiple loopholes and allowances for lucrative uses that are exempted from affordable housing requirements, and thus is likely to create little if any affordable housing.
- Make these neighborhoods more equitable, accessible, affordable, or diverse, even if new developments do include 25-30% affordable housing, since the market-rate residents of the 70-75% of those new developments would be considerably wealthier, and paying considerably higher housing costs, than the top 70-75% of income earners currently in the neighborhoods, and the 25-30% in the "affordable" housing would also earn more and pay more for their housing than the bottom 25-30% of income earners currently in the neighborhood.

- Help small businesses or the retail environment. By allowing retail and eating and drinking establishments of unlimited size, the plan will no doubt crowd out most other types of retail uses and encourage the proliferation of chain stores, which don't tend to foster healthy or stable retail environments.
- Reinforce or retain the artistic character of these neighborhoods. The proposed changes in ground floor uses, combined with the changes in allowances for residential uses, are likely to result in an accelerated reduction in the number of artists and arts related groups and businesses located here.

I am including with this submission links to several documents which elaborate upon and provide further information about our objections and the very serious flaws in the plan. This includes:

- Paper: [\*The 25,000 Sq. Ft. Exemption: The "Mandatory Inclusionary Housing" Loophole Likely to Result in Little or No Affordable Housing in SoHo and NoHo\*](#) (new)
- Paper: [\*Mapping the Incentive to Demolish\*](#) (new)
- Paper: [\*Mapping the Disproportionate Impact of the SoHo/NoHo Rezoning Plan on Asian Americans\*](#) (new)
- Paper: [\*Demographic Disguise: Hiding Low-Income Residents and the True Impact of the City's Plan\*](#) (new)
- Paper: [\*Utterly Out of Proportion: The Very Un-Contextual Development the SoHo/NoHo Rezoning Is Designed to Create\*](#) (new)
- Our report [\*The Many Ways de Blasio's SoHo/NoHo Plan Encourages Developers to Build Without ANY Affordable Housing\*](#) (previously submitted)
- Our report [\*Upzoning SoHo and NoHo: Why The City's Rezoning Plan Will Decrease Socio-Economic Diversity and Reduce Net Affordable Housing\*](#) (previously submitted)
- [\*Community Alternative Zoning Plan for SoHo/NoHo\*](#) (previously submitted)

I must note that while the proposed plan is, at best, horribly misguided, we would be open to and support changes in the current zoning in certain areas through a new process. This includes:

- Allowing a broader range of as-of-right retail uses, especially local retail and arts-related uses, with a 10,000 sq. ft. limit.
- Developing some mechanism for allowing current residential uses for non-certified artists to be made legal.

- Allowing a broader range of community facility uses, such as those connected to the arts, affordable housing, non-profit groups, and services for seniors, but not for private universities.
- Allowing as-of-right residential development and conversions with real affordable housing requirements at or near the current maximum allowable FAR of 5. However:
  - For those affordable housing requirements to be effective in a strong market like SoHo/NoHo, the allowance for paying into a “fund” instead of providing affordable housing for developments with less than 25K sq. ft. residential space must be eliminated, as must allowances for other lucrative competing uses at similar FARs.
  - Three units of unneeded super-luxury housing is too high a price to pay for every unit of affordable housing, as the City’s program currently requires, and we would therefore strongly suggest a program which allows for deeper and more broadly affordable housing to be created, including with subsidies and direct funding, so that the creation of such housing is not dependent upon the market or profit-driven luxury residential real estate developers.
  - Given the city’s desire to continue to allow new commercial development here, we would therefore suggest dividing the area into sections where residential development is encouraged, with low allowable commercial FAR or commercial overlays that would not compete with the incentives for producing housing, and those where commercial development is encouraged, where the full current allowable commercial FAR is retained. Exceptions of course could be made for commercial developments within the residential zone and residential developments within the commercial zones via special permit.
  - Upzonings are not necessary to achieve the goal of housing creation or affordable housing creation, and will only result in out-of-scale new development. Creating significant differentials in FAR between the existing built form and allowable new development — which would result in significant incentives for demolition or vertical enlargements — should be especially off limits on sites that contain rent regulated affordable housing or historic buildings for which there is a public interest in preserving. Development should be encouraged on the site of parking and vacant lots and smaller underutilized (1-3 story) commercial buildings without significant residential populations.

While a new and truly open and collaborative process to examine ways in which the zoning for this area could be improved for current and future residents and businesses would be welcome, the current process and plan should be roundly rejected. Many of the key decision-makers, including the Mayor, will be out of office as soon as the plan is adopted, and thus will not have to bear responsibility for whether or not its impacts and results match what was predicted and promised. Decision-makers responsible for such a consequential plan should know that they can and will be held responsible for their decisions and the veracity of their claims while they remain in office, rather than be allowed to implement such huge and consequential changes as they have one foot out the door. Decisions here should be left to incoming elected officials who will have to bear responsibility for the results, which will help ensure a better outcome.

I would be remiss not to also note the absolutely appalling manner in which this process has been undertaken. Neighborhood residents entered the process with suspicions and misgivings based upon prior experiences; this process has only multiplied and deepened those feelings of mistrust and ill will towards those responsible. Stakeholders (including this organization) were excluded from the process. Feedback from members of the Advisory Board and public that didn't fit the clearly pre-ordained objectives of those in charge was ignored or maligned, the motives of those who shared them impugned, and their character attacked. Participants were lied to about the clear agenda and predetermined outcome of the process.

Inaccurate, incomplete, and/or misleading information was provided about key elements of the plan, such as numbers of JLVQA residents and numbers and locations of rent regulated housing units. Accurate and complete demographic and socioeconomic information about those within the rezoning area and in the impacted periphery were withheld. Critical impacted communities such as Chinatown were excluded from the process. Clear likely impacts of the plan upon rent regulated housing, lower income tenants, seniors, and Asian Americans were ignored, dismissed, and discounted.

In spite of this, Community Board 2, the first stop in the ULURP process, did a great job of analyzing, responding to, rebutting and refuting the plan. Major housing and tenant, environmental, neighborhood, and preservation organizations have opposed it as well. The only correct thing for the City Planning Commission to do is to similarly reject this plan in its entirety.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Berman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Berman  
Executive Director

Cc: Mayor de Blasio

Public Advocate Jumaane Williams  
Brooklyn Borough President Eric Adams  
Manhattan Borough President Gale Brewer  
Congressmember Jerrold Nadler  
Congressmember Carolyn Maloney  
State Senator Brian Kavanaugh  
State Senator Brad Hoylman  
Assemblymember Deborah Glick  
Assemblymember Yuh-Line Niou  
City Council Speaker Corey Johnson  
City Council Land Use Committee Chair Rafael Salamanca, Jr.  
City Council Zoning Subcommittee Chair Francisco Moya  
City Councilmember Margaret Chin  
City Councilmember Carlina Rivera  
City Councilmember Mark Levine  
Community Board 2, Manhattan

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, September 14, 2021 1:41:56 PM  
**Attachments:** [CPC SoHo NoHo Chinatown let 9.14.21.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Andrew Berman**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **GVSHP**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

See attached.



September 14, 2021

Chair Marisa Lago and Members of the NYC Planning Commission  
120 Broadway, 31<sup>st</sup> floor  
New York, NY 10271

**EXECUTIVE DIRECTOR**  
Andrew Berman

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**Re: SoHo/NoHo/Chinatown Rezoning Proposal and Inaccuracies in  
Department of City Planning Data Presented**

Dear Chair Lago and Members of the City Planning Commission:

I write to provide additional information regarding this ULURP application, and to correct the grossly inaccurate misinformation which has been provided by the Department of City Planning to the Commission about it regarding rent regulated units in the rezoning area.

The Department, the applicant in this case, continues to falsely contend that the rezoning poses no threat to the hundreds of units of affordable, rent regulated housing in the rezoning area (see attached) due to changes in the 2019 rent laws and other city regulations. It also falsely claims that “[a] large majority (94%) of buildings with rent-protected units [in the rezoning area] would not be significantly underbuilt under the new zoning (i.e. built to less than 50% of permitted density).”

Regarding the first point, I would (among other sources) point you to the [New York Apartment Law Insider article “Demolition: One Of The Last Ways to Deregulate A Building”](#) (attached), which clearly makes the point (albeit for very different reasons) that we have already made that the Rent Regulation Reforms of 2019 make rent regulated units such as those found in the SoHo/NoHo/Chinatown rezoning area all but permanently affordable -- UNLESS the building is demolished, which is the one way landlords and developers can still deregulate such buildings. As previously conveyed to the Commission, while landlords/developers in this area can currently seek to take advantage of this loophole, but there is very little reason for them to do so -- current zoning rules would not allow them to replace their buildings with substantially larger ones or with ones containing residential uses (at least not as of right).

But under the proposed rezoning, that calculus changes completely. In almost every case, landlords/developers could replace buildings containing rent-regulated housing with substantially larger ones, and with a broad menu of lucrative uses currently unavailable to them.

This brings us to the second piece of misinformation the Department has been promulgating: that nearly all buildings in the rezoning area would not be

significantly underbuilt under the rezoning. The Department has provided no data to substantiate this claim, while we have substantial data which refutes it.

The Department says there are 185 buildings with rent regulated units in the rezoning area. Using public records, we have identified 108 such buildings with about 650 units of rent regulated housing. Contrary to what the Department claims, based upon PLUTO data, we have found that among those 108 buildings with rent regulated units in the rezoning area:

- **98 or 90% would be underbuilt under the rezoning**
- **42 or 39% would be more than 50% underbuilt under the rezoning (only 1 is now)**
- **51 or 47% would be more than 40% underbuilt under the rezoning (only 6 are now)**
- **68 or 63% would be more than 30% underbuilt under the rezoning (we have seen demolitions of buildings with rent regulated units in the area that are as little as 30% underbuilt)**
- **31 or 29% would go from being overbuilt under the current zoning (i.e. current zoning strongly discourages demolition) to underbuilt under the rezoning (i.e. proposed new zoning incentivizes demolition) – as much as 58% underbuilt**
- **100% of the buildings located in the Chinatown section of the rezoning (called “SoHo East” or “South East Housing Opportunity Zone” by the Department) would be more than 50% underbuilt under the rezoning (none are currently)**
- **100% of the buildings located outside of historic districts would be more than 50% underbuilt under the rezoning, whereas none are currently** (it should be noted that rent regulated housing both inside and outside historic districts are vulnerable to elimination via demolition, but the hurdles to doing so are lower for those outside historic districts)

While the inclusion of the 78 additional buildings the Department says include rent regulated housing might change these percentages somewhat, **this data nevertheless makes it impossible for the Department’s claims regarding the lack of impact of the proposed rezoning upon buildings in the rezoning area which include rent regulated housing to be true.**

This is, unfortunately, only one of several ways in which the Department has consistently misrepresented, hidden, or skewed critical data connected to the proposed rezoning throughout this process. [The same Department housing “fact sheet”](#) (attached) claims that in the historic districts within the rezoning, there is either no proposed increase in allowable FAR, or a “limited” proposed increase. In fact, within what the Department arbitrarily refers to as the “historic core,” a 30% increase in allowable FAR is proposed, from 5 to 6.5; in the Broadway and Lafayette corridors, “NoHo North” section, and Canal Street Subdistrict (all located within historic districts), a 94% increase in allowable FAR is proposed, from 5 FAR to 9.7. And in the “Housing Opportunity Zones,” which do in fact include lots within the historic districts, a 140% increase in allowable FAR is proposed, from 5 to 12. Each of these proposed increases adds tremendously to the pressure upon this rent regulated housing and incentivizes its demolition. And it strains credulity to assert that a 94% or 140% increase in allowable FAR is “limited,” while saying that no increase is proposed in the “historic core” is simply a blatant lie.

For these and many other reasons, we continue to urge you to reject this rezoning proposal.



Sincerely,



Andrew Berman  
Executive Director

Cc: Mayor de Blasio

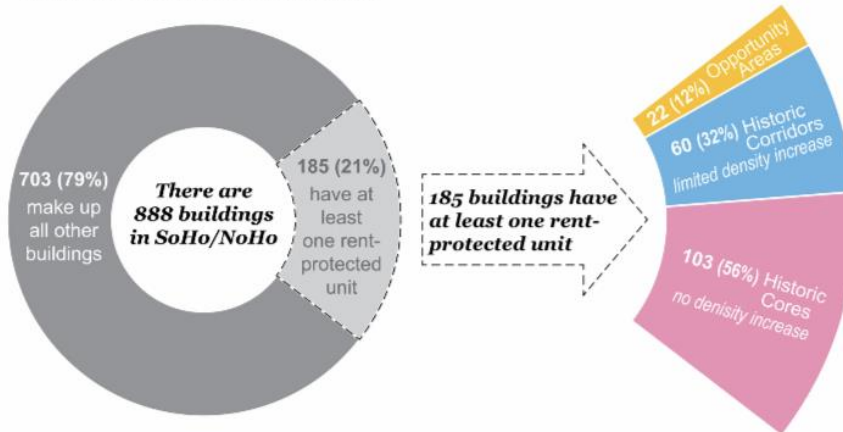
Public Advocate Jumaane Williams  
Manhattan Borough President Gale Brewer  
Brooklyn Borough President Eric Adams  
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Congressmember Carolyn Maloney  
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City Councilmember Margaret Chin  
City Councilmember Carlina Rivera  
City Councilmember Mark Levine  
Community Board 2, Manhattan  
1<sup>st</sup> Council District Democratic Nominee Christopher Marte  
TenantsPAC  
Met Council on Housing  
Chinatown Working Group

## SoHo/NoHo | HOUSING



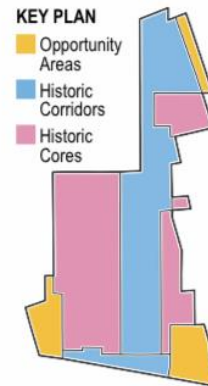
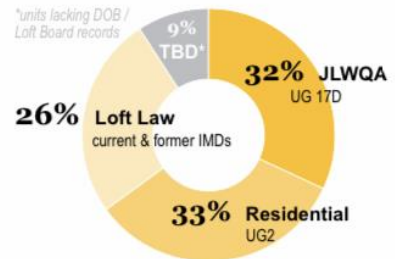
### SoHo/NoHo Housing Stock Summary

- ▶ SoHo/NoHo has **no income-restricted affordable housing**
- ▶ **Close to half of occupied homes in SoHo/NoHo are owner-occupied** (2010 Census)
- ▶ **Rent protected housing stock**
  - 185 out of 888 buildings in SoHo/NoHo may contain 1 or more rent protected units through two mechanisms that would **remain unchanged with the rezoning**:
    - » 153 buildings have at least 1 rent-regulated unit as a result of the Loft Law
    - » 32 additional buildings may include at least 1 rent-stabilized units
- ▶ **A large majority (94%) of buildings with rent-protected units would not be significantly underbuilt** under the new zoning (i.e. built to less than 50% of permitted density)
- ▶ **A large majority (88%) of buildings with rent-protected units are located within historic districts**, where the proposed **density increase is either none** (in historic cores) **or limited** (in historic corridors)



### SoHo/NoHo Unit Types

Housing units in SoHo/NoHo include Joint Living Work Quarters for Artist (JLWQA), units governed by the Loft Law, and other residential units that are pre-existing or converted pursuant to CPC or BSA approvals.



### NY Tenant Protection Act of 2019

Housing Stability and Tenant Protection Act (HSTPA) passed by the State in 2019 provides additional protections for rent-regulated rents

Prior Regulation	Current Regulations
Expiration of Rent Regulation Laws	Laws are now permanent
"Vacancy Bonus"	Eliminated: Owners can no longer increase rent by 20% when a tenant moves out
High Rent Vacancy & High Income Deregulation	Eliminated: Owners can no longer deregulate apartments due to high-rent and -income thresholds
Preferential Rents (i.e. a rent lower than the legal regulated rent)	Tenants now keep their preferential rent for as long as they reside in their apartment
Rent Increases Due to Renovations	New limitations on permitted rent increases through Major Capital Improvements (MCIs) & Individual Apartment Improvements (IAIs)

**If you are a tenant in a rent-regulated unit you can receive free assistance including legal guidance by reaching out to the City's Tenant Helpline. Call 311 and ask for the Tenant Helpline or visit [nyc.gov/tenant-protection](https://nyc.gov/tenant-protection) to get help now!**

**HPD and other agencies provide a robust set of resources for tenant protection, education, and anti-harassment strategies, including:**

- ▶ Mayor's Office to Protect Tenants
- ▶ HPD's Tenant Anti-Harassment Unit (TAHU)
- ▶ State Tenant Harassment Task Force
- ▶ City Tenant Harassment Task Force
- ▶ DOB Office of the Tenant Advocate
- ▶ Expanded Right to Counsel Law
- ▶ Tenant Helpline
- ▶ Eviction Prevention Brochure
- ▶ ACCESS NYC
- ▶ Homebase
- ▶ NYC Housing Resource Portal
- ▶ Loft Board
- ▶ Division of Housing and Community Renewal (DHCR)

Sources: US Census Bureau, PLUTO, DOB, Loft Board, HPD Information

## Buildings with Rent Regulated Units in proposed SoHo/NoHo/Chinatown rezoning area

BBL	Address
1005440065	2 Cooper Square
1005310031	36 East 4th Street
1005310030	34 East 4th Street
1005310015	4 Great Jones Street
1005440011	415 Lafayette Street
1005450046	416 Lafayette Street
1005450040	428 Lafayette Street
1005450039	430 Lafayette Street
1005450038	432 Lafayette Street
1005450037	434 Lafayette Street
1002070015	126 Baxter Street
1002070014	128 Baxter Street
1002350016	150 Baxter Street
1002070013	200 Hester Street
1002070012	202 Hester Street
1002350005	208 Centre Street
1002350006	210 Centre Street
1002350010	218 Centre Street
1002300009	329 Canal Street
1002090007	35 Howard Street
1002290006	351 Canal Street
1005110012	<a href="#">594 BROADWAY</a>
1002320013	125 Grand Street
1004840031	448 Broome Street
1004840028	489 Broadway
1004830004	496 Broadway
1004830005	498 Broadway
1004840023	499 Broadway
1004980021	535 Broadway
1005227501	54 Bleecker Street
1004970009	546 Broadway
1005120022	577 Broadway
1005120015	591 Broadway
1005227502	640 Broadway
1005290006	654 Broadway
1005290050	17 Bleecker Street
1005290026	33 Bond Street
1005300040	332 Bowery

<b>1005300036</b>	338-340 Bowery
<b>1005300046</b>	42 Bond Street
<b>1005300042</b>	52 Bond Street
<b>1005020033</b>	<a href="#">422 WEST BROADWAY</a>
<b>1005150013</b>	<a href="#">475 WEST BROADWAY</a>
<b>1004990007</b>	104 Greene Street
<b>1005017501</b>	105 Wooster Street
<b>1004990037</b>	109 Spring Street
<b>1005010020</b>	115 Wooster Street
<b>1004990029</b>	117 Mercer Street
<b>1004850017</b>	118 Spring Street
<b>1004990028</b>	119 Mercer Street
<b>1005000036</b>	131 Spring Street
<b>1002330008</b>	133 Grand Street
<b>1005010035</b>	149 Spring Street
<b>1005020023</b>	152 Prince Street
<b>1005150025</b>	155 Wooster Street
<b>1005020020</b>	156 Prince Street
<b>1005160042</b>	159 Prince Street
<b>1004880017</b>	170 Spring Street
<b>1004730045</b>	176 Lafayette Street
<b>1004730044</b>	178 Lafayette Street
<b>1004730041</b>	184 Lafayette Street
<b>1002300037</b>	19 Mercer Street
<b>1004820031</b>	212 Lafayette Street
<b>1004820024</b>	224 Lafayette Street
<b>1002307506</b>	25 Mercer Street
<b>1004730028</b>	31 Crosby Street
<b>1004730029</b>	33 Crosby Street
<b>1004730030</b>	35 Crosby Street
<b>1004730031</b>	37 Crosby Street
<b>1004870012</b>	383 West Broadway
<b>1004870020</b>	399 West Broadway
<b>1005010006</b>	423 West Broadway
<b>1004737503</b>	425 Broome Street
<b>1004740018</b>	45 Mercer Street
<b>1004740011</b>	457 Broome Street
<b>1005160033</b>	458 West Broadway
<b>1004740007</b>	465 Broome Street

<b>1005150012</b>	473 West Broadway
<b>1004757503</b>	477 Broome Street
<b>1004860039</b>	482 Broome Street
<b>1005160024</b>	482 West Broadway
<b>1004750015</b>	489 Broome Street
<b>1005100026</b>	49 Prince Street
<b>1004880037</b>	508 Broome Street
<b>1002280022</b>	53 Grand Street
<b>1004867503</b>	57 Greene Street
<b>1004757510</b>	60 Grand Street
<b>1004857502</b>	60 Greene Street
<b>1004750032</b>	62 Grand Street
<b>1004960035</b>	65 Spring Street
<b>1004850005</b>	66 Greene Street
<b>1004860025</b>	69 Greene Street
<b>1004860023</b>	71 Greene Street
<b>1004850008</b>	72 Greene Street
<b>1004850011</b>	78 Greene Street
<b>1004967502</b>	93 Crosby Street
<b>1004990003</b>	96 Greene Street
<b>1005010031</b>	97 Wooster Street
<b>1004990004</b>	98 Greene Street
<b>1004760042</b>	23 Thompson Street
<b>1004760054</b>	26 Thompson Street
<b>1004760045</b>	30 Grand Street
<b>1004760057</b>	32 Thompson Street
<b>1004760088</b>	38 Grand Street
<b>1004760085</b>	44 Grand Street
<b>1004760084</b>	46 Grand Street
<b>1004760081</b>	50 Grand Street
<b>1004880006</b>	64 Thompson Street



## Demolition: One of the Last Ways to Deregulate a Building

With the June 2019 passage of the Housing Stability and Tenant Protection Act (HSTPA), owners are desperately seeking ways out of rent regulation in an attempt to recapture the profitability their buildings previously had. Two such exit strategies are "substantial rehabilitation," available only to deteriorated buildings, and "demolition," generally available to rent-stabilized buildings regardless of their condition.

### Administering Rent Regulation

Governing the demolition process is the DHCR's Operational Bulletin 2009-1. This bulletin deals with demolition applications for three scenarios: rent control, rent stabilization, and non-New York City rent stabilization. The rules are radically stricter for rent-controlled apartments than for New York City rent stabilization. In these matters, the courts grant extreme deference to the DHCR. Under its administration, the DHCR has worked without a specific definition of "demolition," but an intent to gut the interior of the building, while leaving the walls intact, has been held as sufficient. Use of the process is mandatory; self-help is prohibited. The building need not be razed to the ground.

### Stipends

An essential part of the entire process is the system of stipends. The landlord has not only to be prepared to pay the stipends, but to prove to the DHCR it has the ability to do so.

Each tenant who is being evicted is entitled to receive from the landlord the tenant's reasonable moving expenses. This means that in order to make the application, the landlord is going to have to come up with estimates as to what the moving expenses will be. Landlords can and must obtain from a moving company estimated costs based on room count for a move entirely within NYC. The moving expenses are in addition to the other stipend discussed below.

There are provisions for reducing the stipends, but these are based on tenant conduct, and the application process must assume that each tenant will receive the full stipend to which he is entitled. The deduction cannot be known at the time of the initial application because it consists of a reduction of one-sixth for each month the tenant stays past the time allowed under the order (and lease) to remain in the premises, a figure unknowable until the order has actually been issued.

In the stipending system, the landlord has three options:

1. Moving the tenant to a new apartment at the same or lower regulated rent near or in the building being built. For such tenants, the stipend is \$5,000. This option entails the landlord finding the new apartment.
2. Moving the tenant to a more expensive apartment where the landlord prepays six years' worth of the difference in rent. This option also entails the landlord finding the new apartment.
3. Using the stipend chart from the Operational Bulletin, where the landlord pays the tenant for a minimum of three rooms, the difference between the current rent and the chart's stipend amount as adjusted by the RGB increases issued since the Operational Bulletin (\$639.21 in 2019), multiplied by the number of rooms and further multiplied by 72. This, the most popular option, entails the landlord having no obligation to find the new apartment.

Tenants who would lose governmental benefits because of the stipends may waive them.

### Special Consideration for Rent Control

Demolition is only a ground for removal from rent control if the landlord is putting up a new building that has at least 20 percent more apartments than the old building, *except* if the cost of repairing the violations in the building exceeds the assessed value of the building. Then it need not be more than one more apartment in the new building, unless the building is already largely vacant. The landlord *must* move the rent-controlled tenants to a new apartment. The building permits must already be in place. The landlord must demonstrate that there is no reasonable possibility that the landlord can make a net annual return of 8.5 percent of the assessed value of the subject property and that lower return is not the landlord's fault.

### The Steps

Not all buildings are well suited for a demolition application. Unlike "substantial rehabilitation," there is no requirement that the building be in deteriorated condition in order to qualify for a demolition application. If a building is genuinely eligible for demolition treatment, the DHCR does not have the discretion to refuse the application.

Landlords will want to buy out rent-controlled tenants before anyone knows demolition is in the air. However, landlords must exercise extreme caution in these buyout negotiations as they can readily run afoul of the anti-harassment provisions of the law such as those found in the New York City Administrative Code.

It is not necessary to pre-approve loans, but the owner has to be able to demonstrate that either the deed owner of the building or a closely related entity has the wherewithal for the project, if not necessarily cash on hand. The DHCR examines not only the ability to pay for the tearing down of the building, but all of the other expenses associated with the project. The DHCR specifies in its publications what these expenses should minimally include.

### The Application

The application is actually a fairly simple form to which one attaches such additional documents as appear useful. The agency's discretion lies in determining whether to authorize a refusal to offer lease renewals based on whether:

1. The applicant has established financial ability to demolish building;
2. Plans for the undertaking have been approved by the appropriate agency; and
3. The applicant has complied with statutory provisions for the relocation of rent-stabilized tenants, reimbursement of moving expenses, and payment of stipends.

Neither the DHCR nor the courts will allow extensive discovery. Various proofs of financial ability are possible. If the financing is through a closely related entity, the landlord's application should be explicit in setting forth that relationship.

Enough copies of the application must be provided to the DHCR for them to serve each tenant. Since the attachments can get lengthy, this can mean significant printing expenses. It is not necessary that the actual building permits be attached to the application as it takes so much time for the DHCR to go through its procedure in approving the application that the permits would become stale. However, where applicable, Certificates of No Harassment must be pulled as prerequisites to the permits and they too can become stale if pulled too soon. Such certificates are themselves a lengthy procedure, the details of which are outside the scope of this article. Any Golub or eviction notices already issued should be attached to the application. The application should include engineering and architectural plans with the financials including specific reference to those specific plans.

Once the application has been filed, the owner can immediately stop renewing leases. This requires issuing Golub notices to all the tenants. These are served in the normal rent stabilization methods, either by regular or certified mail.

The DHCR has exacting requirements for the contents of the Golub notice which drafters must precisely follow.

Rents cannot be increased for any reason during the pendency of the application. If the application is denied, the owner loses the increases that could have been charged and lease renewals are made on the usual 90-day notice to the tenants, with rents frozen until the offer is accepted. The DHCR will direct such other proceedings as it determines, which could even include evidentiary hearings, but will not necessarily include such hearings. The DHCR has historically taken an inordinately long time to process the application, but there are ways to facilitate the process.

The landlord selects apartments if using the two methods for calculating the stipends that entail selecting apartments. The tenant has a right to challenge the suitability of the selected apartment.

The landlord pays the stipends when the tenants move. Tenants' delay or refusal to move reduces or eliminates their entitlement to the stipend and subjects them to eviction proceedings. Tenants have until the later of the expiration of their lease or the date set forth in the DHCR's order to move out. If they do not move out on their own, the actual eviction of the tenants is by way of an ordinary holdover eviction proceeding in Civil Court. However, if the owner has a favorable decision from the DHCR, there is nearly nothing to prove in that proceeding, making it amenable to summary judgment.

Demolition proceedings before the DHCR are extremely technical and require precise adherence to the exacting requirements of the various laws. Expect these applications to take years and be battled in the courts. However, they are also one of very few options rent-regulated landlords have left to restore profitability to their properties and deregulate buildings with rent-regulated apartments in the aftermath of the new draconian laws.

Inside NY Apartment Law Insider...



Adam Leitman Bailey, Esq.  
Attorney at Law

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Twitter: [@aleitmanbailey](https://twitter.com/aleitmanbailey)

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**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 9, 2021 4:22:50 PM  
**Attachments:** [C 210422 ZMM Comments Edison Properties.docx](#)

---

**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Anthony Borelli**  
Zip: **07102**

I represent:

- **A local business**

Details for "I Represent": **I represent Edison Properties. Edison affiliates own two public surface parking lots in the proposed plan area.**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I previously submitted comments on the DSOW associated with this project.

Application Number: C 210422 ZMM  
Project: Soho Noho Neighborhood Plan  
Public Hearing Date: 09/02/2021  
Borough: Manhattan  
Community District: 2

Comments submitted on behalf of Edison Properties, LLC.

Edison affiliates own two public parking lots in the proposed rezoning area: one in the “NoHo North Corridor” at 375 Lafayette at the corner of Great Jones. The other is in “Opportunity Area 2” at 174 Centre Street at the corner of Hester. A small through-lot portion of this site also has a narrow frontage on Baxter Street.

Much of the existing zoning in SoHo and NoHo is obsolete and should be updated to meet current conditions and needs. However, these comments are limited to how the proposed zoning applies to the sites owned by Edison affiliates.

It makes sense that the plan would allow residential uses and retail as-of-right. These are among the mix of uses that define these neighborhoods; they should be recognized and be permitted by zoning.

The proposed FARs favor residential uses. The plan still preserves the ability to develop commercial and community facilities; this provides flexibility and reflects the character of a truly mixed use district.

MIH will ensure affordable housing is part of any residential project on Edison’s sites. The plan adjusts FARs in consideration of the physical conditions in each of the subareas. The densities proposed for NoHo North Corridor and Opportunity Area 2 would provide for the most new housing within buildings of a reasonable scale.

The plan’s bulk controls for new construction are also generally appropriate and provide for the plan’s full development potential for housing. However, some additional flexibility regarding minimum base heights would be desirable – particularly on sites with multiple street frontages where the proposed bulk envelope could accommodate flexibility for better designs and achieve greater efficiencies for residential projects.

For example, under the proposed zoning, a new building at Edison’s Centre Street site would be required to have a tall narrow portion on the Hester street frontage which would result in inefficient floor plates. In situations like this, the special district should provide the option to reduce base heights on narrow streets to the underlying district’s standard as long as redistributed bulk remains within the special district’s proposed envelope.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 15, 2021 10:42:11 AM  
**Attachments:** [VICSCONY letter.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **George Calderaro**  
Zip: **10016**

I represent:

- **A local community group or organization**

Details for "I Represent": **Victorian Society in America, New York-Metro Chapter**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

The Victorian Society in America was established in 1966 by Margot Gayle to save irreplaceable 19th and early 20th century buildings specifically in the Soho Cast Iron Historic District. Please do not allow this work and the success of the Soho-Noho historic districts be undermined by this giveaway to developers that will not result in the affordable housing that we all desire. Please see attached letter. Thank you.



RE: SoHo NoHo Upzoning Would Destroy More Affordable Housing Than It Creates+ Make These Neighborhoods More Expensive+Less Diverse

Dear NYC Elected and Appointed Officials:

The Victorian Society in America was established in 1966 by Margot Gayle to save irreplaceable 19th and early 20th century buildings specifically in the Soho Cast Iron Historic District. Please do not allow this work and the success of the Soho-NoHo historic districts be undermined by this giveaway to developers that will not result in the affordable housing that we all desire.

The City's historic buildings and districts contain and protect thousands of affordable housing units (Soho, Noho, Upper West Side, Crown Heights, etc.) yet the current administration repeatedly threatens historic neighborhoods throughout the city with the hackneyed and uninformed notion that they are "elite." People want to live in, work in and visit the great historic buildings of New York, yet we are losing significant structures to create commercial and luxury residential buildings that no one wants, needs or can afford. Often proposed new development never gets built and we are left with vacant lots for years, even in midtown Manhattan.

As a recent study by Village Preservation has shown, the Mayor's proposed upzoning of SoHo and NoHo would actually make these neighborhoods richer, whiter, less diverse and more expensive, create much less affordable housing than projected and likely destroy more than it creates, all while allowing grossly out of scale new construction and big box chain stores. I oppose it and urge you to as well.

The Community Alternative Rezoning Plan, by not employing any upzoning, would destroy no affordable housing, require deeper and broader new affordable housing in new residential construction at a scale which matches the neighborhood, and allow reasonable sized retail but not big box chain stores. It would maintain the character of this neighborhood while making it more equitable, diverse, and affordable the exact opposite of the Mayor's plan. The Mayor's plan would also have an enormous impact on adjacent neighborhoods like Chinatown and the Lower East Side, pushing out longtime residents and businesses and making those neighborhoods less diverse and more wealthy and expensive too.

The Mayor's plan allow new development of an egregious scale up to 2.4 times what current rules

allow open the floodgates to giant big box chain stores that would force out long time local businesses, push out longtime tenants in rent-stabilized units and legally protected lofts, and encourage the demolition of historic buildings. This is wrong and unacceptable for these neighborhoods, and being done in the name of affordable housing, revising outdated zoning, and promoting retail diversity. All of these goals can be better achieved with the Community Alternative Rezoning Plan which a dozen local groups have put forward.

The Mayor's plan would line the pockets of developers who have given generously to his campaign and lobbied for these changes for years. All of the purported goals can be better achieved in a manner consistent with the character of the neighborhood and with the full support of residents of the affected neighborhoods. The current plan is generating nothing but deep opposition from residents and should be rejected.

We strongly oppose any changes to the zoning for SoHo and NoHo which would "upzone" the area or increase the allowable size or scale of development beyond the generous allowances which already exist. The current push by (among others) big real estate interests to upzone the area are utilizing claims that it is the only or best way to address affordability in the area -- which is patently false. I am also strongly against any change that would allow larger retail than current rules allow.

The SoHo/NoHo report issued in early January was vague, though it implied that an upzoning of sites would be warranted if affordable housing is included. This is now being seized upon by vested interests, including groups led and funded by developers who own undeveloped property in the area that would directly benefit financially tremendously from the proposed upzoning. But the zoning for SoHo and NoHo already allows more than ample-sized development, as evidenced by numerous buildings of ten to thirty stories in height which have gone up in the neighborhood in recent years. Addressing important needs like affordable housing and keeping these neighborhoods accessible to artists does not require zoning changes that would result in construction significantly larger than what the current rules allow. More than sufficiently large buildings that include affordable housing can be built on under-developed lots in the neighborhood right now; there is no need to upzone the neighborhood and allow for new development which could be substantially larger than that in order to provide affordable housing. That is just an excuse to give developers bigger windfalls with the fig leaf of affordable housing thrown in to try to make it acceptable. For me, an upzoning is a deal-breaker for any plan for SoHo or NoHo.

The Victorian Society New York also strongly opposes any move to lift the existing 10K Sq ft limit for retail uses. SoHo and NoHo do not need to be further transformed into a mega-mall. While retail uses are important and well-run appropriate ones are welcome, they should not overwhelm the neighborhood, which very large big-box and multi-level stores tend to. We don't need to make the rules looser to accommodate more of these.

Sincerely,

George Calderaro, Preservation Committee Chair

Victorian Society New York c/o Village Alliance

8 East 8<sup>th</sup> Street

New York, NY 10003

212 286 3742

info@vicsocny.org

vicsocny.org

TO:

- Department of City Planning (SoHo/NoHo)
- Council Council District 37
- Councilmember Adrienne Adams
- Brooklyn Borough President Eric Adams
- Councilmember Diana Ayala
- Councilmember Inez Barron
- Councilmember Joseph Borelli
- Councilmember Justin Brannan
- Manhattan Borough President Gale Brewer
- Councilmember Selvena Brooks-Powers
- Councilmember Fernando Cabrera
- Councilmember Margaret Chin
- Council Member - New York City Council Margaret S. Chin
- Councilmember Andrew Cohen
- Councilmember Costa Constantinides
- Councilmember Robert Cornegy Jr.
- Councilmember Laurie Cumbo
- Councilmember Rubin Diaz
- Councilmember Daniel Dromm
- Councilmember Chaim Duetsch
- Bronx Borough President Rubén Díaz Jr.
- Councilmember Mathieu Eugene
- Councilmember James Gennaro
- Councilmember Vanessa Gibson
- Small Business Committee Chair Councilmember Mark Gjonaj
- Councilmember Barry Grodenchik
- Councilmember Marian Guerra
- Councilmember Robert Holden
- Council Speaker - New York City Council - District 03 Manhattan Corey Johnson
- Speaker Corey Johnson
- Councilmember Ben Kallos
- Councilmember Andy King
- Councilmember Karen Koslowitz
- Department of City Planning Chair Marisa Lago
- Councilmember Brad Lander
- Councilmember Stephen Levin
- Councilmember Mark Levine
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- Staten Island Borough President James Oddo
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- Councilmember Deborah Rose
- Councilmember Helen Rosenthal
- Councilmember Rafael Salamanca
- Councilmember Alicka Ampry Samuel
- NYC Comptroller Scott Stringer
- Councilmember Ritchie Torres
- Councilmember Mark Treyger
- Councilmember Eric Uhlich
- Councilmember Paul Vallone
- Councilmember James Van Bramer
- Public Advocate Jumaane Williams
- Councilmember Kalman Yeger
- Mayor Bill de Blasio

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 13, 2021 2:06:11 PM  
**Attachments:** [2021-09-13 SoHo NoHo Submissioin to City Planning Commission.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Richard Corman**  
Zip: **10013**

I represent:

- **A local community group or organization**

Details for "I Represent": **Downtown Independent Democrats**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

Please see attached submission in opposition to this plan.



September 13, 2021  
New York City Planning Commission  
In Opposition to  
C 210422 ZMM SoHo NoHo Neighborhood Plan

On behalf of Downtown Independent Democrats (DID), I strongly urge the City Planning Commission to reject the proposed City [SoHo/NoHo Neighborhood Plan](#). This rezoning plan is deeply flawed, fails to meet its essential objectives, most particularly its stated affordable housing goals, and will displace and impact the lives of existing rent-protected and low-income residents in SoHo, NoHo, and Chinatown.

In December 2020, DID issued a [resolution](#) calling for the City to pause and revise its plan for SoHo / NoHo Rezoning. We stated that the proposed plan incentivizes office development and big-box retail instead of adaptive reuse, new affordable housing and the preservation of the current significant stock of affordable housing. We urged the City to complete promised studies and additional analysis after the pandemic state of emergency has lifted and to develop a plan that:

- Guarantees greater opportunities for affordable housing;
- Addresses displacement;
- Includes zoning that allows office to residential conversion and does not incentivize office and dormitory over residential use or big-box retail over small business;
- Defines clear “mechanisms” to legalize existing residential occupancies incorporating public review and input;
- Maintains the character and integrity of the impacted Historic District and the creative foundation of the area, as exemplified by JLWQA (Joint Living-Work Quarters for Artists), which are important City economic drivers, and;
- Presents an economic analysis of the up-zoning and how the Plan will impact transferable development rights.

The City's Final Scope of Work (FSOW) remains virtually unchanged on all the key unaddressed issues from the Draft Scope of Work (DSOW), did not incorporate the needed additional studies and analyses, ignored our comments and recommendations and from housing and community activists, the Community Board 2 December 18, 2020 detailed critique of the DSOW, and even from the Manhattan Borough President's own [Envision SoHo / NoHo](#) report. The current plan fails on each one of these objectives.

This rezoning plan was clearly rushed to coincide with the last days of Mayor De Blasio's administration and prevents input from the incoming mayor and city council. The Mayor's Plan would eventually eliminate Manufacturing Use Group 17-D JLWQA units, the defining characteristic of SoHo and NoHo's M1-5A and M1-5B zoning districts<sup>14</sup> through a last minute and ill-conceived “mechanism” to remove this special use.

Moreover, this scheme essentially charges a flip tax to JLWQA owners, despite any financial justification or comparable for artists citywide. Payments into an undefined Arts Fund do not provide a long-term sustainable model using one-time contributions. ***And***, illustrative of the rushed, and as a result sloppy, underpinnings of this plan, the DCP data supporting the financial analysis, which had to be obtained through FOIL, has proved to be inaccurate to the extent that undermines the entire provision.

Community Board 2 has studied this plan extensively and deeply. It voted near unanimously to reject the plan and submitted a highly detailed refutation. Many of our elected officials, including



Manhattan Borough President Brewer, who initiated the SoHo NoHo Envision study, have come out against the plan as presented, citing many of these same issues.

For these reasons, the deep flaws in the Plan, the likely damage it will inflict on current, particularly low-income and rent-protected residents, many of whom are seniors ageing in place, and for its likely failure to add any material amount of affordable housing, this plan must be rejected. We urge the City Planning Commission to hear the community. Let us revisit the real and important objectives set out in the Envision study.

DID could not be more supportive of the great need for affordable housing in SoHo / NoHo as well as all of Lower Manhattan. We are, for example, petitioning all our elected officials to support 100% affordable housing at the proposed 5 World Trade Center Site and at 2 Howard Street. We would support a SoHo / NoHo rezoning plan that achieves substantial affordable housing in the area without the irreversible damage that this flawed plan will inflict.

Sincerely.

Richard Corman  
President, Downtown Independent Democrats



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, September 14, 2021 9:13:50 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Andrea Messier Cuomo**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation

or police services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you: Say "NO" to the Mayor's misguided plan. Sincerely, Andrea cuomo 301 Elizabeth street Ny, ny 10012

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 10:38:09 AM  
**Attachments:** [SBI Testimony for CPC Hearing 9.2.21-BZ comments.pdf](#)  
[Soho Rezoning Study Final Report 08.23.2021.pdf](#)

---

Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Mark Dicus**  
Zip: **10012**

I represent:

- **A local community group or organization**

Details for "I Represent": **I represent the SoHo Broadway Initiative, the not-for-profit that manages the neighborhood focused business improvement district on Broadway from Houston to Canal.**

**My Comments:**

Vote: I am **other**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Please find attached our written testimony and massing study of the SoHo Broadway corridor completed by PKSB Architects.

## Testimony of Mark Dicus, SoHo Broadway Initiative

City Planning Commission Special Hearing on the SoHo/NoHo  
Rezoning Plan, September 2, 2021

Good afternoon, Madame Chair and fellow Commissioners. My name is Mark Dicus and **I'm the Executive Director of the SoHo Broadway** Initiative, the not-for-profit that manages the neighborhood-focused business improvement district along Broadway from Houston to Canal. The Initiative represents commercial and residential interests equally. On the topic of the proposed rezoning, commercial property owners and the business community generally welcome the long-overdue changes to legalize retail uses, but the vast majority of residents I speak with do not support the rezoning as it currently stands for a number of reasons. Given the diversity of perspectives, we are seeking to make changes to improve the proposal.

First, the Initiative recommends modifications to the proposed text to better align building height and bulk regulations with the existing building stock in the historic district. We have prepared a detailed massing study that we will share with the Commission. For buildings along Broadway, we recommend a maximum FAR of 7.2 for residential use, 6.5 FAR for community facility uses, and 6.0 FAR for commercial and manufacturing uses. For height restrictions, we recommend reducing the proposed maximum building height from 205 feet to 125 feet and the maximum street wall height from 145 feet to 105 feet. Our proposed changes to the plan would ensure that income-restricted units developed through the MIH program would not only help achieve affordable housing goals in the city but would also be contextual with the existing building stock and greatly benefit our community.

Second, the Initiative believes as-of-right retail use is appropriate throughout SoHo and NoHo while being done in a way that maintains the mixed-use character of SoHo. The retail vacancy rate in our BID is currently 30.4%, which represents a 100% increase in vacancy since late 2018 when our vacancy rate was 14.7%. The current rules governing retail are complicated and expensive, making SoHo attractive to established businesses that can afford to hire the consultant teams needed to follow the rules. Rules governing retail should not make it harder for businesses to locate in SoHo than in other retail areas. Rules applying to retail should be easy to follow to help attract and retain businesses in this important part of the city.

Therefore, along Broadway, we support unrestricted, as-of-right retail on the 2<sup>nd</sup> floor and below, consistent with the floor area of the building on those floors. Above the 2<sup>nd</sup> floor, the Initiative supports allowing low-impact retail uses such as yoga studios, galleries, and spas without a special permit.

In addition, we believe that the proposed arts fund is an insufficient and unsustainable approach due to its lack of focus on SoHo and NoHo and its burdensome proposed conversion fee on owners of units. We propose alternative models for arts spending including a possible to-be-formed non-profit entity that would foster arts and culture in SoHo/NoHo with a flexible private and public funding stream.

Finally, the Initiative urges the City to develop a comprehensive approach to address quality of life issues such as delivery issues, traffic, garbage, sanitation, and noise. **I'd like** to note there is a fundamental conflict between having a residential, office and retail located so closely together in a popular neighborhood. This conflict is not caused by the

size of retail, but from the need to implement solutions that reduce these conflicts and better integrates these uses into the community. We welcome the opportunity to work with City agencies, including DSNY and DOT, as well as stakeholders within our boundaries on short- and long-term approaches to ensure the livability and commercial success of our community.

Thank you for your time and we look forward to continuing to advocate to create a better SoHo Broadway for all residents, businesses, and visitors.





P + K  
S + B

**SOHO**  
BROADWAY

Soho-NoHo Rezoning Impact Study  
August 23, 2021



## FOCUS AREAS

### **Maintaining Historic Look and Feel:**

- Height and bulk regulations for the Broadway Corridor

### **Ensuring Successful Retail:**

- Advance the City’s plan, with possible consideration of upper floor uses

### **Maintaining SoHo’s Artistic Legacy:**

- Create a new entity to better serve the SoHo Community

### **Protecting Tenants:**

- Educate and Inform

### **Addressing Quality of Life:**

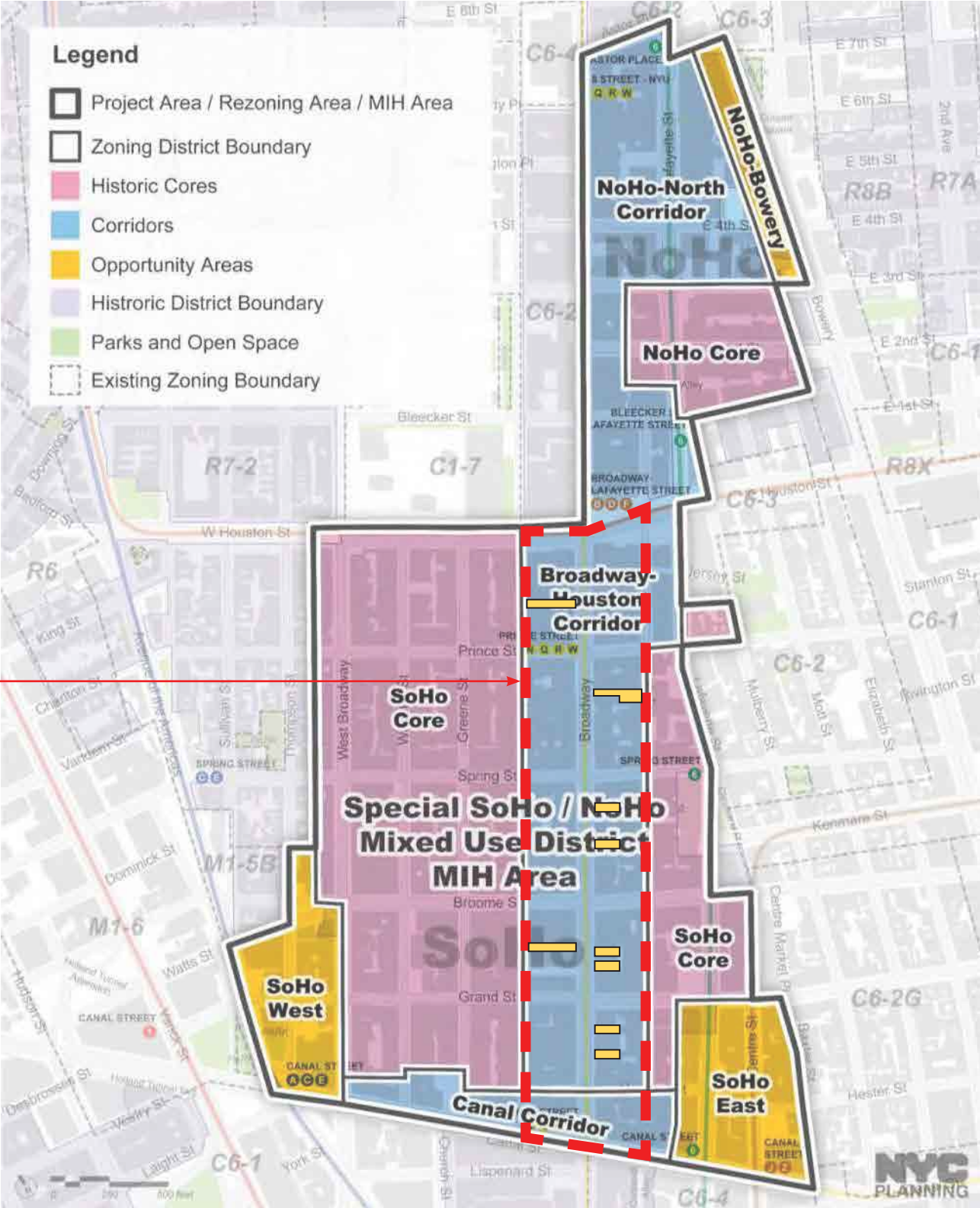
- Signage, garbage and traffic

## HEIGHT AND BULK REGULATIONS IN THE BROADWAY CORRIDOR

- SoHo-NoHo Neighborhood Plan: Potential Development in the Broadway Corridor
- SoHo Broadway Initiative Goals
- Existing Conditions
- Current M1-5B Bulk Regulations
- DCP Proposed M1-5/R9X Bulk Regulations
- SBI's Recommended Bulk Regulations



# CITY PLANNING PROPOSED REZONING



SOURCE: Soho/Noho Neighborhood Plan  
City Planning Commission Review Session May 17, 2021

## Bulk | Density & Envelope Overview

	M1-6 / R10 Opportunity Areas	M1-5 / R9X Historic Corridors	M1-5 / R7X Historic Cores
Residential FAR	12.0	9.7	6.0
Commercial / Mfg. FAR	10.0	5.0 / 6.0	5.0
Community Facility FAR		6.5	
Base Height (ft)*	125 - 155	85 – 145	60 - 105
Max Height (ft)	275	205	145

**POTENTIAL DEVELOPMENT SITES IDENTIFIED IN THE BROADWAY CORRIDOR:**

- 440 Broadway
- 454 Broadway
- 470 Broadway
- 474 Broadway
- 481 Broadway (through lot to Mercer)
- 506 Broadway
- 518 Broadway
- 558 Broadway (through lot to Crosby)
- 589 Broadway (through lot to Mercer)

## GOALS FOR RECOMMENDED HEIGHT & BULK REGULATIONS IN THE BROADWAY CORRIDOR:

- Allow for increased density while minimizing cumulative impact of potential development.
- Allow for a variety of building heights in the Broadway corridor while maintaining the prominence of the tallest buildings.
- Allow for alignment of new street walls with existing historic buildings over 85'-0".
- Maintain current setback of 15'-0" to minimize impact of potential additions to existing buildings.

EXISTING CONDITION

TALLEST BUILDINGS +/- 170'





CURRENT ZONING  
M1-5B DISTRICT

15' SETBACK —————→  
UP TO 6.5 FAR —————→  
FOR CF USE  
85' MAX. STREET WALL —————→

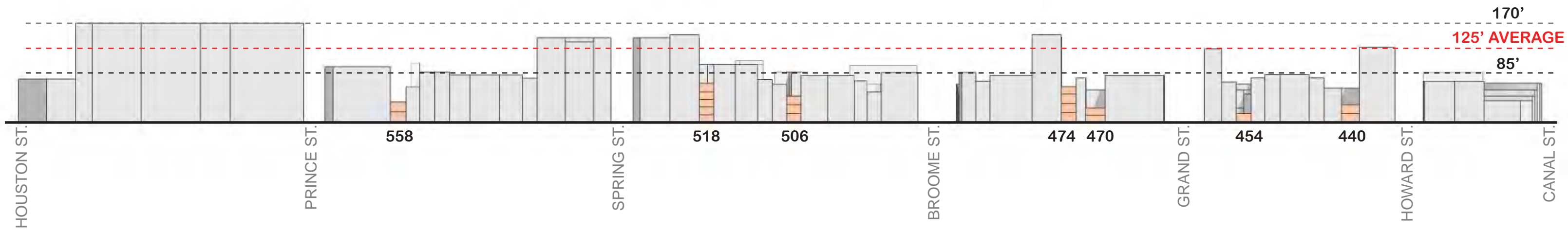


DCP PROPOSED  
M1-5 / R9X

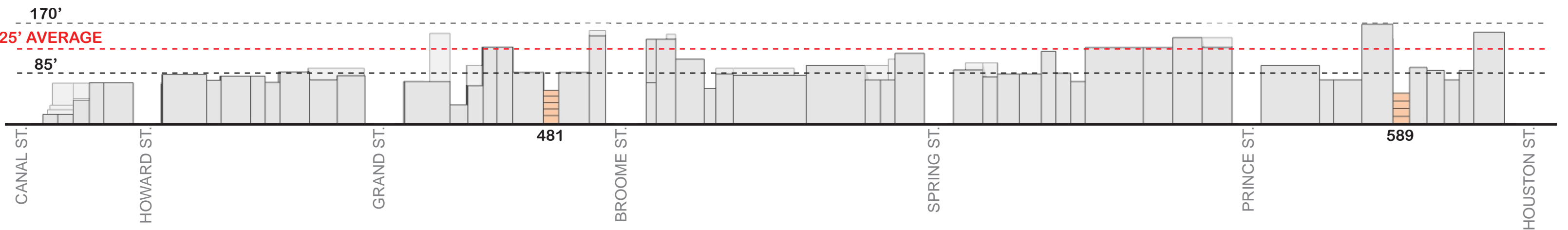
- 205' MAX. HEIGHT
- 10' SETBACK
- UP TO 9.7 FAR  
MIH RESIDENTIAL
- 145' MAX. STREET WALL
- 85' MIN. STREET WALL



# RECOMMENDATIONS



## BROADWAY - EAST ELEVATION

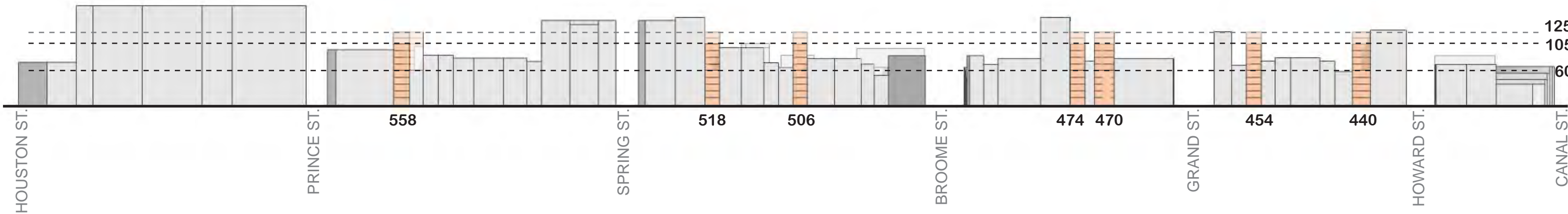


## BROADWAY - WEST ELEVATION

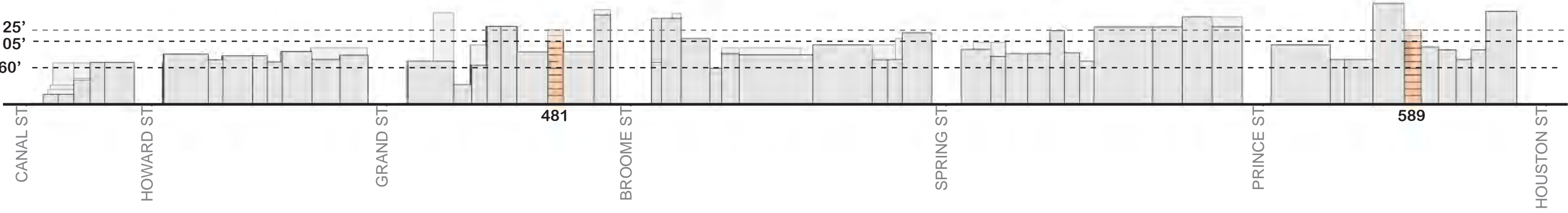
RECOMMENDED MAXIMUM HEIGHT:

MAX. STREET WALL HEIGHT UNDER CURRENT ZONING:	85'
TALLEST BUILDING IN BROADWAY CORRIDOR:	170'
AVERAGE BETWEEN 85' & 170' =	125'

# RECOMMENDATIONS



## BROADWAY - EAST ELEVATION



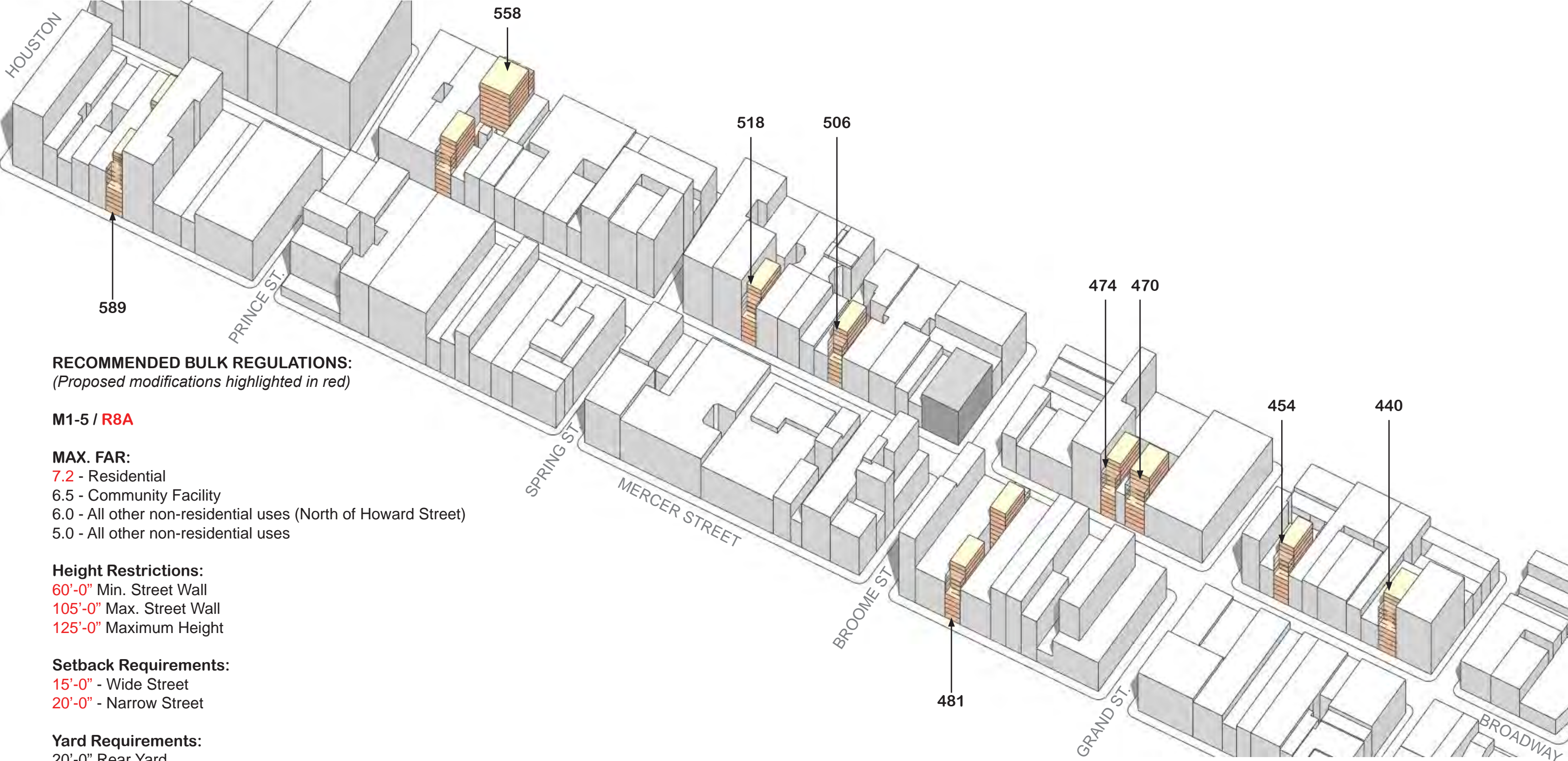
## BROADWAY - WEST ELEVATION

- RECOMMENDED HEIGHT REGULATIONS:
- MIN. STREET WALL HEIGHT: 60'
  - MAX. STREET WALL HEIGHT: 105'
  - MAXIMUM BUILDING HEIGHT: 125'





# RECOMMENDATIONS



**RECOMMENDED BULK REGULATIONS:**  
(Proposed modifications highlighted in red)

**M1-5 / R8A**

- MAX. FAR:**
- 7.2 - Residential
  - 6.5 - Community Facility
  - 6.0 - All other non-residential uses (North of Howard Street)
  - 5.0 - All other non-residential uses

- Height Restrictions:**
- 60'-0" Min. Street Wall
  - 105'-0" Max. Street Wall
  - 125'-0" Maximum Height

- Setback Requirements:**
- 15'-0" - Wide Street
  - 20'-0" - Narrow Street

- Yard Requirements:**
- 20'-0" Rear Yard
  - 40'-0" Rear Yard Equivalent for through lots





**RECOMMENDATIONS**  
**M1-5 / R8A** (with modifications)

125' MAX. HEIGHT

UP TO 7.2 FAR  
MIH RESIDENTIAL

15' SETBACK

105' MAX. STREET WALL/  
MAX. HEIGHT

60' MIN. STREET WALL



## ADDITIONAL FOCUS AREAS

### Ensuring Successful Retail:

- Advance the City’s plan, with possible additional consideration of upper floor uses

### Maintaining SoHo’s Artistic Legacy:

- Create a new entity to better serve the SoHo Community

### Protecting Tenants:

- Educate and Inform

### Addressing Quality of Life:

- Signage, garbage and traffic

## APPENDIX:

- Matrix of Site Constraints for Potential Development Sites
- Historic Research for Each Development Site
- Existing and Recommended Bulk for Each Development Site

SoHo: Broadway Development Sites						
	Adjacent Lot Line Windows	Lot Line Windows Both Sides	Adjacent Buildings < 145'	Adjacent Buildings < 85'	Interior Lot	Score
440 Broadway	●	●	●		●	<div><div></div><div></div><div></div><div></div><div></div></div> 4
454 Broadway	●	●	●	●	●	<div><div></div><div></div><div></div><div></div><div></div></div> 5
470 Broadway	●	●	●	●		<div><div></div><div></div><div></div><div></div><div></div></div> 4
474 Broadway	●				●	<div><div></div><div></div><div></div><div></div><div></div></div> 2
481 Broadway	●	●	●			<div><div></div><div></div><div></div><div></div><div></div></div> 3
54 Mercer	●	●	●			<div><div></div><div></div><div></div><div></div><div></div></div> 3
506 Broadway			●	●	●	<div><div></div><div></div><div></div><div></div><div></div></div> 3
518 Broadway	●				●	<div><div></div><div></div><div></div><div></div><div></div></div> 2
558 Broadway	●	●	●			<div><div></div><div></div><div></div><div></div><div></div></div> 3
96 Crosby	●		●			<div><div></div><div></div><div></div><div></div><div></div></div> 2
589 Broadway	●	●				<div><div></div><div></div><div></div><div></div><div></div></div> 2
160 Mercer	●	●				<div><div></div><div></div><div></div><div></div><div></div></div> 2

SoHo: Broadway Development Sites						
	Original Massing Intact	Existing Historic Fabric	Records of Original Building	Significant Architectural Details Intact	Original Details Intact	Score
440 Broadway		●	●	●		<div><div></div><div></div><div></div></div> 3
454 Broadway			●			<div><div></div></div> 1
470 Broadway			●			<div><div></div></div> 1
474 Broadway	●	●	●	●	●	<div><div></div><div></div><div></div><div></div><div></div></div> 5
481 Broadway	●	●	●		●	<div><div></div><div></div><div></div><div></div></div> 4
54 Mercer	●					<div><div></div></div> 1
506 Broadway		●	●	●	●	<div><div></div><div></div><div></div><div></div></div> 4
518 Broadway	●	●	●	●	●	<div><div></div><div></div><div></div><div></div><div></div></div> 5
558 Broadway		●	●	●		<div><div></div><div></div><div></div></div> 3
96 Crosby	●			●		<div><div></div><div></div></div> 2
589 Broadway	●	●	●			<div><div></div><div></div><div></div></div> 3
160 Mercer	●			●		<div><div></div><div></div></div> 2



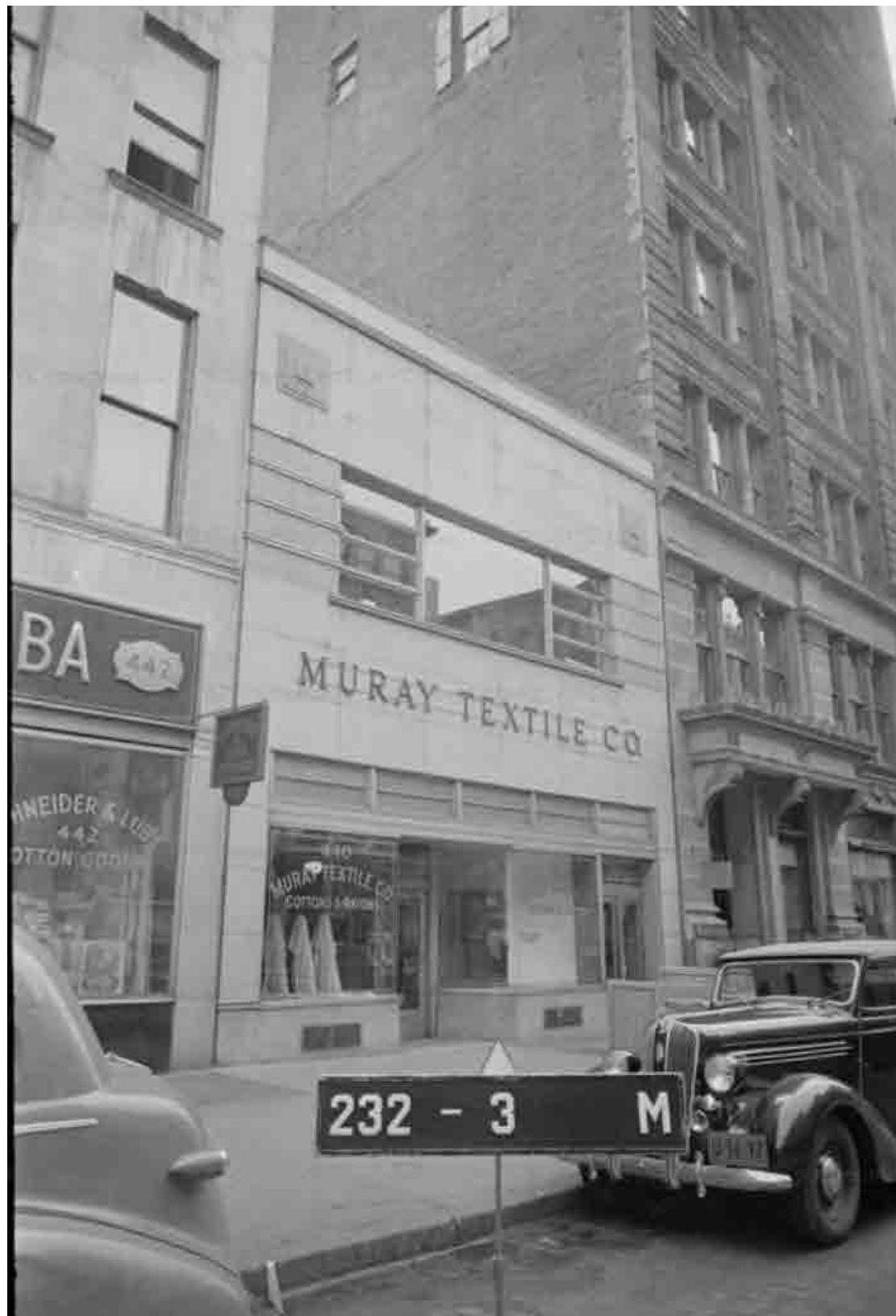
232-3  
#440  
Completed: 1938  
Architect: Unknown  
Original Function: Store  
Facade: Stone  
2 stories; 30 feet wide  
Comments: This building is a drastic  
alteration of another building occu-  
pying the site since c. 1875.

#### DESIGNATION REPORT DESCRIPTION

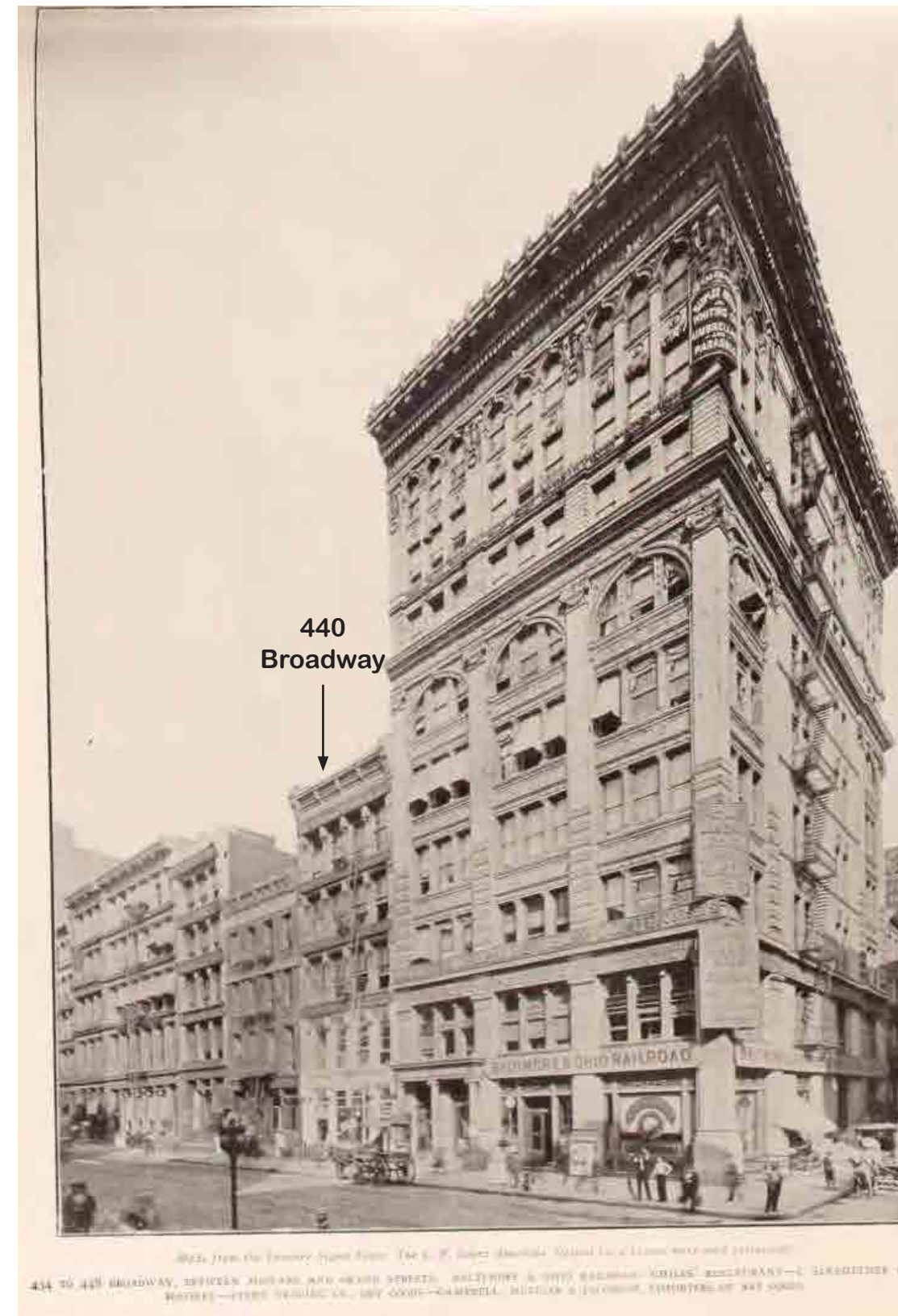


EXISTING CONDITION





1940 Tax Photo



Both Sides of Broadway, c. 1910



232-10  
#454  
Completed: 1863  
Architect: Unknown  
Original Owner: Peter Goelet  
Original Function: Store  
Facade: Brick  
5 stories originally, now reduced to 1;  
25 ft. wide.  
Comments: 1946 alteration - removed  
upper 4 stories; nothing original  
remains on the facade. For a line  
drawing of the original see Valen-  
tine's Manual, 1865, p. 589. Also  
had a Badger storefront.

#### DESIGNATION REPORT DESCRIPTION

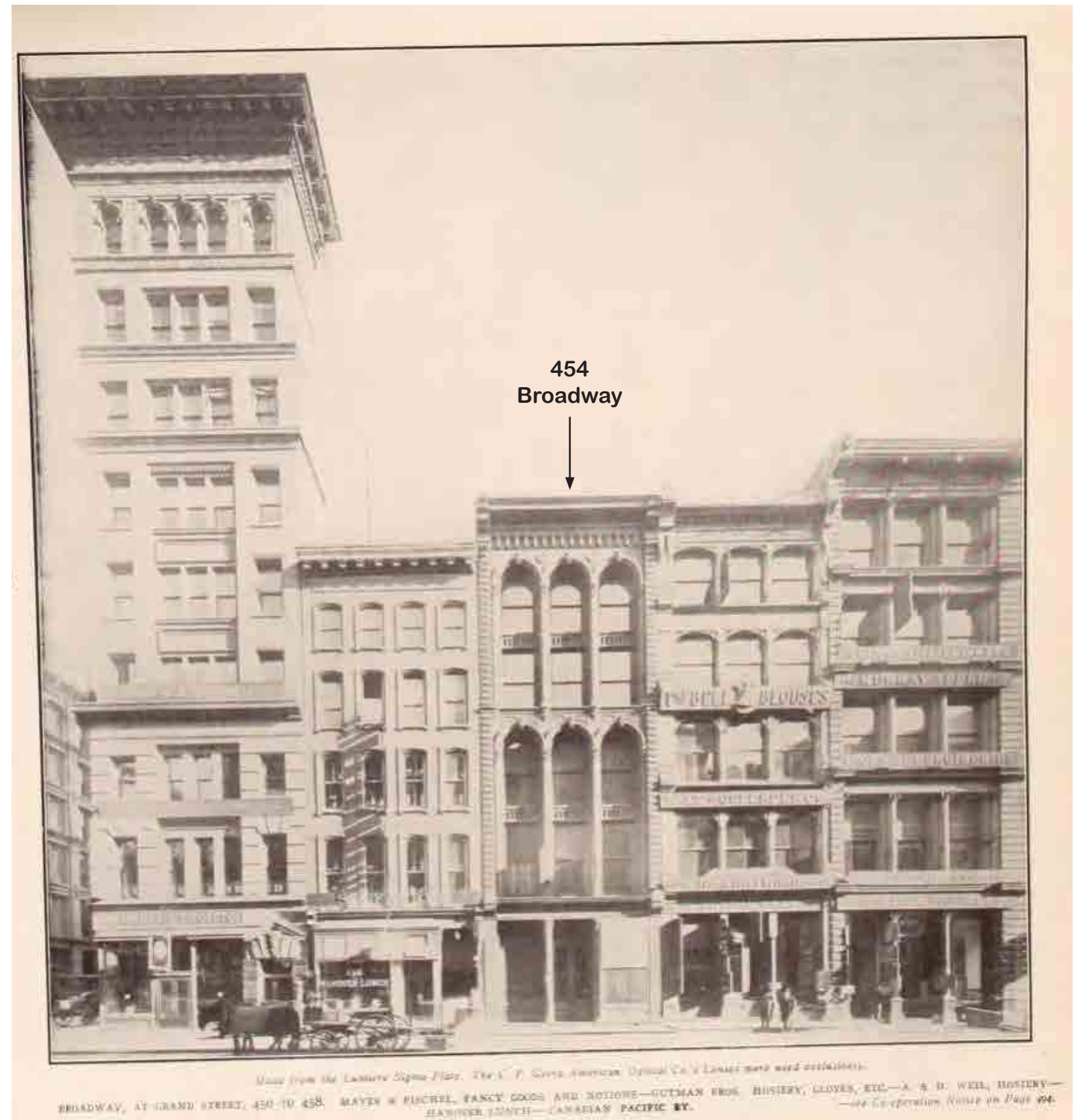


EXISTING CONDITION

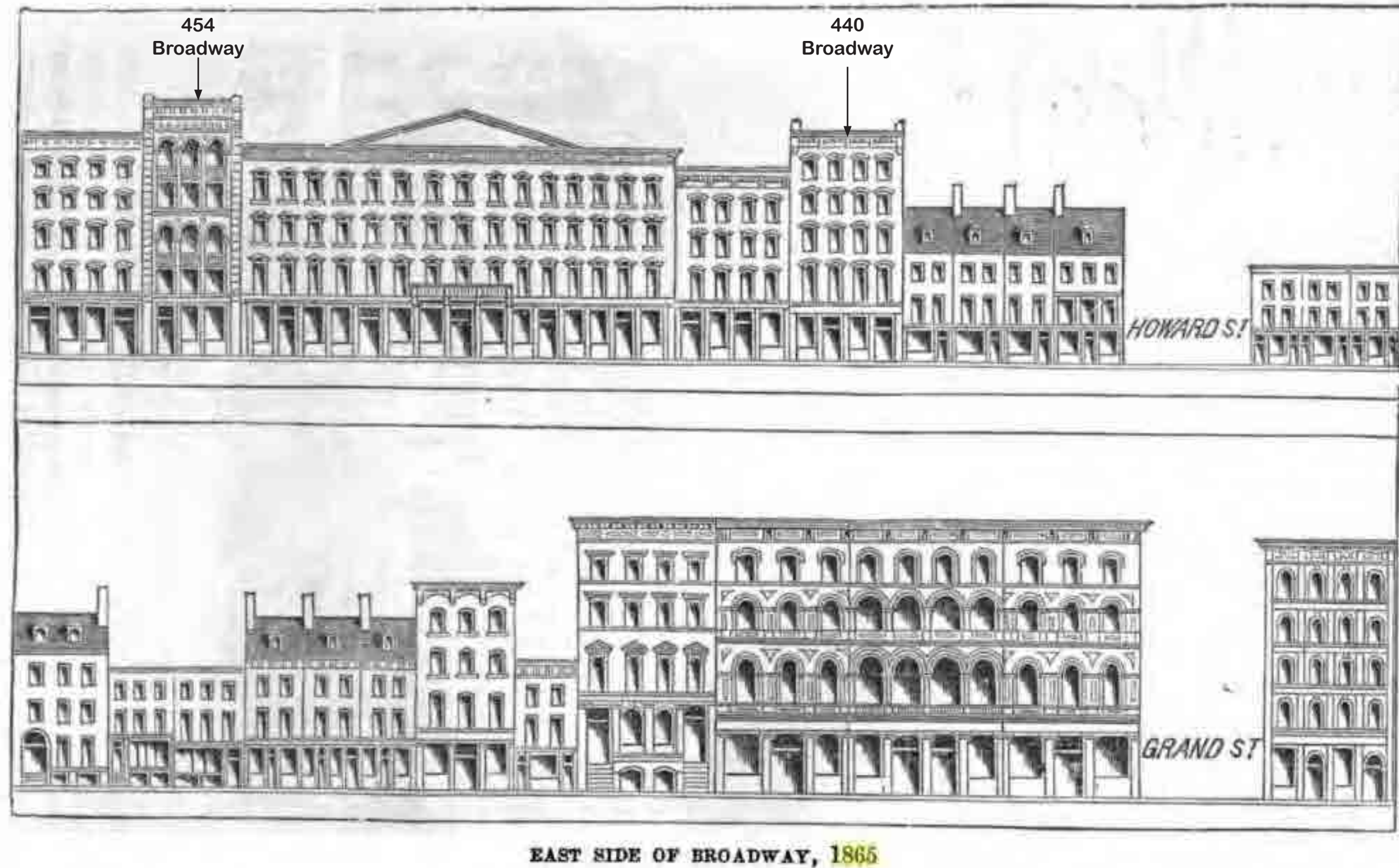




1940 Tax Photo

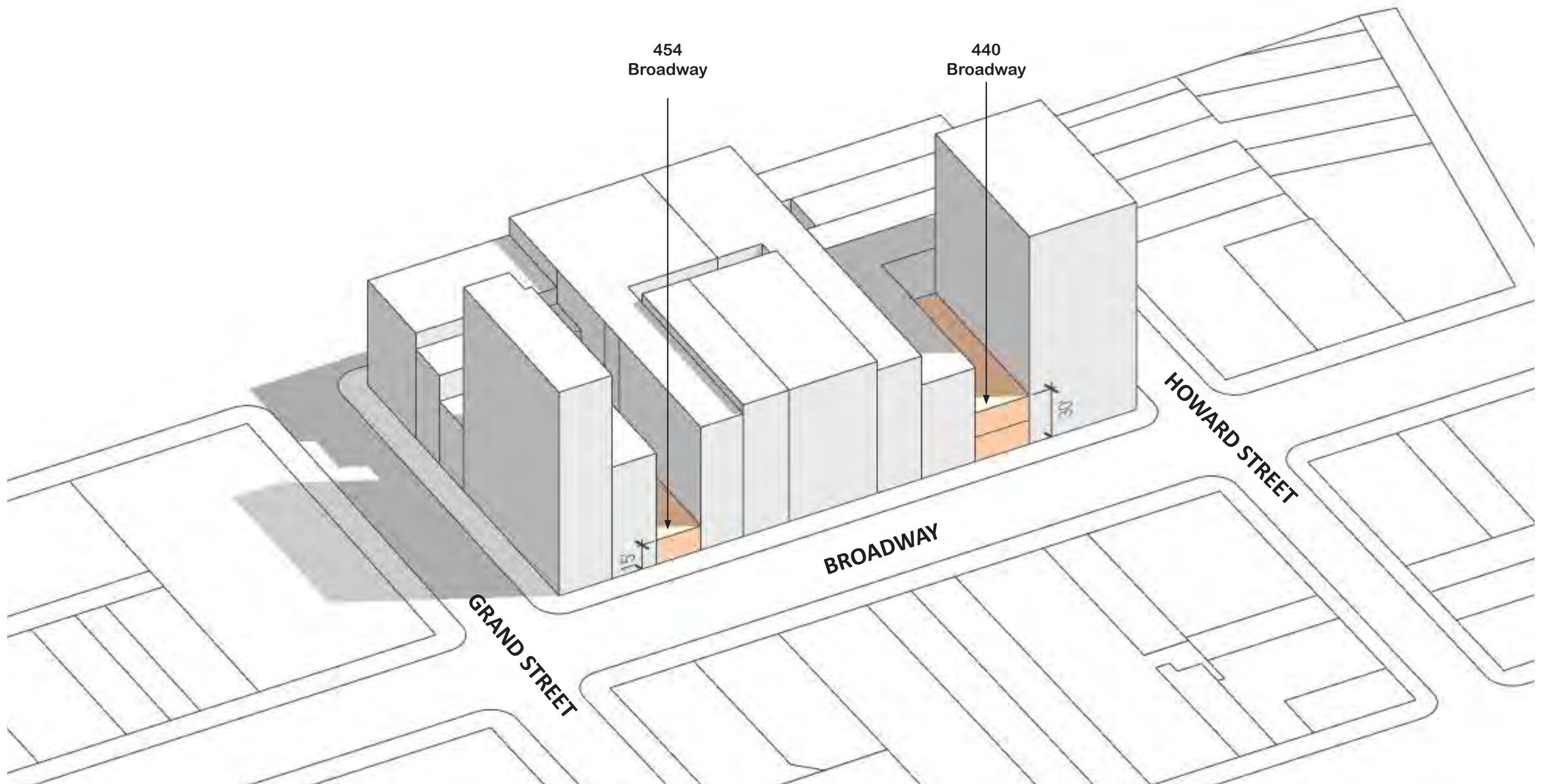


Both Sides of Broadway, c. 1910



Valentine's Manual, 1865





**454 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 6.87\*  
for Mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard for Residential

\*Floor area estimates assume 2% mechanical deductions + 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of existing building. Full demolition subject to LPC review.  
**This site is a likely candidate for full demolition.**

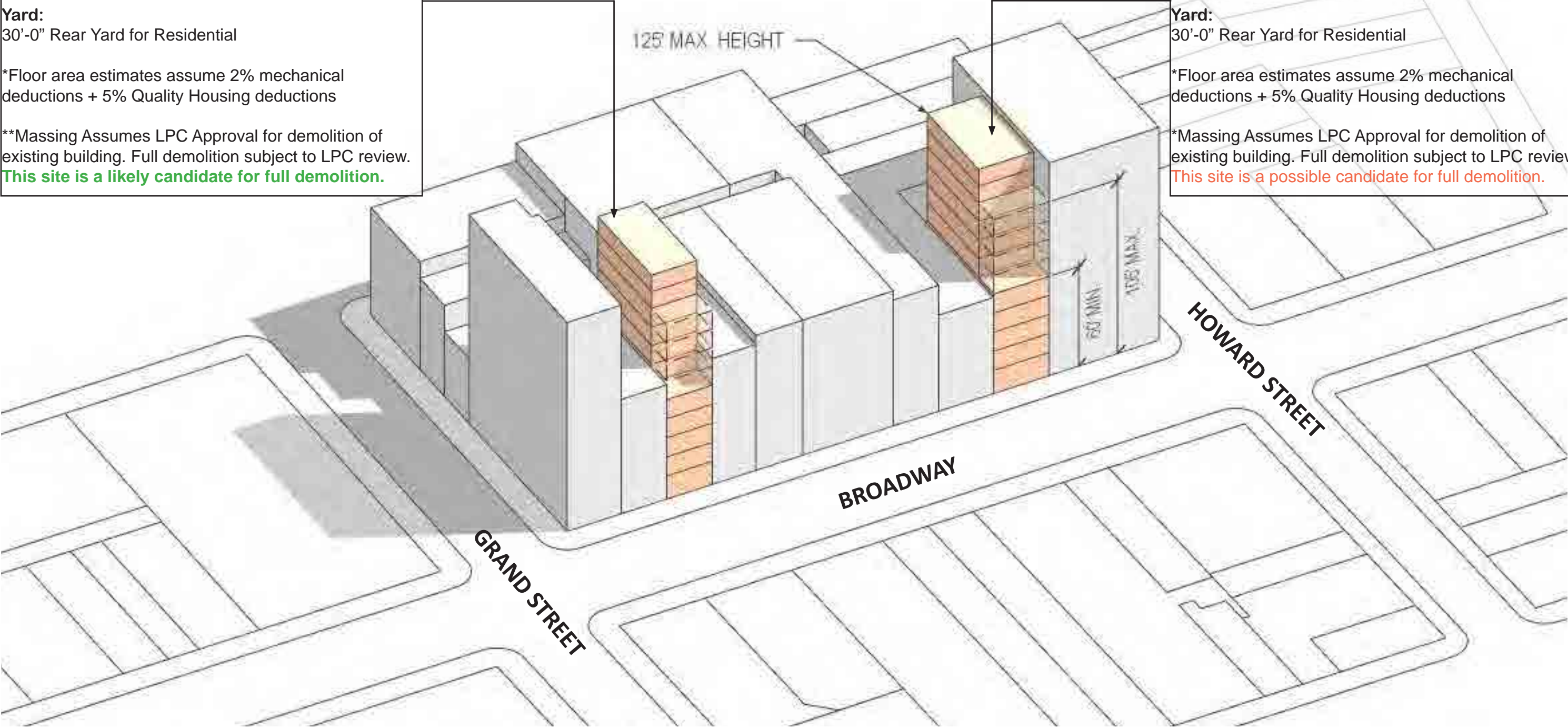
**440 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 6.81\*  
for mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard for Residential

\*Floor area estimates assume 2% mechanical deductions + 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of existing building. Full demolition subject to LPC review.  
**This site is a possible candidate for full demolition.**





473-5

#470

Completed: 1858

Architect: Unknown

Original Owner: Pacific Bank

Original Function: Bank

Original Facade: Stone

Present Function: Store

Present Facade: Brick

5 stories originally, now reduced to 2;  
3 bays.

Comments: 1918 alteration - new lime-  
stone front on basement & 1st floor;  
1940 alteration - remove upper  
three stories. Nothing original  
remains on facade. For a line  
drawing of the original see p. 589,  
Valentine's Manual, 1865.

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION





1940 Tax Photo



1940 Tax Photo with Previous Building



Both Sides of Broadway, c. 1910



473-7

#474

Completed: 1863

Architect: Unknown

Original Owner: Jane McNevin

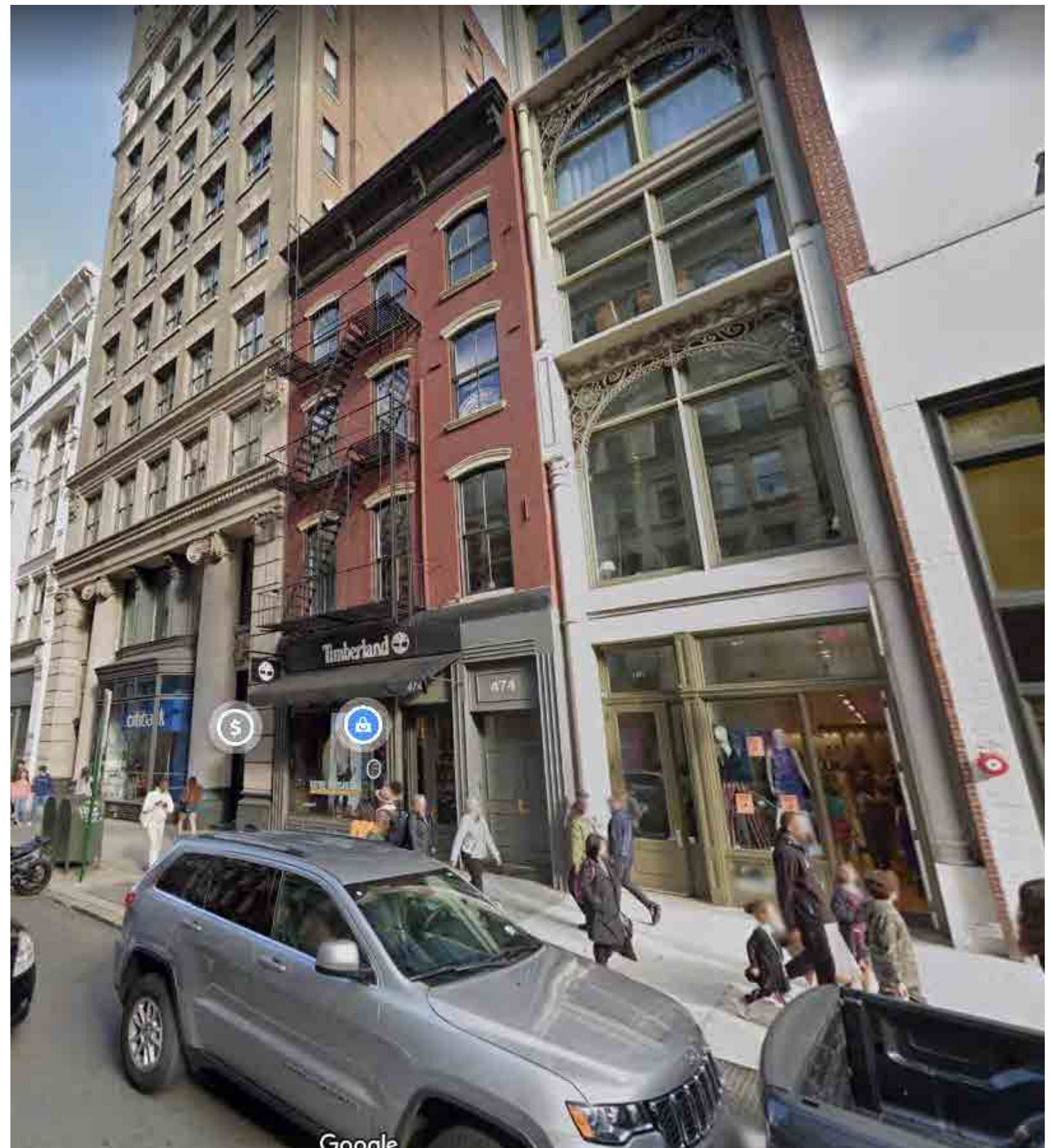
Original Function: Store & dwelling

Facade: Brick, iron cornices & store-  
front

4 stories; 3 bays

Comments: Ground floor alterations

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION





1940 Tax Photo

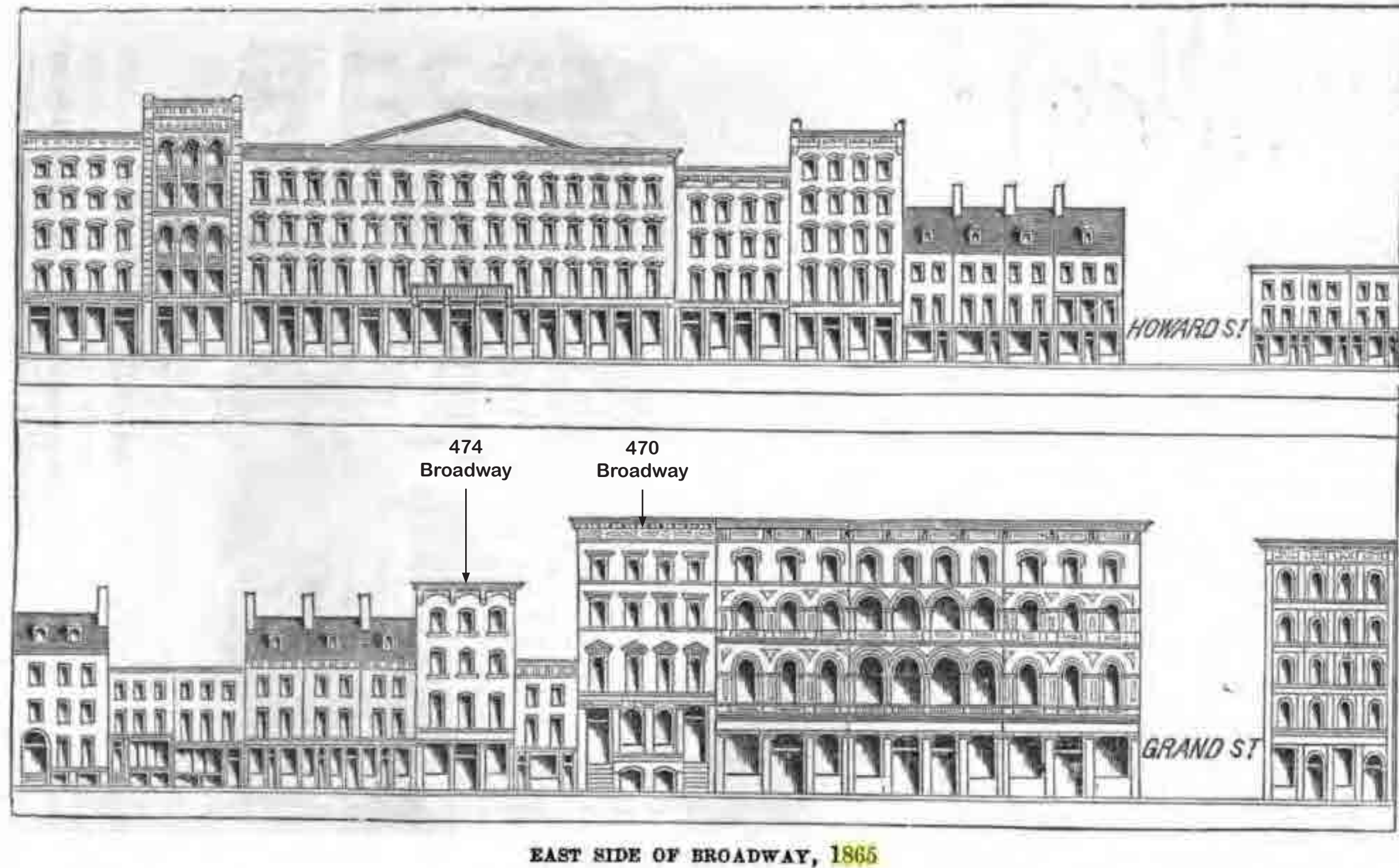


1940 Tax Photo with Previous Building at 470 Broadway

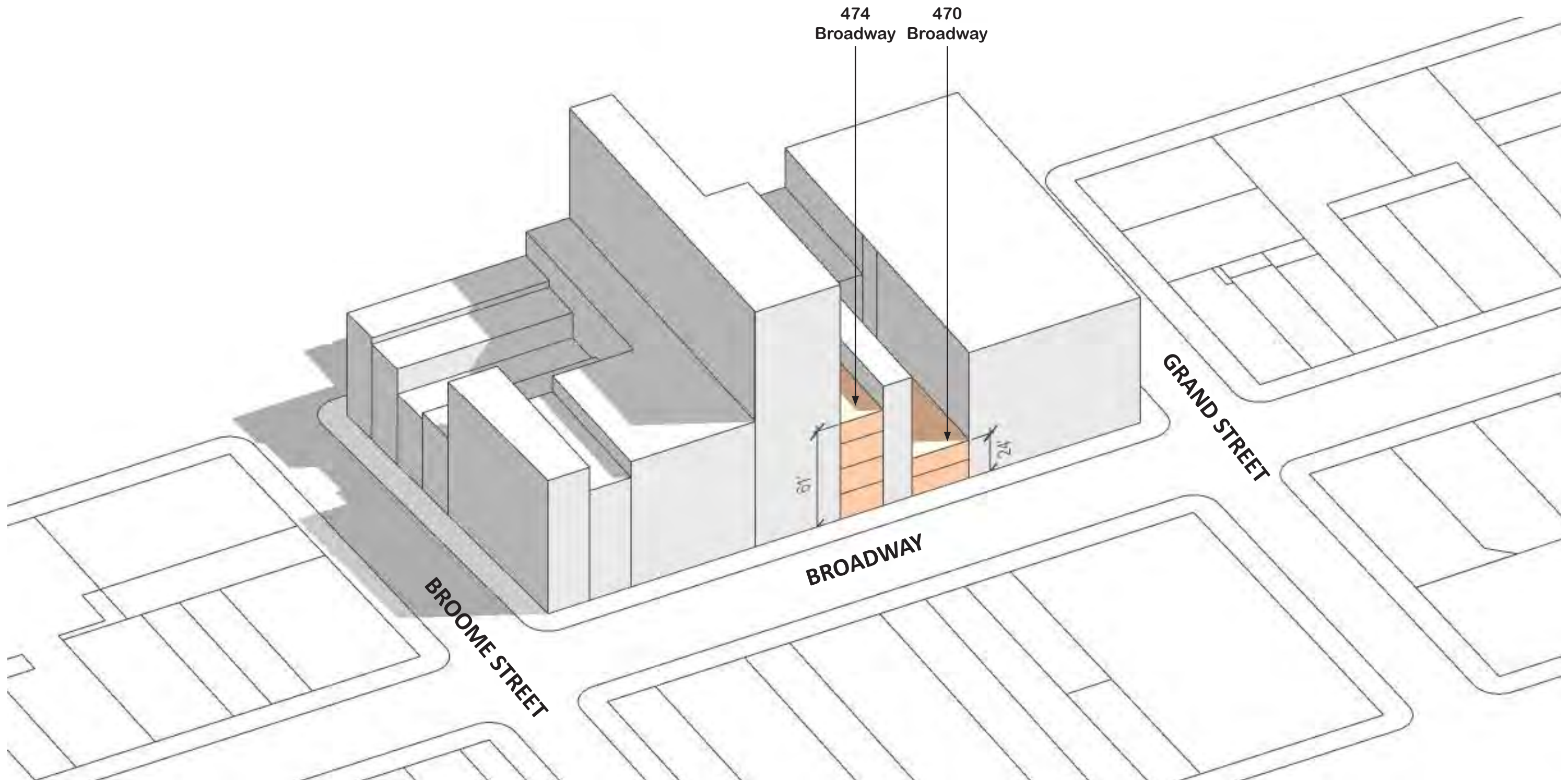


Both Sides of Broadway, c. 1910





Valentine's Manual, 1865





**474 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 6.86\*  
for Mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard Equivalent for Residential

\*Floor area estimates assume 2% mechanical deductions  
+ 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of  
existing building. Full demolition subject to LPC review.  
**This site is a an unlikely candidate for full demolition.**

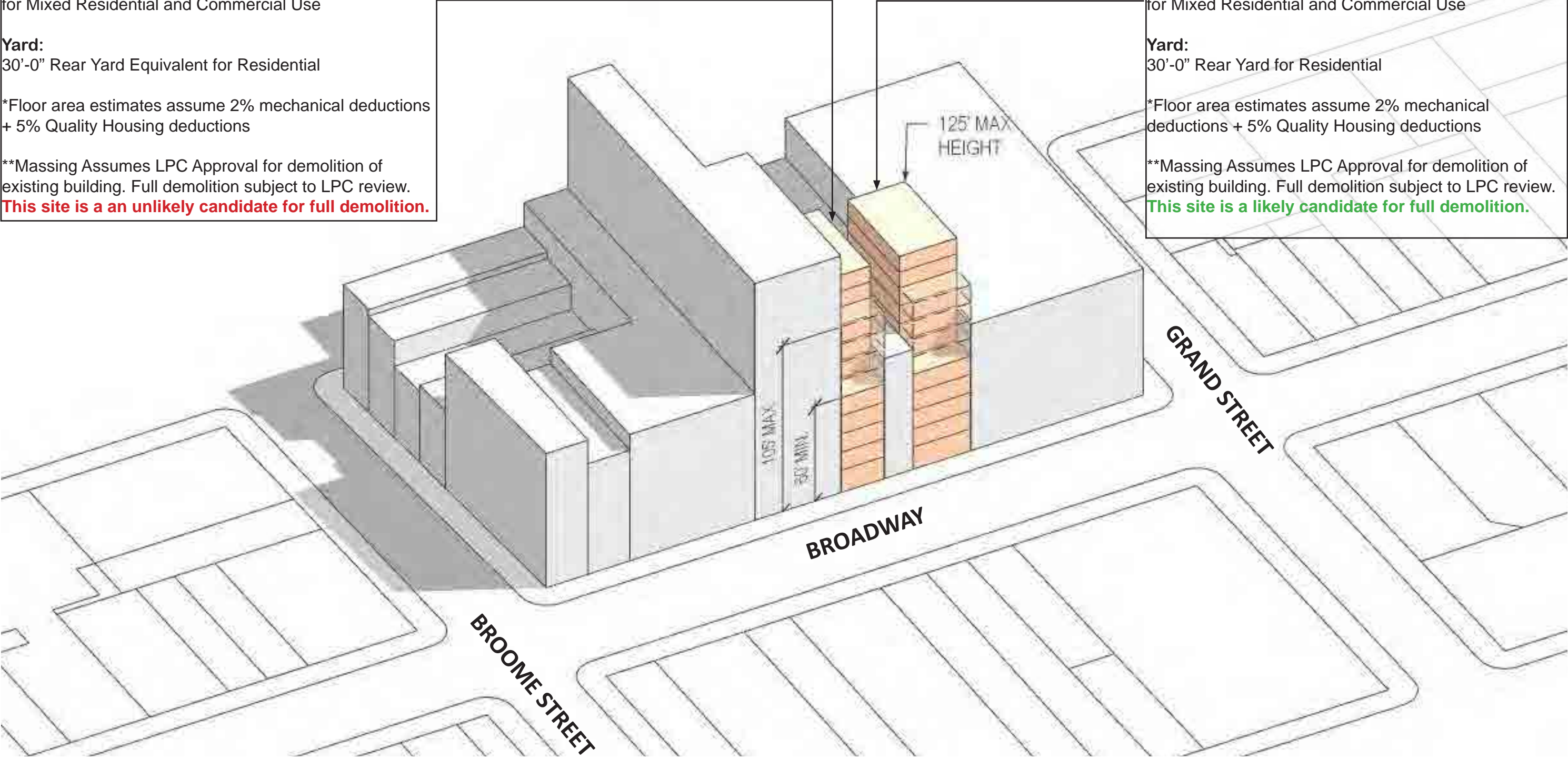
**470 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 6.84\*  
for Mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard for Residential

\*Floor area estimates assume 2% mechanical  
deductions + 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of  
existing building. Full demolition subject to LPC review.  
**This site is a likely candidate for full demolition.**





474-32  
#481 (through to Mercer)  
Completed: 1855-56  
Architect: Unknown  
Original Owner: John DeWolfe  
Original Function: Store  
Facade: Stone  
4 stories; 3 bays  
Comments: Storefront listed in Badger's  
Architectural Iron Works catalog,  
1865. Cornice and window ornament  
removed, windows filled in, some  
iron remains on the ground floor.

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION

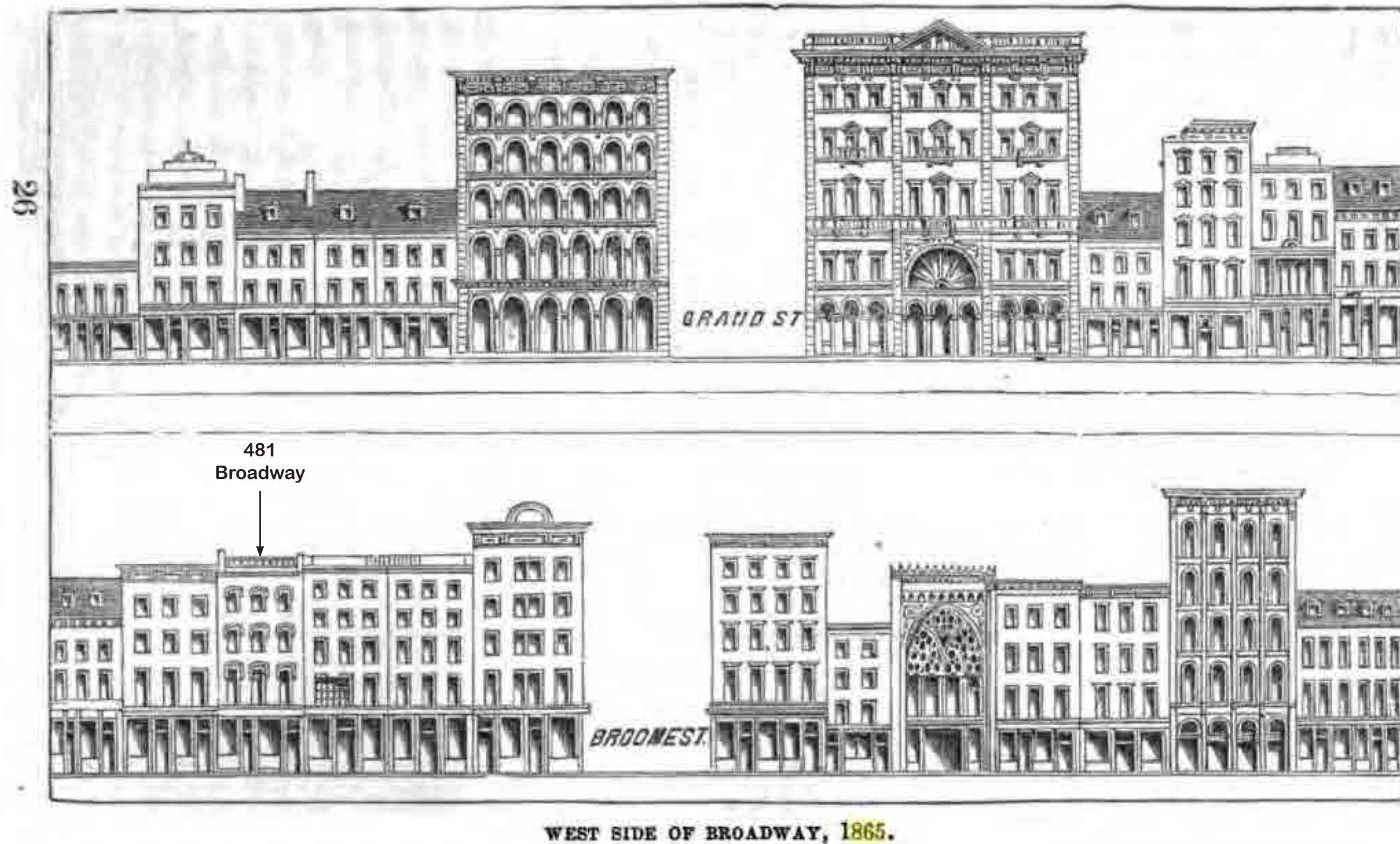




1940 Tax Photo

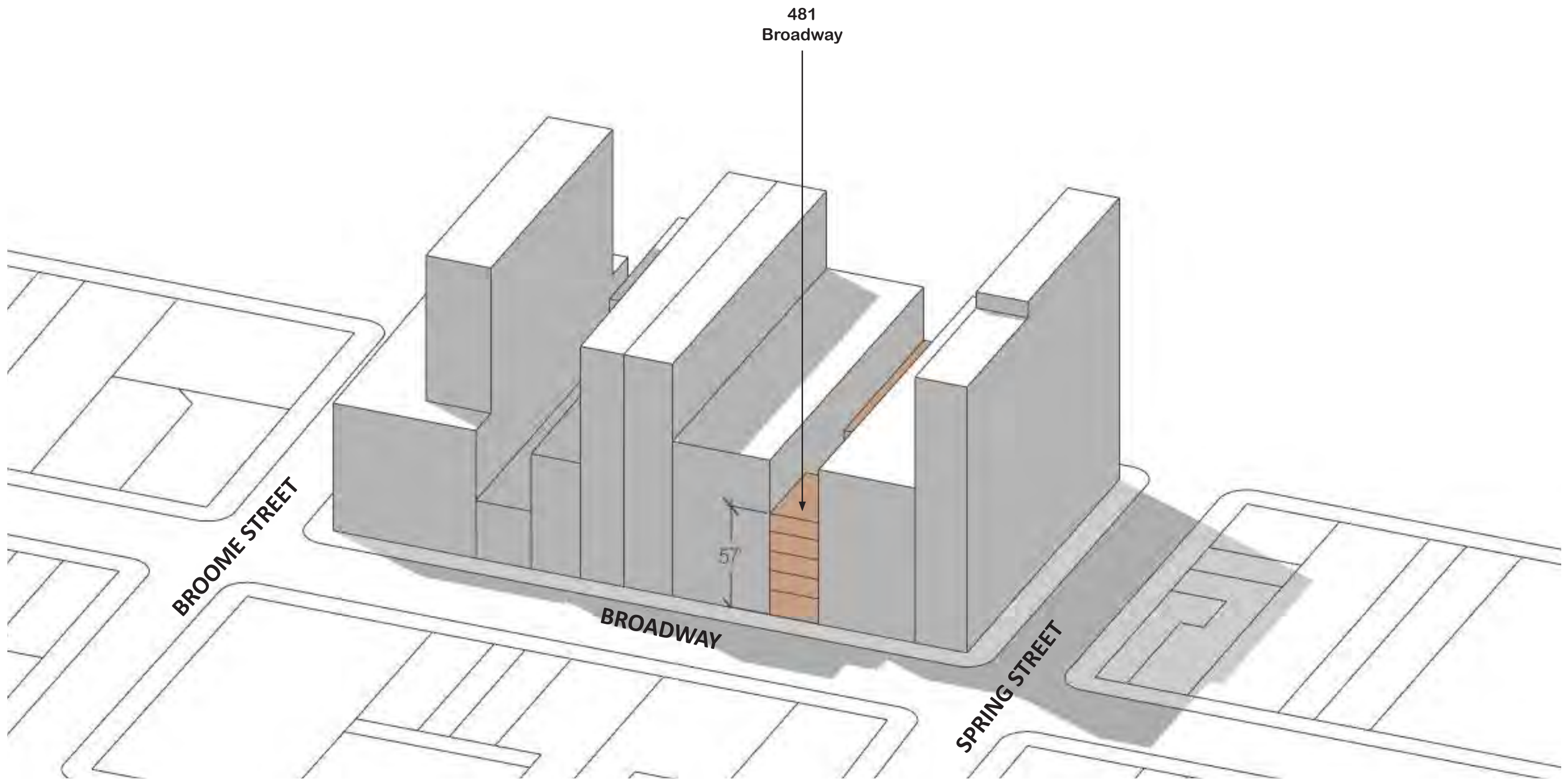


Both Sides of Broadway, c. 1910



Valentine's Manual, 1865





**481 Broadway Recommended R8A Bulk\*\***

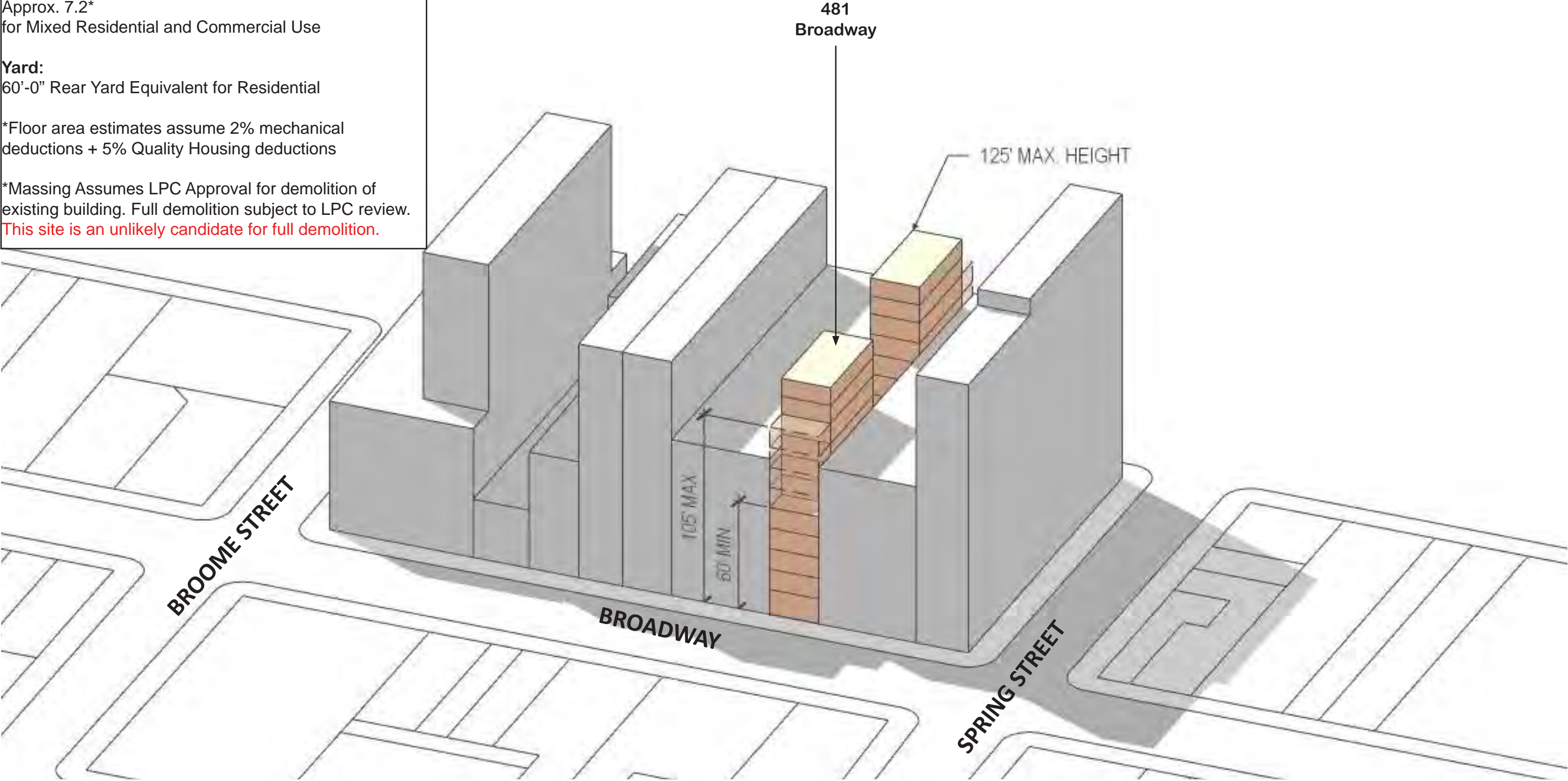
**FAR:**  
Approx. 7.2\*  
for Mixed Residential and Commercial Use

**Yard:**  
60'-0" Rear Yard Equivalent for Residential

\*Floor area estimates assume 2% mechanical deductions + 5% Quality Housing deductions

\*Massing Assumes LPC Approval for demolition of existing building. Full demolition subject to LPC review.

*This site is an unlikely candidate for full demolition.*





483-8

#506

Completed: 1856 (possibly 1854)

Architect: Unknown

Original Owner: Eugene Langdon

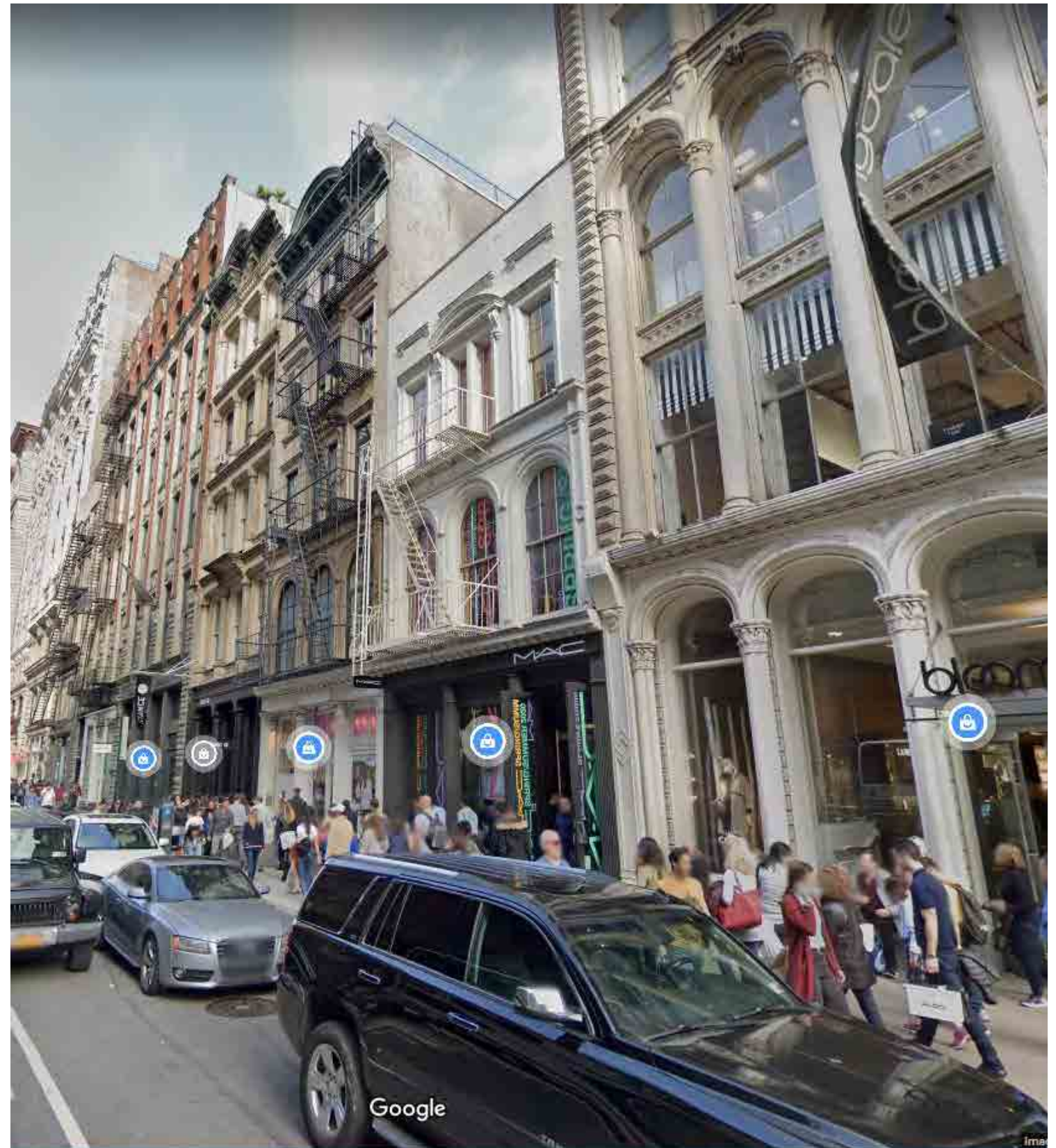
Original Function: Store

Facade: Stone, iron storefront

5 stories originally, now reduced to  
3½; 3 bays

Comments: Storefront from Badger's  
Architectural Iron Works. Common  
facade with #508, (but cornice was  
different) although now altered.

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION





1940 Tax Photo



Both Sides of Broadway, c. 1910



483-14

#518

Completed: 1855

Architect: Unknown

Original Owner: Delancy Kane

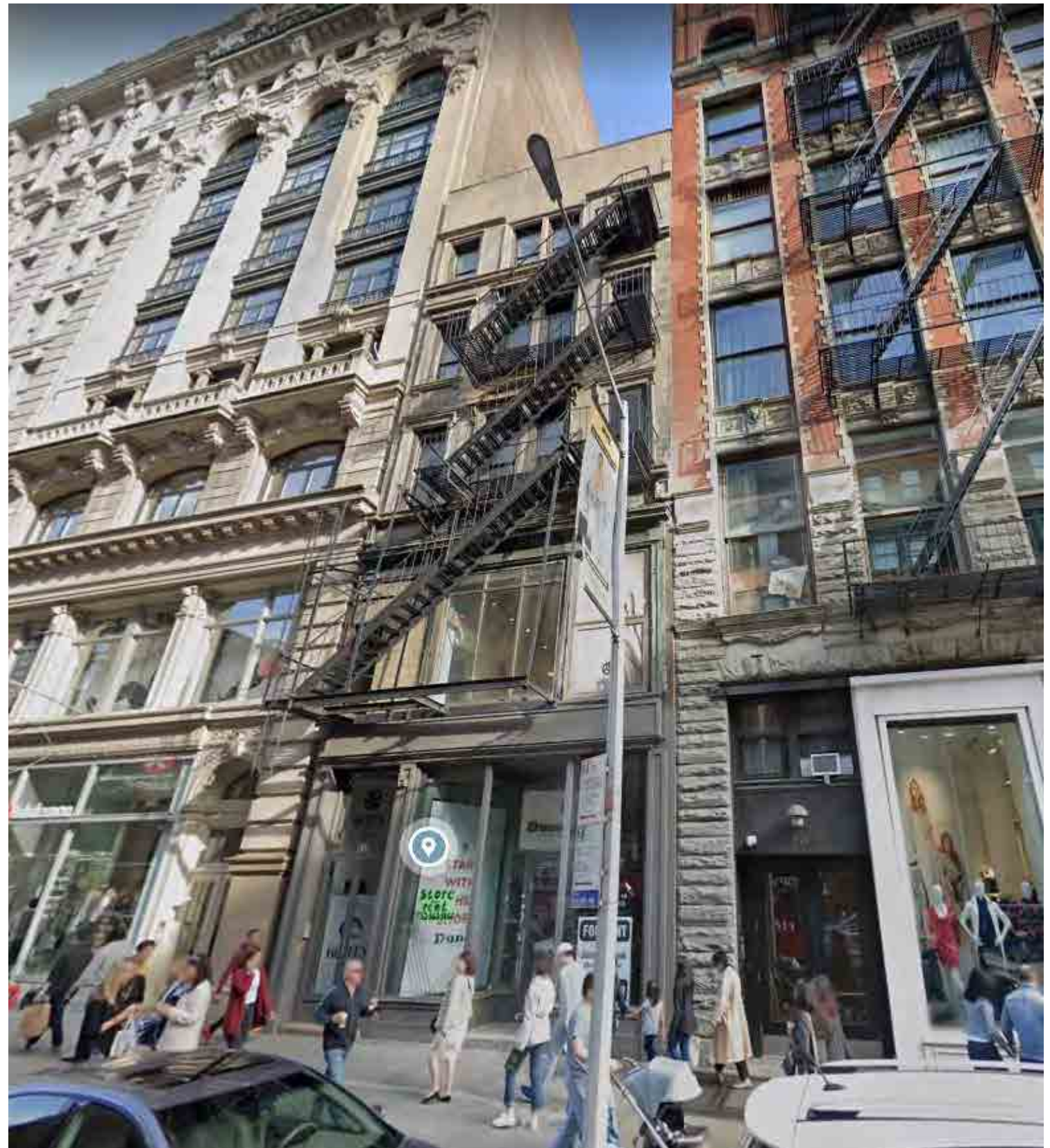
Original Function: Store & lofts

Facade: Stone

5 stories; 4 bays

Comments: New front on 1st and 2nd floor,  
cornice removed. Line drawing of  
facade in Valentine's Manual, 1865,  
p. 597; looks like this is the  
remaining section of a larger  
building.

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION



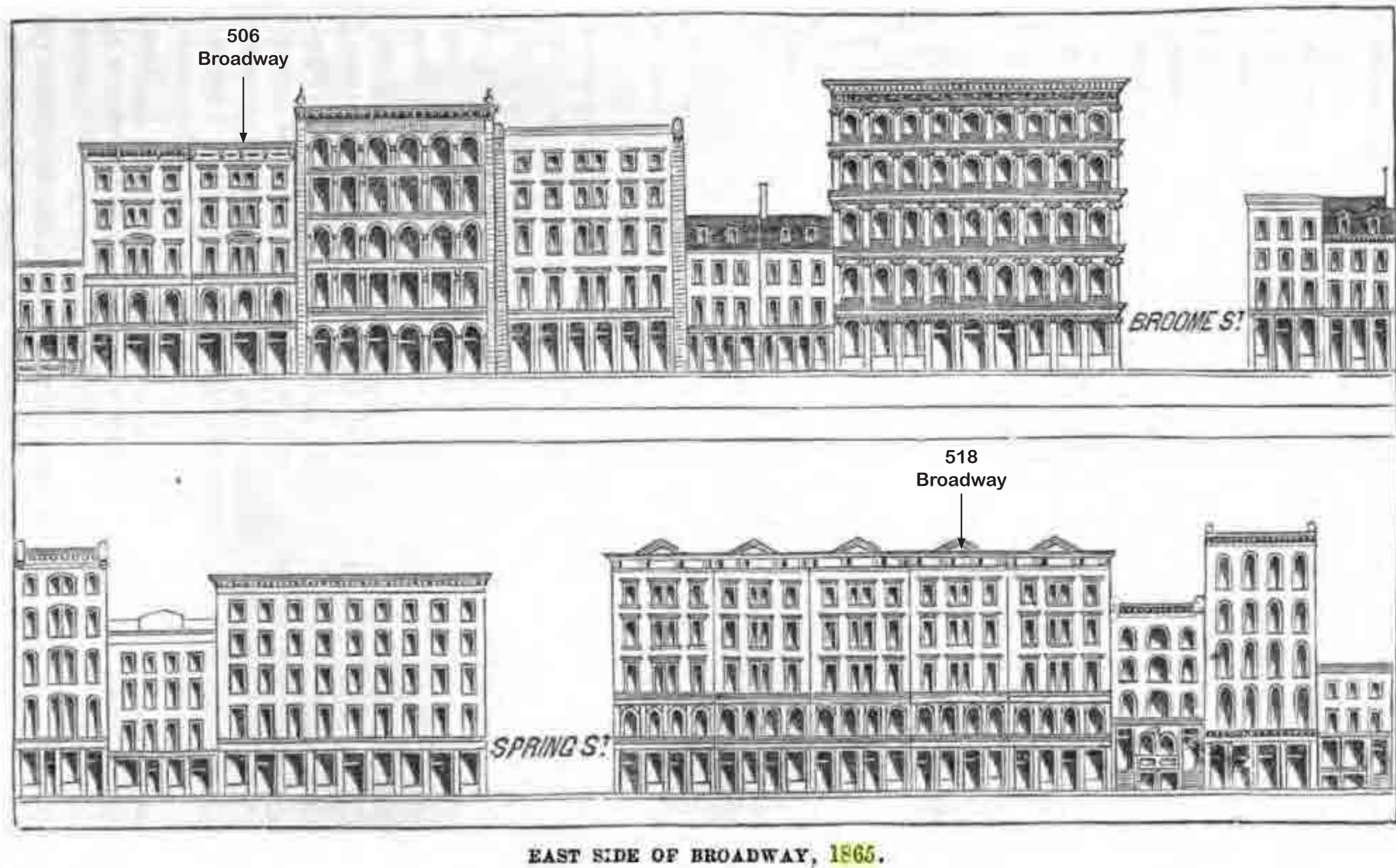


1940 Tax Photo

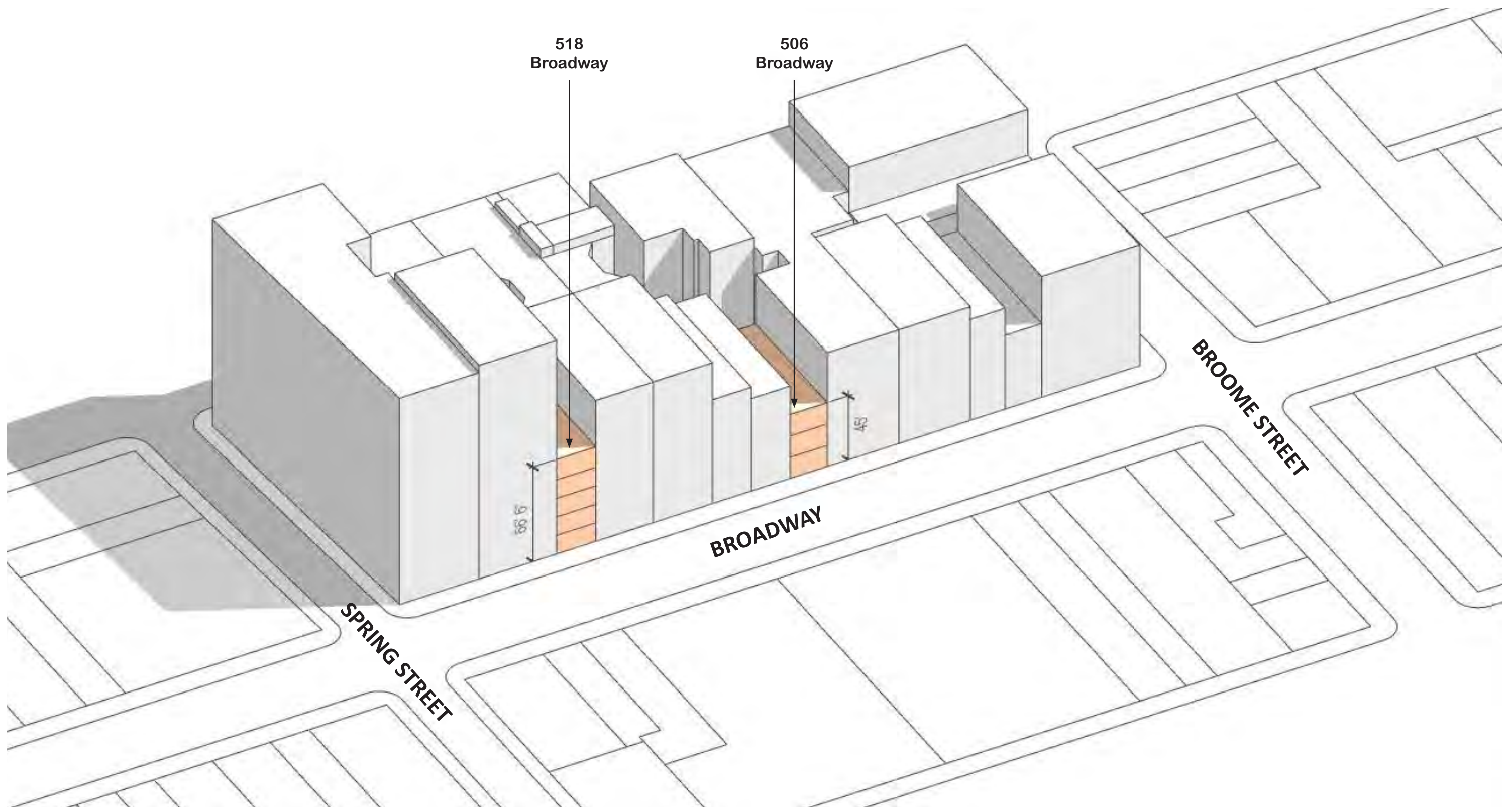


Both Sides of Broadway, c. 1910





Valentine's Manual, 1865





**518 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 7.17\*  
for Mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard for Residential

\*Floor area estimates assume 2% mechanical deductions  
+ 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of  
existing building. Full demolition subject to LPC review.  
**This site is an unlikely candidate for full demolition.**

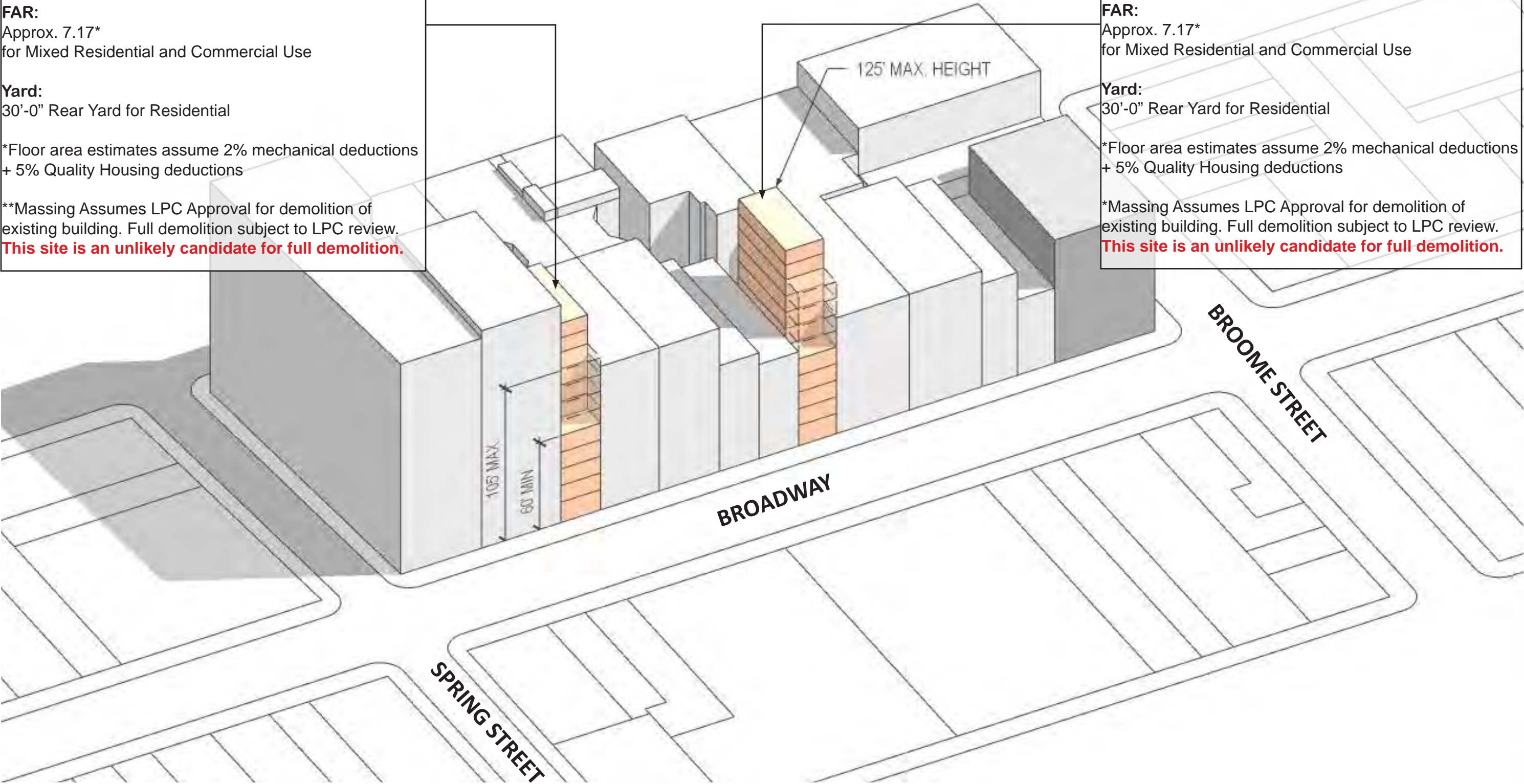
**506 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 7.17\*  
for Mixed Residential and Commercial Use

**Yard:**  
30'-0" Rear Yard for Residential

\*Floor area estimates assume 2% mechanical deductions  
+ 5% Quality Housing deductions

\*Massing Assumes LPC Approval for demolition of  
existing building. Full demolition subject to LPC review.  
**This site is an unlikely candidate for full demolition.**





497-15  
#558  
Completed: c.1860  
Architect: Unknown  
Original Function: Store  
Facade: Brick  
4 stories originally, now reduced to 2;  
3 bays  
Comments: Facade completely redone in  
alteration of about 1920. For pic-  
ture of the original facade see  
DeLeeuw's "Both Sides of Broadway",  
p. 243.

#### DESIGNATION REPORT DESCRIPTION

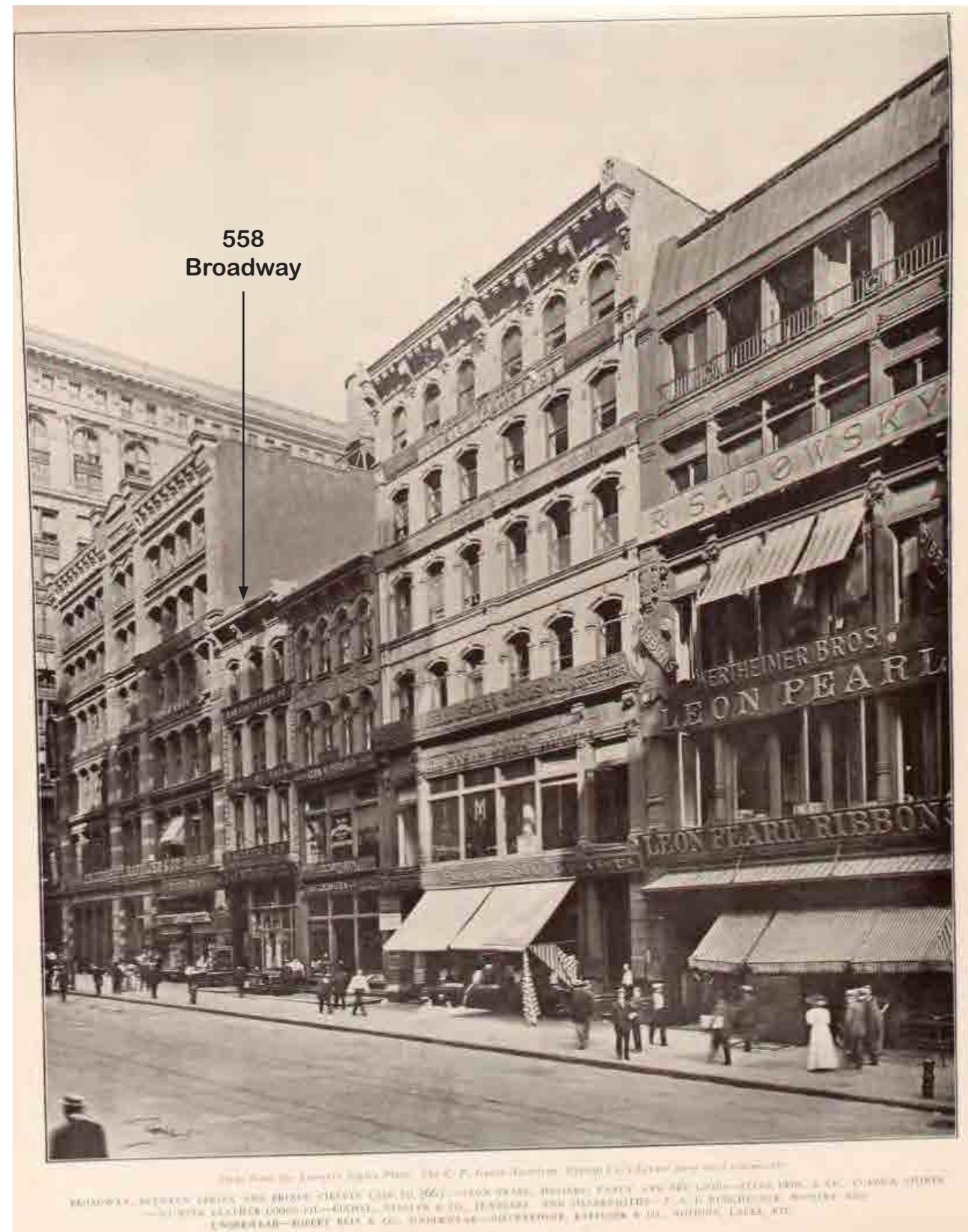


EXISTING CONDITION



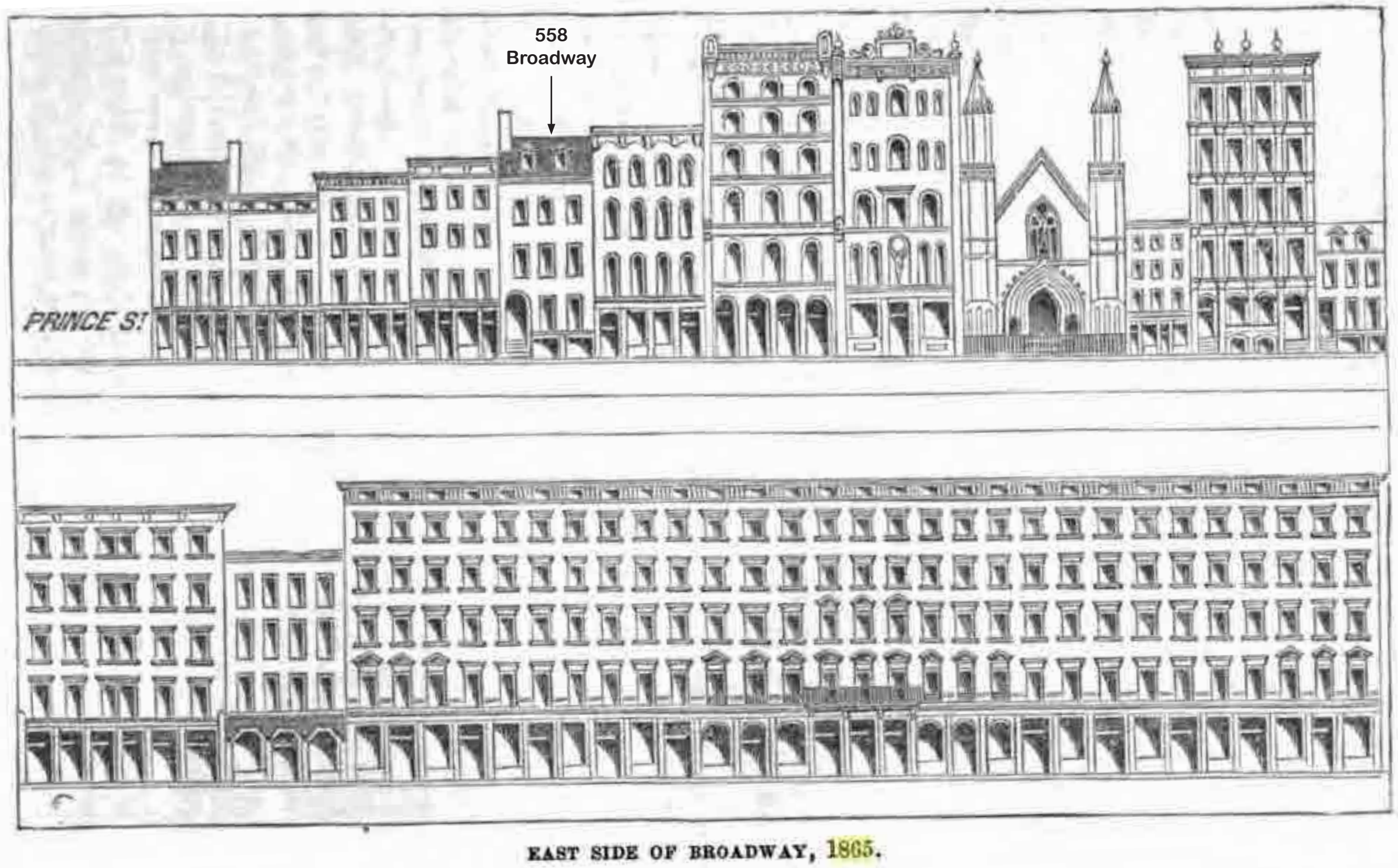


1940 Tax Photo

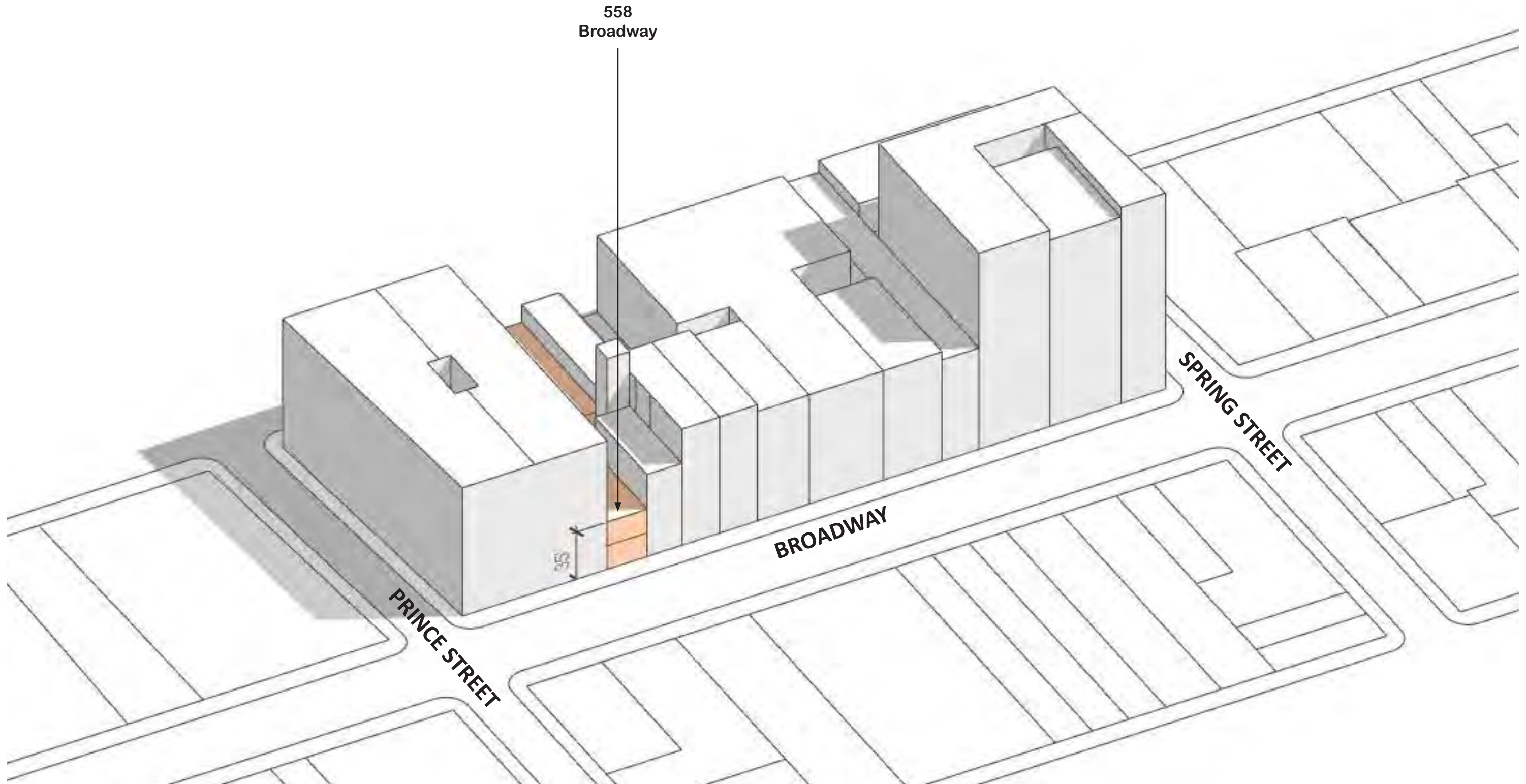


Both Sides of Broadway, c. 1910





Valentine's Manual, 1865





**558 Broadway Recommended R8A Bulk\*\***

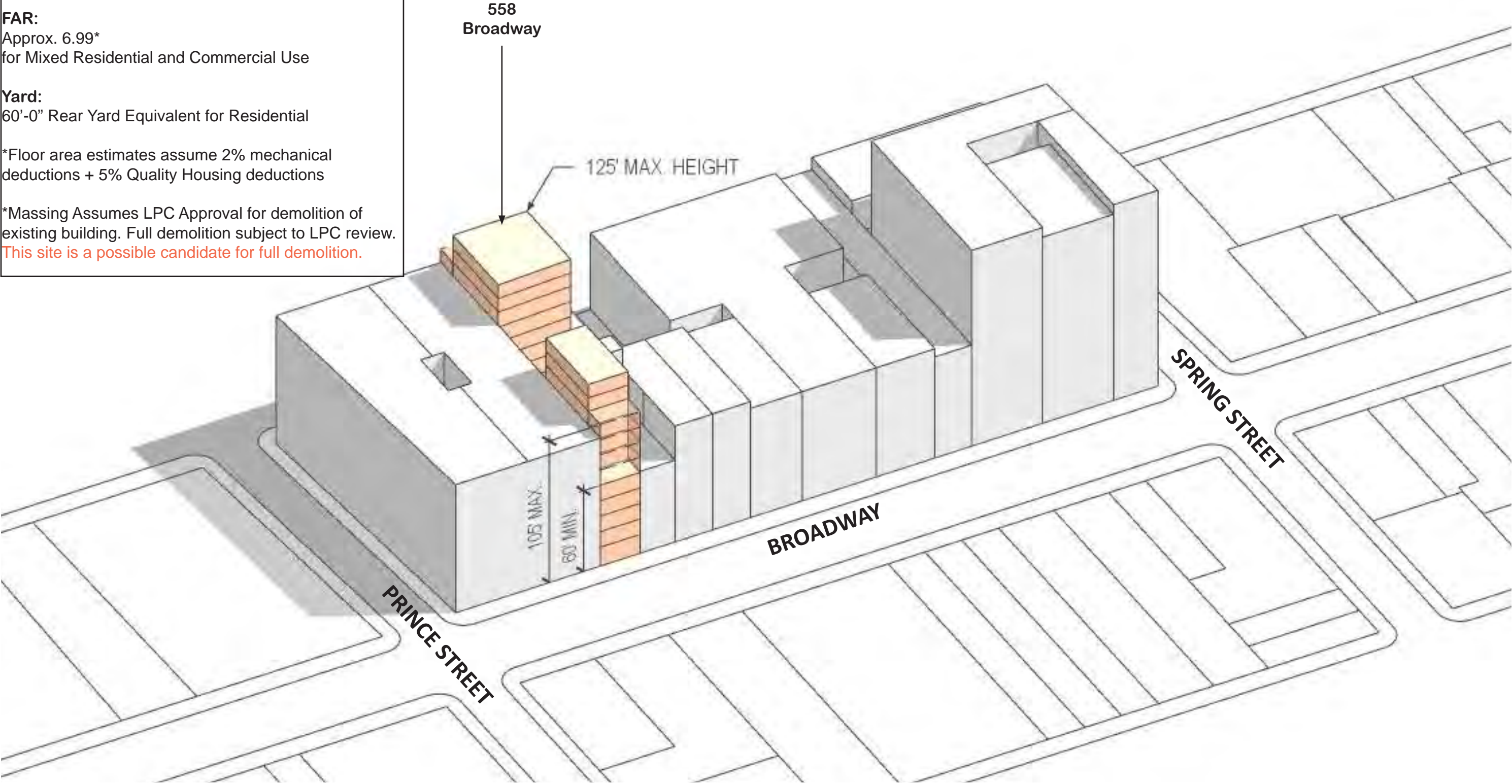
**FAR:**  
Approx. 6.99\*  
for Mixed Residential and Commercial Use

**Yard:**  
60'-0" Rear Yard Equivalent for Residential

\*Floor area estimates assume 2% mechanical deductions + 5% Quality Housing deductions

\*Massing Assumes LPC Approval for demolition of existing building. Full demolition subject to LPC review.

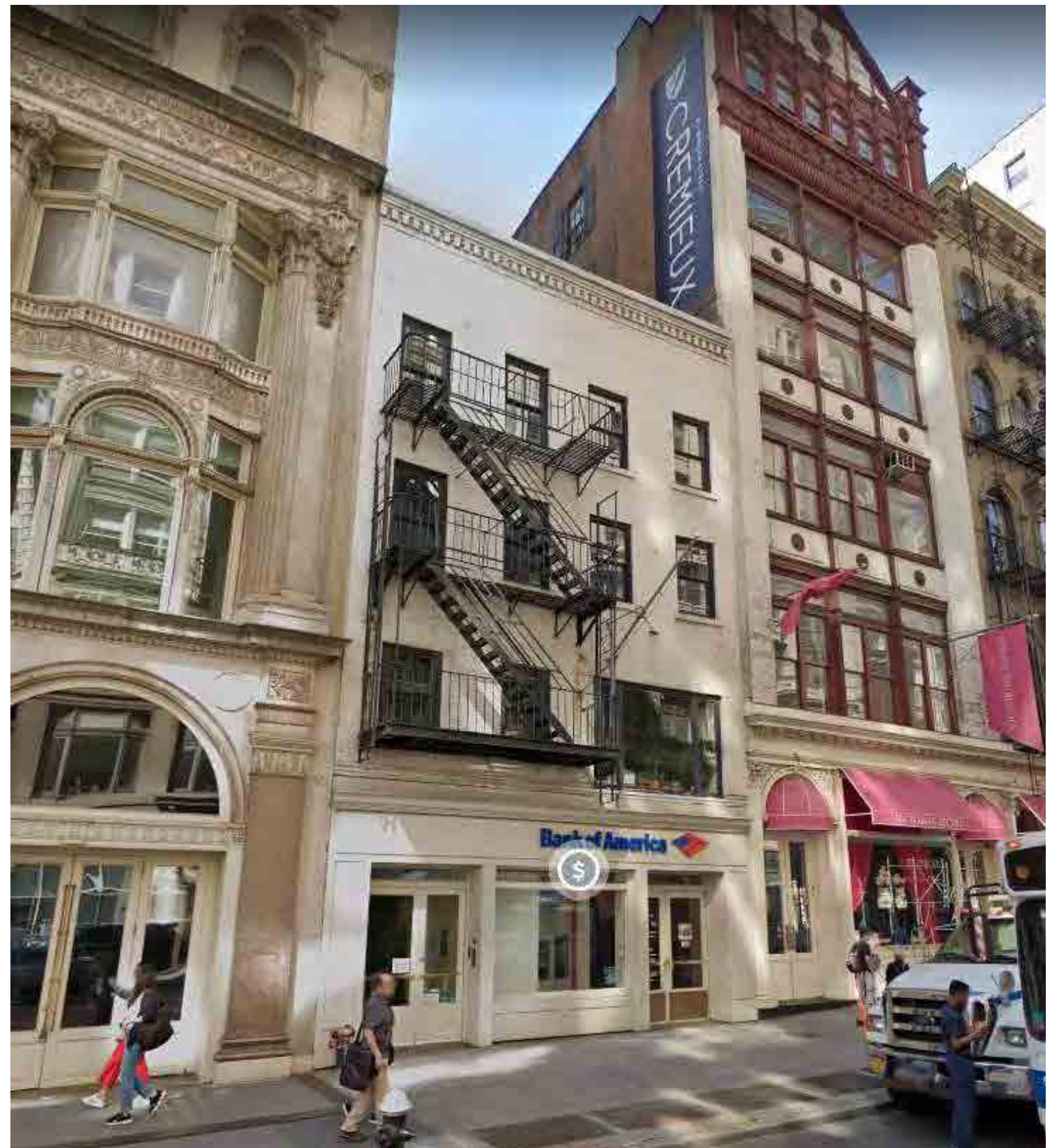
*This site is a possible candidate for full demolition.*





512-17  
#589 (through to Mercer)  
Commenced: 1832  
Completed: 1833  
Architect: Unknown  
Original Owner: Judah Hammon  
Original Function: Dwelling  
Facade: Brick  
4 stories; 4 bays  
Comments: Window sills, lintels and  
moldings have been shaved. Ground  
floor altered.

#### DESIGNATION REPORT DESCRIPTION



EXISTING CONDITION



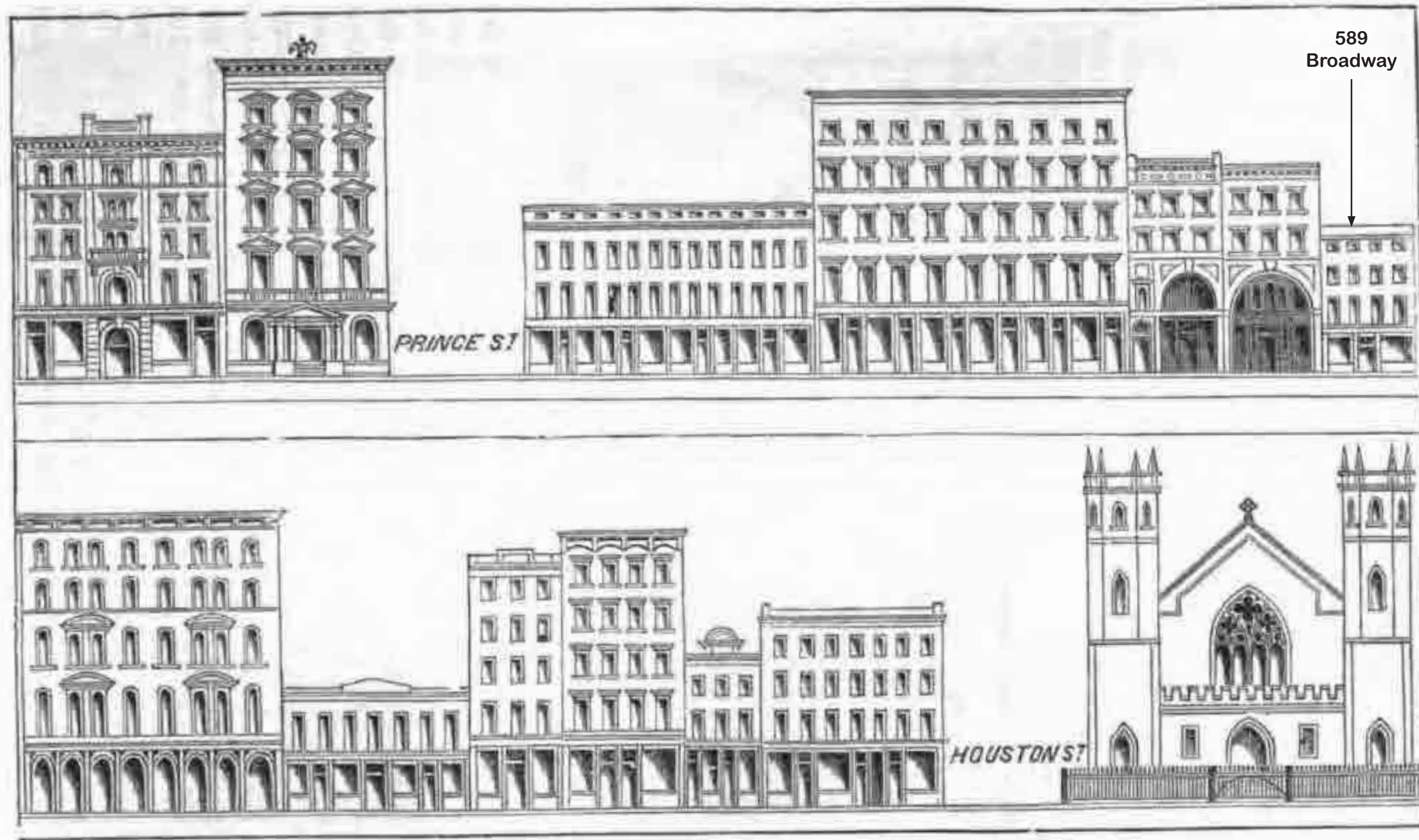


1940 Tax Photo



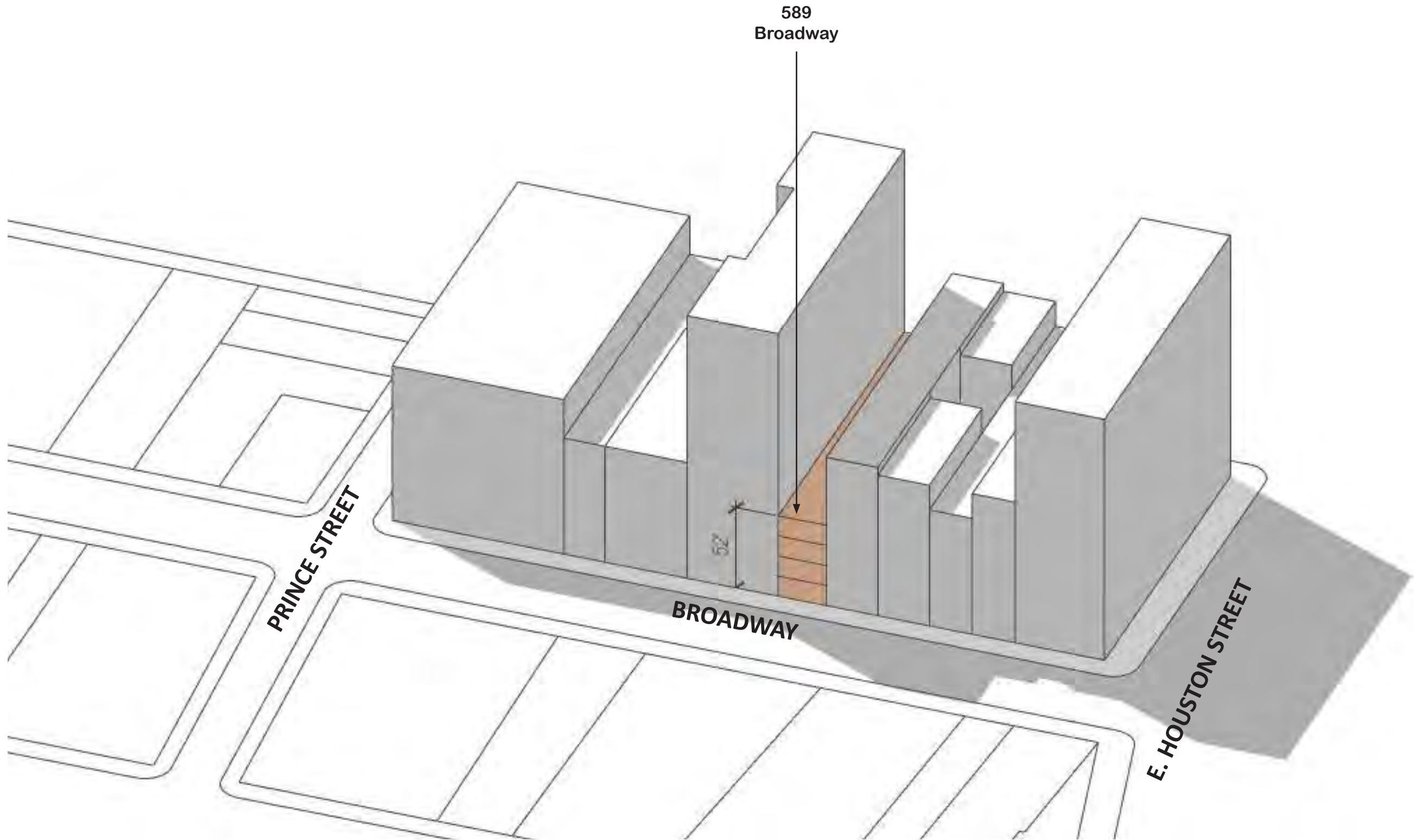
Both Sides of Broadway, c. 1910





WEST SIDE OF BROADWAY, 1865.

Valentine's Manual, 1865





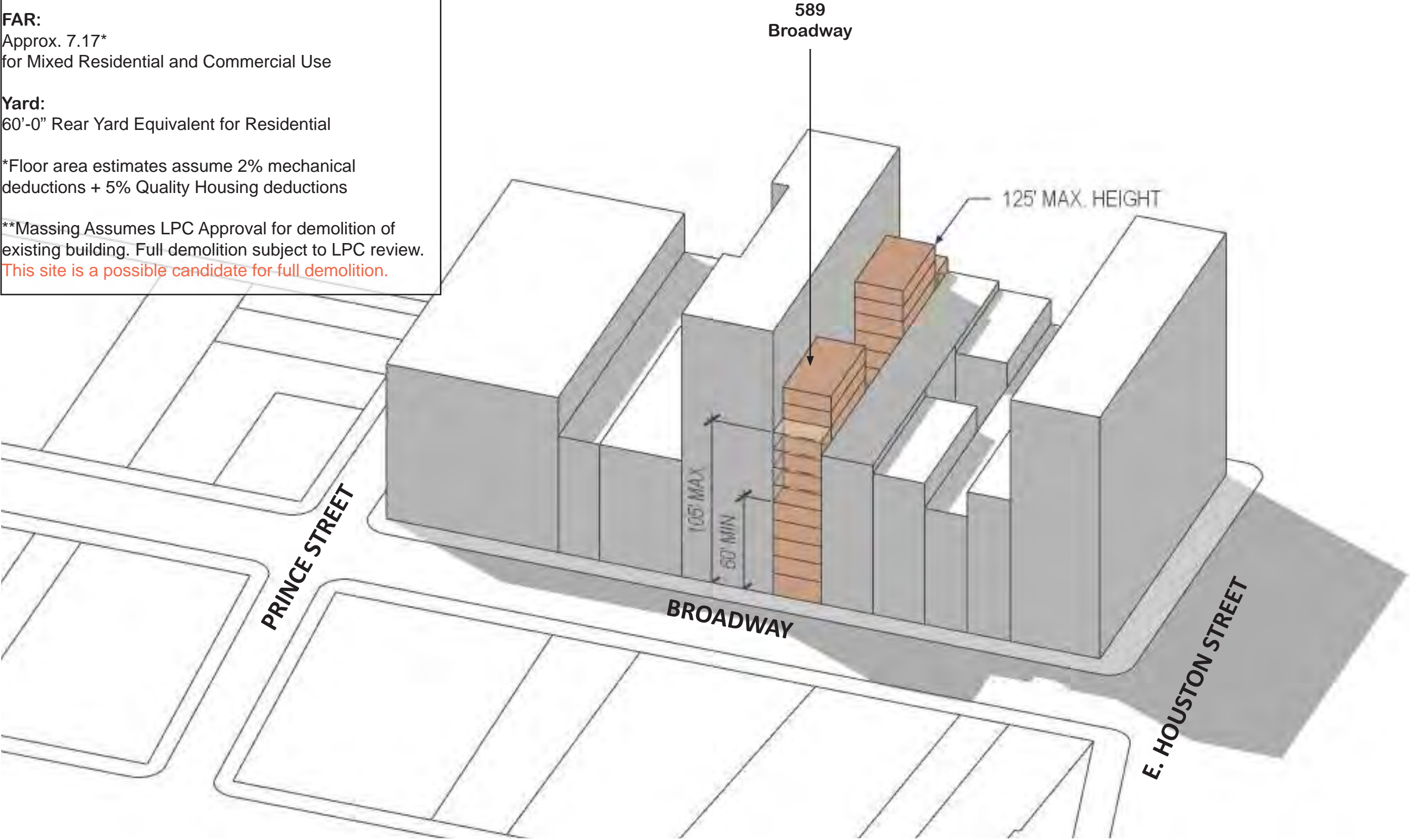
**589 Broadway Recommended R8A Bulk\*\***

**FAR:**  
Approx. 7.17\*  
for Mixed Residential and Commercial Use

**Yard:**  
60'-0" Rear Yard Equivalent for Residential

\*Floor area estimates assume 2% mechanical deductions + 5% Quality Housing deductions

\*\*Massing Assumes LPC Approval for demolition of existing building. Full demolition subject to LPC review.  
*This site is a possible candidate for full demolition.*



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 10:19:47 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Lynn Ellsworth**  
Zip: **10013**

I represent:

- **A local community group or organization**

Details for "I Represent": **Humanscale NYC and Tribeca Trust**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Testimony Against the SoHo-NoHo Rezoning Lynn Ellsworth, Chair Humanscale NYC August 23, 2021 • The logic is compelling: this rezoning will not deliver significant affordable housing. It will exacerbate displacement effects, enrich the developers, and do irreparable harm to the historic districts. The alternative plan is infinitely better. Nobody I ask believes what the city says about this project. Many find the city's rhetoric offensive, even Orwellian. Plenty think MIH is a huge policy fail. There are different ways to figure out where to put new affordable housing. • So it's a puzzle. Vicky Been and Ed Glaeser's published attempt to justify an attack on historic districts is some ten years old now, and it is well known that it is theoretically and empirically wrong. So why does nobody in power care? Why are so many stuck in the dying paradigm of trickle down supply side fundamentalism? From the outside it looks vindictive, like someone is hell bent on wreaking some kind of revenge on historic

district residents. Why would intelligent people act this way? • I don't have the answer but to me it all feels best explained by a hunting metaphor, of hunting dogs who bay and run for their prey in obeisance to their master's bidding. The prey here is historic districts, and the masters, well, I'm guessing that must be Big Real Estate. • Anthony Tung, a former LPC Commissioner and author of "Preserving the World's Great Cities" confessed in that book his growing realization that many of his decisions made in the name of compromise and expediency had done harm. He wrote: "standing in the shadow of these compromised second-class buildings, I saw that I had been complicit in wounding the cityscape. The echo of the words spoken in behalf of expediency had long ago faded, what remained was a permanently injured city." • I can only hope that our leaders and technocrats learn from Mr. Tung's experience, grace, and honesty. • Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 2:50:38 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kenneth Fishel**  
Zip: **10012**

I represent:

- **Myself**
- **A local business**

Details for "I Represent": **I am the President of Renaissance Properties Corp., a property owner in the NoHo area since 1962.**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I support this plan. The prior Zoning Resolution is outdated and the circumstances and economy have changed significantly since the inception of the ZR. There are no more manufacturing M1-5B compliant uses that desire to be in the Manhattan core area. They can't afford it and don't want to be here. Ground floor store spaces should be legalized for normal retail use, the exact purpose the buildings were constructed to contain.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, August 30, 2021 3:00:08 PM  
**Attachments:** [Upzoning Opposition Letter Planning Commission Aug312021.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Margaret Gardiner**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **Merchant's House Museum, 29 East 4th Street, NYC 10003**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

On behalf of the Merchant's House Museum – the city's only family home preserved intact, inside and out, from the 19th century and Manhattan's first landmark – I strongly urge you to REJECT the Upzoning plan for Soho/Noho, two of the city's most significant historic districts. As you know, we are currently fighting the proposed development at 27 East 4th Street, directly west of the Merchant's House. Numerous engineering studies have predicted devastating structural damage to our landmark building if the construction is allowed. The Upzoning plan would allow development on that site roughly twice as large as current rules allow. An increase in the allowable size of development to nearly double would multiply the likelihood of damage – and the chances of irreparable harm – to the fragile 189-year-old Merchant's House. Moreover, as the city's final EIS shows, it would negatively impact the

public space of the Merchant's House's historic rear yard by significantly shadowing it.





August 31, 2021

Marisa Lago, Chair  
NYC Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

**Re: Opposition to Proposed SoHo/NoHo Upzoning Plan**

*"It is very discouraging to do our best to make the city more habitable and then to learn that the city is thinking up schemes to make it uninhabitable."*

Jane Jacobs

Dear Chair Lago,

On behalf of the Merchant's House Museum – the city's only family home preserved intact, inside and out, from the 19<sup>th</sup> century *and* Manhattan's first landmark – ***I strongly urge you to REJECT the Upzoning plan for Soho/NoHo, two of the city's most significant historic districts.***

***As you know, we are currently fighting the proposed development at 27 East 4<sup>th</sup> Street, directly west of the Merchant's House.*** Numerous engineering studies have predicted devastating structural damage to our landmark building if the construction is allowed. The Upzoning plan would allow development on that site roughly twice as large as current rules allow. ***An increase in the allowable size of development to nearly double would multiply the likelihood of damage – and the chances of irreparable harm – to the fragile 189-year-old Merchant's House.***

Added to this, the very large site on the Bowery at 4<sup>th</sup> Street, just to the south of the museum and the 1848 landmark Skidmore House at 37 East 4th Street, would be dramatically upzoned to 12 FAR. The enormous scale of a building on the site would simply overwhelm both these city, state, and federal landmarks. Moreover, ***as the city's final EIS shows, it would negatively impact the public space of the Merchant's House's historic rear yard by significantly shadowing it.***

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**MERCHANT'S HOUSE MUSEUM**

29 East Fourth Street, New York, NY 10003  
212.777.1089 [www.merchantshouse.org](http://www.merchantshouse.org)

In addition to the negative impact on the Merchant's House, ***the current plan does not guarantee a single unit of affordable housing being built*** and is so rife with loopholes to the affordable housing requirements that analysis has shown it is likely to produce little, if any.

Regardless, new housing construction in the neighborhood, including affordable housing, need not be dependent upon the massive proposed upzoning. ***There are clearly alternatives to addressing affordable housing needs that would not have these disastrous impacts.***

- The current allowable FAR for residential development in the neighborhood is currently 0. Community groups have expressed a clear willingness to support an increase to 5, the same as currently allowed for commercial development, with stricter, broader, and deeper affordable housing requirements than the city proposes.
- A more targeted approach, e.g., constructing affordable housing on parking lot sites and 1-3 story commercial buildings with no residents, has also been suggested. This would not endanger the homes of existing lower income rent-regulated tenants, nor of public-serving institutions like the Merchant's House Museum. Such a plan would be vastly more advisable and effective.

***From the annals of historic preservation: Robert Moses was hell-bent on destroying Soho/Noho with a multi-lane highway – but, blessedly, was thwarted thanks to widespread disapproval from the public. The project would have razed 14 blocks and 416 buildings, one of the greatest collections of cast-iron architecture in the world.***

***Please, for the sake of the Soho/Noho Historic Districts and for the Merchant's House Museum and the more than 16,000 visitors – international, national, and local-- it serves each year, I urge you to REJECT the proposed SoHo/NoHo Upzoning plan.***

Sincerely,



Margaret Halsey Gardiner  
Executive Director

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**MERCHANT'S HOUSE MUSEUM**

29 East Fourth Street, New York, NY 10003  
212.777.1089 [www.merchantshouse.org](http://www.merchantshouse.org)

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 9, 2021 9:41:26 AM  
**Attachments:** [TESTIMONY OF THE REGIONAL PLAN ASSOCIATION ON NEW YORK CITY PROPOSED SOHO NOHO REZONING.pdf](#)

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Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Moses Gates**

Zip: **10004**

I represent:

- **A local community group or organization**

Details for "I Represent": **Regional Plan Association**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

Please see attached

## **TESTIMONY OF THE REGIONAL PLAN ASSOCIATION ON NEW YORK CITY PROPOSED SOHO/NOHO REZONING**

Thank you for the opportunity to submit testimony. My name is Moses Gates, and I am the Vice President for Housing and Neighborhood Planning at Regional Plan Association. RPA is a non-profit civic organization that conducts research, planning and advocacy to improve economic opportunity, mobility, environmental sustainability and the quality of life for those who live and work in the New York metropolitan region.

Overall, RPA is very excited about the Department of City Planning's focus on the SoHo/NoHo area as a neighborhood which could supply much needed affordable housing growth, and applauds this effort wholeheartedly. More mixed-income housing is greatly needed in New York, particularly in areas with access to jobs and mass transit, and in areas which do not currently have affordable housing opportunities for new residents. This is also the type of place where New York's Mandatory Inclusionary Housing policy is designed to work: high market neighborhoods in which larger buildings can be built with proper zoning. Testimony on specific considerations of the rezoning follow, which include modifications we would like to see in order to make this the most effective and equitable plan possible.

### **Encouraging Residential Development.**

There are three different visions possible for the future of SoHo/NoHo today.

The first vision is to reject this rezoning. In this case development and change will still occur, just the type that make the neighborhood even more exclusive and segregated. This is typified by what has happened in 2015 between Sullivan Street and Sixth Avenue, south of Spring street, where four 4,600 SF single-family homes, currently valued at approximately 12 million dollars each, were built. This is the type of development that results in high-market areas which are not zoned to allow for enough mixed-income multifamily housing. Encouraging more expensive single-family homes is completely inappropriate in an area like SoHo, which needs more affordable housing and neighborhood retails, and has incredible access to jobs and transit - the Sullivan street single-family homes have a WalkScore of 99/100 and a TransitScore of 100/100. This is especially egregious considering Sixth Avenue is a wide street in core Manhattan, the type of street which is best suited for large multifamily buildings. This site of these four townhouses could have easily accommodated well over 100 apartments with ground floor neighborhood retail and still not be taller than the building next door.

The second vision is to approve the rezoning as it stands. This is a much better option, and will bring development appropriate to a core Manhattan neighborhood. But there is a risk, which is that the high allowable commercial FARs will result in office buildings instead of the intended result of mixed-income housing. Given our housing gap, which the recent census information has only confirmed is growing and the wish - from all parties - for more affordable housing specifically, this is still not the optimal path.

The third option is to modify this proposal to be intentional about what we want built - mixed-income housing. Because increasing the residential FAR is out-of-scope, the only way to easily accomplish this is by lowering the proposed commercial FAR allowed to 2.0, still allowing for ground floor retail, second floor office space and mixed-use buildings. To be clear, the FARs should not be lowered “just enough” to try and tip the balance to housing, nor should we rely on current conditions to serve as reassurance that housing will get built instead of commercial development. Markets and circumstances change, and if the wish is for mixed-income housing and not commercial development, the zoning should reflect this as strongly as possible. We encourage the commission to modify the proposal in this way.

### **Requiring Mixed-Income Buildings**

In conjunction with other changes to be made in the MIH text with this proposal we would like to specifically see one loophole closed, which is in section 23-96 (b) 2 of the Zoning Resolution. This specifically allows IH projects where “all affordable housing units are rental affordable housing and all other dwelling units are homeownership housing” to economically segregate the buildings, putting all the affordable rental housing on lower “poor floors” and all of the high-end condos on upper floors, leading not to a mixed-income community but to a two-tiered structure both literally and figuratively. This is not in the spirit of mixed-income housing and neighborhoods, and we urge DCP to eliminate this language in the SoHo/NoHo MIH area, if not the MIH text overall.

### **Displacement Considerations**

On the issue of potential displacement, we will first note that this issue does not entirely rely on speculation and that the Draft EIS has conducted both a direct and indirect displacement analysis for both residents and businesses. While discussions are needed regarding CEQR methodology regarding these analyses, it does exist and as the purpose of Environmental Impact Statements is to inform the public, and the Commission, about likely effects of any land-use action it should not go unreferenced. To complement this analysis, RPA would encourage the Commission to examine the testimony from the significant numbers of people who have provided it, and look for how many are from residents in the rezoning area who indicate they are low-income, unprotected renters personally vulnerable to displacement if this rezoning goes through in order to provide an additional direct measure of likely displacement. On RPA's end, our 2016 displacement analysis, “Pushed Out,” found the entire rezoning area (and all of lower Manhattan west of Bowery) not at risk of displacement mainly due to the very low share of low-income, unprotected renters in the already long-gentrified area.

However, in terms of mitigation against any displacement, we encourage the City Planning Commission, and the City overall, to address this issue in the context of what is before them and what the City is able to effect, and not rely on the permanence of the current iteration of the rent regulation laws. Since the last rezoning of SoHo there have been seven instances of significant changes to the rent regulation laws, including the passage of the Emergency Tenant Protection Act itself, and three to the Loft Law. Assuming current rent regulation laws will not

change over the life of the zoning, or even the life of the reasonable worst-case development scenario, is unlikely. Discouraging the , and

In addition to discouraging office tower redevelopment, which could displace existing regulated residential housing, by reducing the allowable commercial FAR to 2.0, the City should also look at other anti-displacement measures suggested by local community groups as possible mitigation.

### **Higher Education Use**

One possible effect of this rezoning that has been raised has been whether this rezoning would encourage overnight community facility use - specifically dormitory use for New York University students - rather than mixed-income housing. Without commenting on the relationship between one institution and the neighborhood, both higher-education use and community facility uses with sleeping accommodations (including dormitories) are appropriate uses in Lower Manhattan. On a land-use basis these are dense, car-free housing uses appropriate to a transit-rich, walkable neighborhood like SoHo/NoHo. By providing this type of housing for students they also relieve the pressure on other neighborhoods and types of housing.

Additionally, when one talks about the character of a neighborhood, it goes well beyond just architectural character. SoHo/NoHo, and Lower Manhattan in general, have been hotbeds of culture and creativity for decades, mainly driven by young people. New York has benefited enormously from this energy, both culturally and financially. Young people should be encouraged, not discouraged, from living, enjoying and contributing to the life of Lower Manhattan. Dormitory housing options for college students is part of this, as is more affordable housing overall.

### **Comprehensive Neighborhood Planning**

This rezoning should also be part of a coordinated plan of action for the neighborhood, and other measures which could encourage Lower Manhattan to continue its history as a vibrant, welcoming and creative place, for young people and others. Actions which lie within the purview of the City (if not the planning commission), include better pedestrianization and bicycle safety, particularly reimagining Canal and Houston streets as modern thoroughfares safe for pedestrians and bicyclists, more support for local arts and cultural institutions, instituting needed climate resiliency measures, and reducing curfews, overpolicing and barriers to public use in Washington Square Park and other parks. As such, we highly encourage DCP to coordinate with DOT, NYC Parks and other agencies to envision and effect not just a rezoning, but a plan.

Thank you for the opportunity to submit testimony, and we look forward to continuing to support the effort to bring more affordable housing to one of our neighborhoods most in need of it.

Moses Gates  
Vice-President, Regional Plan Association

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 11:03:42 AM  
**Attachments:** [SoHo NoHo Rezoning CPC 9.2.21.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Andrea Goldwyn**  
Zip: **10004**

I represent:

- **A local community group or organization**

Details for "I Represent": **New York Landmarks Conservancy**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

Please see attached statement.



September 2, 2021

## STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY ON THE SOHO/NOHO REZONING BEFORE THE CITY PLANNING COMMISSION

The New York Landmarks Conservancy was a member of the SoHo/NoHo Advisory Group and participated in several dozen meetings from 2019 to 2021. We concurred with the goal of the Group that the conveners presented to us: to update the zoning so it reflects the current residential and commercial realities of this area. We also support the goal of affordable housing. But, like most members of the Advisory Group, we cannot support this proposal.

The Advisory Group members agreed that the historic character of SoHo and NoHo should be preserved. The proposal would allow nearly doubling the size of new buildings in the historic districts. It's an invitation for out of scale commercial development, but is likely to provide little or no affordable housing in those areas.

The Department of City Planning is ignoring the real and unique asset of these historic districts. SoHo doesn't have parks, open space, a surplus of school seats, playgrounds, athletic fields, libraries, reasonably-priced grocery stores, or community centers; and this plan does not address those issues. SoHo does have historic buildings, which form streetscapes that have attracted residents, artists, tourists, and economic development. The rezoning threatens those streetscapes, and the area's economic viability, by encouraging out-of-scale commercial development that will diminish the historic character.

But it will not provide the affordable housing that the Advisory Group, local advocates, and so many residents support. The vast majority of the new housing will be in the sites outside of the historic districts, while the rezoning targets rare buildings that date back to the 1820s as prime development sites. No one is saying that there shouldn't be more housing, but there needs to be a balance that protects these resources.

The Department of City Planning says that the Landmarks Commission review will protect the historic districts. DCP brought in many City agencies to discuss their role in the rezoning, but LPC has not been part of that public engagement. If the rezoning is approved, LPC will be under enormous pressure to approve out of scale buildings. In fact, at a City Planning Commission hearing, one Commissioner said he hoped LPC would not be able to approve buildings lower than the proposed height limits.

There have been thoughtful and detailed alternative zoning proposals from the Cooper Square Committee, Soho Broadway Initiative and the NoHo-Bowery Stakeholders, all members of the Advisory Group. All allow respectful development while protecting the historic character.

The Cooper Square Committee, which promotes affordable housing, shows that the City can achieve affordable units without damaging the historic districts. They also note the many loopholes that will allow developers to create out of scale buildings, but pay into a fund to build affordable housing elsewhere. They call for protections for tenants in currently affordable units.





The Soho Broadway Initiative report demonstrates how the proposed new FAR and height limits will encourage development that diminishes the Broadway corridor. They've raised the concern that even if a few of the projected development sites are built to the new maximum FAR and height, they will cumulatively create a new context and scale.

The City needs to stop rushing to approve this proposal-- study these sensible alternatives-- and compromise.

The Conservancy would support zoning that recognizes contemporary commercial and retail uses, allows residential uses, protects artists, and encourages affordable housing, but does not require this massive upzoning. We ask that FAR increases be focused outside of the historic districts.

We also take issue with the process that led to this proposal. We believe strongly in community-based planning. Residents and building owners don't have all the answers but they can make an important contribution and their input should be valued. In this case, the proposal does not reflect the concerns that the Advisory Group or many of the members of the public raised in all of those meetings. That does a disservice to them and to the concept of community-based plans.

City Planning talks about this neighborhood as "high opportunity" and "transit rich" as if it was just a series of subway stations and bus stops. It is so much more than that. We ask you to remember this, listen to the Advisory group, and reconsider the alternatives. Working together, we can find a better plan that protects SoHo and NoHo and lets them thrive.

Thank you for the opportunity to express the Conservancy's views.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 9:45:40 AM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Mitchell Grubler**  
Zip: **10002**

I represent:

- **A local community group or organization**

Details for “I Represent”: **Bowery Alliance of Neighbors**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Dear Honorable Commissioners, I am a resident of Chinatown and I urge you to deny the City's plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us, seniors aging in place. The granting of new FAR to property owners are simply allowances for overwhelming construction and demolition resulting in the displacement of vulnerable rent-regulated tenants. The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. Because of

loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you say "NO" to the Mayor's misguided plan.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 10:59:39 PM  
**Attachments:** [ULURP testimony to DCP - Sept 2nd.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Steven Herrick**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **The Cooper Square Committee 61 East 4th Street, NY, NY 10003**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

My comments are in the attached pdf. I believe City Planning should reject the rezoning unless the recommendations I am attaching are incorporated into the plan.



61 E. 4th Street, New York, N.Y. 10003  
tel: (212) 228-8210; fax: (646) 602-2260  
email: [csc@coopersquare.org](mailto:csc@coopersquare.org)  
website: [www.coopersquare.org](http://www.coopersquare.org)

I'm Steve Herrick, Executive Director of the Cooper Square Committee. I'm here to ask that the Dept. of City Planning vote No on the ULURP application for SoHo and NoHo unless the following changes are made:

- 1) **Reduce the Increase in Bulk and Density:** The proposed increase in allowable Floor Area Ratio from 5.0 throughout SoHo/NoHo to as much as 9.7 and 12.0 FAR in most of the area will add far too much density, and much of it will be luxury development. CSC proposes the following revisions:
  - a) Change the R10 zoning (12.0 residential FAR with MIH) in the housing opportunity zones to R9A (8.5 residential FAR with MIH). Also reduce the proposed M1-6 zoning to M1-5 in these zones. It undermines the City's goal of promoting affordable housing to increase the commercial FAR in the housing opportunity zones. Allowing 285 foot tall buildings will be massively out of scale given that the typical building typology in these areas is 6 stories or less. Contextual zoning is very important, and the height limits should not exceed 175 feet.
  - b) Change the R9X zoning (9.7 residential FAR with MIH, with a 205 ft. height limit) to R8A (7.2 residential FAR with MIH with a 145 ft. height limit).
  - c) Change the R7X zoning (6.0 residential FAR with MIH, and 145 ft. height limit) to R7D (5.4 residential FAR with MIH and 115 ft. height limit) in the SoHo residential core. There's very few housing opportunities in this area and an upzoning will only encourage inappropriate building enlargements.

The zoning changes we recommend will still result in over 500 affordable housing units in SoHo and NoHo, furthering DCP's goal of promoting equity, while promoting contextual zoning and preserving the historic districts.

- 2) **Minimize Building Enlargements in the Historic Districts:** While about half of the buildings in SoHo and NoHo could theoretically be enlarged under the current zoning, this has rarely happened. However, a large upzoning will create massive new development rights and encourage enlargements in the historic districts. DCP can prevent this by not allowing enlargements of buildings that exceed the 70% maximum lot coverage on interior lots. Over 90% of the buildings in SoHo and NoHo's historic districts exceed these maximum lot coverage requirements. The interior lot coverage requirements for the zoning districts we recommended above are 65% for R7D zones and 70% in R8A zones. Limiting enlargements to a very small percentage of buildings in SoHo and NoHo will protect the historic districts. In our proposed R9A zones (housing opportunity zones), which are nearly all outside the historic district, we think this lot coverage requirement could be waived.

If DCP proceeds with the proposed MIH enlargements, DCP would be allowing building alterations to be non-compliant with the zoning district requirements. Also, roughly half of the lots in SoHo and NoHo are 3,000 sq. ft. or less, and allowing enlargements of 12,500 sq. ft. with no on-site affordability requirement would allow these buildings to add 4 or more stories, and pay into the affordable housing fund, without any new affordable housing being built on site in SoHo and NoHo. DCP should not gift developers with additional development rights without ensuring that SoHo and NoHo receive the benefits of the zoning action.

- 3) **Include Anti-Harassment and Anti-Demolition Language in the Zoning Text:** DCP does not propose to include any language in the zoning text amendment to prohibit demolition of structurally sound rent regulated buildings as was done with the West Clinton rezoning among others. It does not include SoHo and NoHo in the certificate of no harassment (CONH) program, which would require developers to sign affidavits that they have not harassed any tenants in the last 5 years. It does not disqualify property owners who harass tenants from demolishing their buildings and getting a permit to build a new one. Other rezonings such as in West Clinton, Hudson Yards and Williamsburg, Brooklyn and others have included some or all of these anti-harassment and anti-demolition provisions.  
DCP should follow well established precedent and apply these anti-harassment (CONH) and anti-demolition provisions in the SoHo and NoHo rezoning. In addition to applying these protections, the City of New York should fund tenant rights organizations such as AAFE and CAAAV to outreach to and educate tenants, especially on the borders of Chinatown, about their rights and how to enforce them. The current plan provides tenants with little leverage to fight back against harassment and displacement pressures. These zoning text amendments are essential to prevent a net loss of affordable, rent regulated housing. Use of revenue from the flip tax should be used to fund the tenant rights groups on an ongoing basis to educate tenants living on soft sites about their rights, and fight back against harassment/displacement.
- 4) **Modify the Flip Tax and Maintain It In Perpetuity:** CSC supports the NoHo Bowery Stakeholders in calling for an additional way to legalize JMWQA units. The rezoning should allow JMWQA units to convert to JMWQ units, which have the same building code requirements. In doing so, these units would allow a much larger pool of potential occupants to live in them. While we think a flip tax is appropriate, both for conversion to JMWQ and to residential units, we think a more modest flip tax would be more politically palatable. A 1% flip tax for JMWQA to JMWQ conversions seems fair, and it would help support and maintain the cultural character of SoHo/NoHo. A 2% flip tax for JMWQA to residential units would applaud DCP's plan to apply a flip tax on conversion of JMWQA units to residential use. If SoHo and NoHo are to retain and expand their cultural character, this is a vital tool to actualize that goal. The definition of certified artists should be expanded by NY State, and NYC DCLA should work towards this goal.
- 5) **Remove the Restrictions on Ground Floor Retail:** CSC supports DCP's stated goal of replacing manufacturing districts with mixed-use districts to reflect the built environment. CSC supports zoning that allows use group 6 on the ground floor throughout SoHo and NoHo (such as bakeries, barber shops, book stores, florists, nail salons, drug stores, dry cleaners, laundromats, food stores, eating or drinking establishments, stationary stores) on the ground

floor throughout SoHo and NoHo. On wide streets in close proximity of mass transit where the predominant use has been commercial (ie commercial corridors such as Broadway, Lafayette and Canal), use group 10 (clothing stores, furniture stores, department stores) should be allowed on the 2nd floor and below. We believe that service and appointment based retail (spas, yoga studios, gyms, etc) should be allowed above the 2nd floor. Use Group 10 at other locations should be subject to special permits.

6) **Require a City Commitment to Finance Affordable Housing in SoHo and NoHo:**

Assuming the above changes are adopted by DCP, the City of New York should commit to meeting the stated goal of 800 low income units by using funds generated for the housing opportunity fund to acquire and subsidize development of 100% affordable housing on some sites in SoHo and NoHo. For example, the City could acquire a few soft sites outside the historic districts and place them into a land bank (City Council legislation to create a land bank has been introduced) for future demolition and redevelopment as 100% affordable housing. The City should also commit to acquisition and conversion of a couple of soft sites into open space (for example, community gardens) given the scarcity of park spaces in SoHo and NoHo.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 6:56:01 PM  
**Attachments:** [Silo Worksheet 2021-8-31b-sm.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Zella Jones**  
Zip: **10012**

I represent:

- **A local community group or organization**

Details for "I Represent": **NoHo-Bowery Stakeholders Inc.**

**My Comments:**

Vote: I am **other**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**


The attached represents a more detailed testimony than what will be delivered, in person, on Sept 2. In total it is 14 PowerPoint pages.



# SoHo-NoHo Mixed Use Special District

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THREE SILOS – WORKSHEET

A solid orange horizontal bar spanning the width of the page at the bottom.

# Three Silos – Worksheet

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The buildings and issues that the proposed DCP zoning is intended to address are too varied and too diverse for a one-size-fits-all approach for SoHo-NoHo's wide spectrum of building types, uses and occupants and even more so if you consider the inclusion of the west part of Chinatown. Applying as an additional overlay the City-wide urgency for removing land use barriers to housing affordability only deepens these distinctions.

The creation of a Special District is a suitable vehicle for addressing both the area's uniqueness AND its diversity, provided it recognizes that the end-users comprise a wide range of building owners, tenants, condos and coops, retail and commercial businesses and developers with diverse priorities, all of whom are legitimate stakeholders in the outcome of this proposal and to see their priorities reflected in the adopted Special District.

# Three Silos – Worksheet

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Throughout the public debate, three overarching principles have emerged that have re-framed the discussion:

- The DCP proposal should establish reasonable development use and bulk regulations for undeveloped or under-utilized sites that will maximize affordability.
- The DCP proposal should maximize options for existing building owners/lessors to adapt to new market conditions and further contribute to affordability through building modernization, moderate as-of-right retail opportunities and adaptive reuse.
- The DCP proposal should provide an equitable and practical means for transitioning JMWQA units to legal status and to promote the retention of JMWQ units for ongoing SoHo-NoHo maker use.

# Three Silos – Worksheet

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We believe that the path for successfully incorporating these three principles into the current DCP proposal rests on re-framing the discussion to recognize (without ranking) three major categories of stakeholders, accepting that there are subsets galore and that at times the lines easily blur.

- ❑ Silo #1: Developers seeking to build new developments on vacant or significantly under-utilized sites.
- ❑ Silo #2: The owners with sites with existing (and largely overbuilt) buildings for lease - largely commercial office or retail with some mixed JLWQA.
- ❑ Silo #3: The coops and condos; rent-stabilized JLWQA/IMD Lessees

# Three Silos – Worksheet

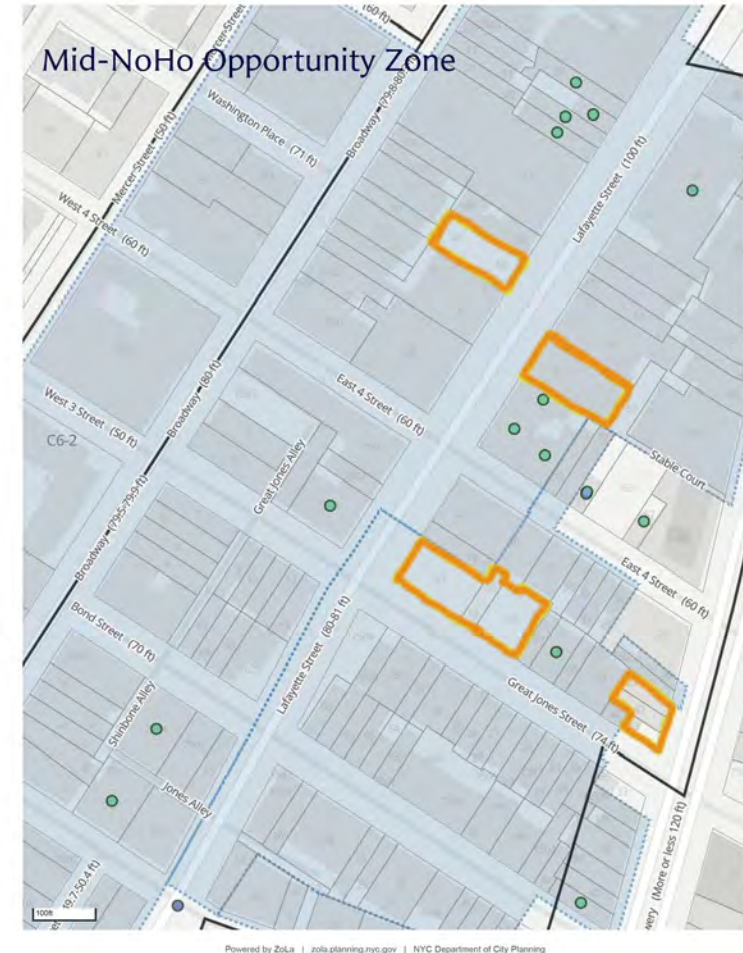
## Silo 1 -

### **Silo #1: Developers seeking to build new developments on vacant or significantly under-utilized sites.**

There are few such sites in the proposal area, requiring little more than a remapping that will establish the zoning districts in which to permit new as-of-right residential and restricted commercial developments, accompanied by specific special district text to assign the customary categories of use and bulk requirements applied in most special districts.

In NoHo, the greatest potential for new development and affordable units, whether on site or remote in CB2 or CB3, is in the middle of the neighborhood, and in the middle of three landmarked districts, surrounded by 12 individually landmarked buildings. It is also in a section where existing stock has 80% lot coverage. In light of its potential contribution, we feel this area needs special considerations.

Currently the north-east corner of NoHo is marked for the highest density, but there is little to no opportunity to realize ANY affordable development.



# Three Silos – Worksheet

## Silo 1

Plus:

- ❑ An MIH designation setting the amount of required affordable, including a requirement to provide affordable housing in connection with new commercial development to undercut any perceived disincentive to pursue residential development.
- ❑ Provision for as-of-right retail ground floor +1 (or +2) based on stated performance standards that can be used to establish as-of-right new retail or retail expansion. Large retail that cannot comply with the performance standards will require a special permit. This will allow developers and existing building owners (See Silo #2) to plan on and market a predictable retail envelope rather than the current “roll the dice” experience after months of negotiations with a prospective tenant.
- ❑ An option for developers to pursue other socially positive outcomes available only in the new development silo: POPS plazas or dedicated maker space, in lieu of or in reduction of affordable mandates.



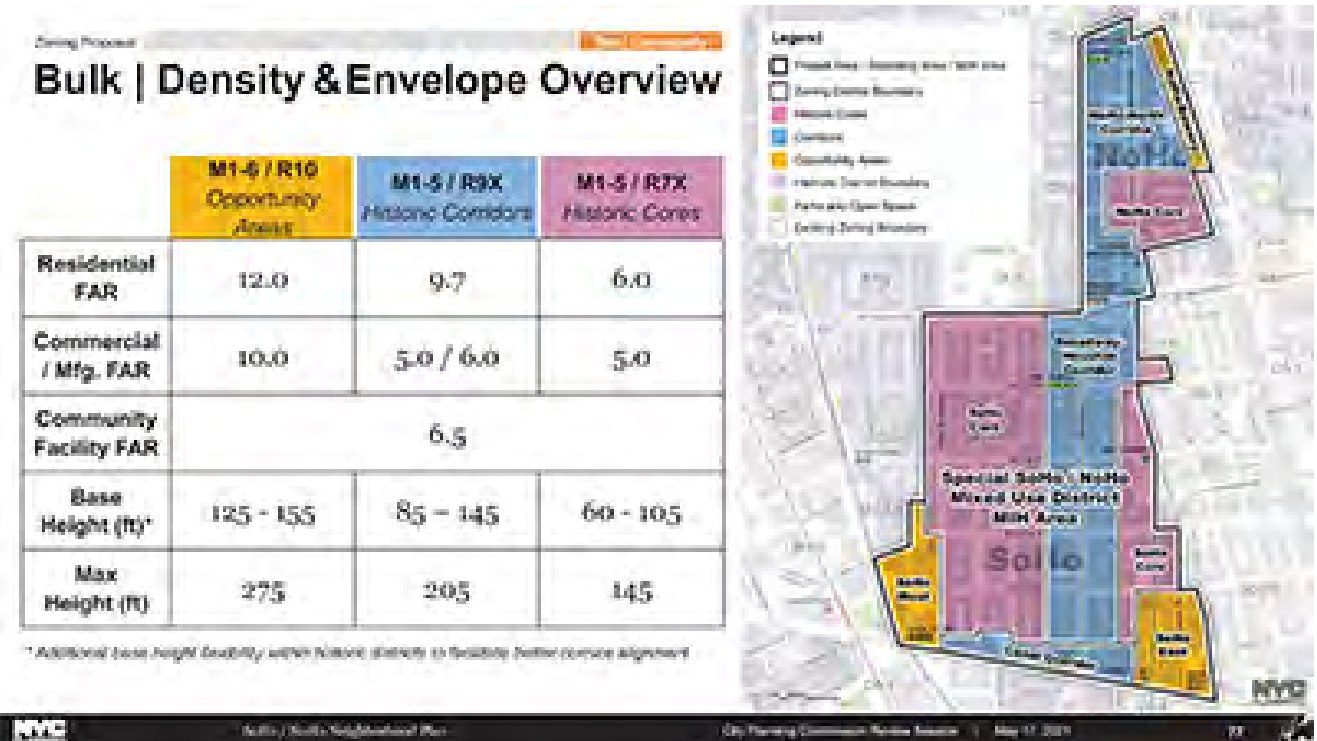
# Three Silos – Worksheet

## Silo 1

### Some Suggested Bulk Revisions for New Development

- ❑ **Within Historic Districts:** R8A equivalent, max height, including MIH, 145' to 150' with contextually appropriate street walls and set-backs.
- ❑ **For Side Streets in Historic Districts and along Lafayette St. up to Great Jones, Centre, Baxter, Howard:** C6-2A overlay.
- ❑ **For Broadway and Bowery:** – No commercial overlay limits on the eventual envelope.
- ❑ **For Broadway, Lafayette, Bowery and Canal,** Use Group 10 with performance standards.

### Current Bulk Proposal



# Three Silos – Worksheet

## Silo 1

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### Residential Tenant Protections

- ❑ **Anti-Harassment Provisions Are Needed:** Buildings in Silo 1 areas need to be included in the Certificate of No Harassment Program which would require owners who plan to alter or demolish a building or obtain a new C of O, owners of buildings that have received a vacate order, to submit an affidavit stating that they have not harassed any of their tenants in that building in the past 5 years. HPD must then investigate whether this is the case. If HPD determines there's reason to believe harassment occurred, a case is brought before the Office of Administrative Trials and Hearings (OATH). Based on the findings of the hearing, HPD can provide a CONH or deny it.
- ❑ **Anti-Demolition Provisions are Needed:** DCP needs to include language in the zoning text that prevents the demolition of structurally sound buildings in the housing opportunity zones. If a building is structurally unsound and needs to be demolished, the zoning text should require property owners who demolish their building to provide temporary housing to displaced tenants and to provide rent stabilized tenants with apartments in the newly built mixed income building so that there's no net loss of rent regulated affordable units.

(Note: In the East Village, BFC Partners (Don Capoccia's company) actually did this in the inclusionary zone with a building that had 6 units. He moved them out, rehoused them temporarily, demolished the building, and put them into the new 80 unit building that he developed on the site at 2nd Avenue and 1st St.)

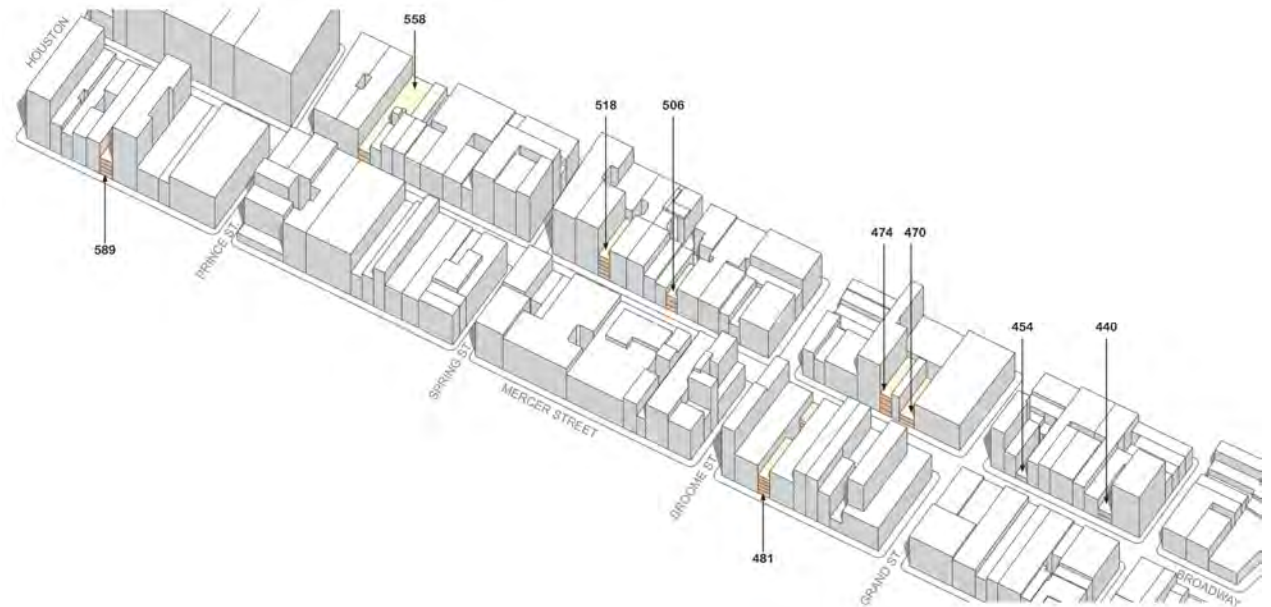


# Three Silos – Worksheet

## Silo 2

### Silo #2: Property owners with sites with existing and largely overbuilt buildings for lease office or retail with some mixed JLWQA.

- Existing building's sites also need rules for ground-floor (or more) retail based on performance standards (See Silo #1).
- Create a mechanism for building-wide or partial conversion to mixed use that will require some form of affordable commitment.
- Initiate interagency discussion with DOB to simplify conversion of existing UG 17 uses to residential or commercial uses through adaptive re-use. *(See Silo 3)*
- Adopt any desired controls on intra-building mixed uses in special district text.



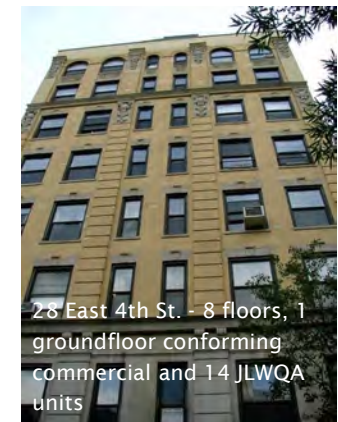
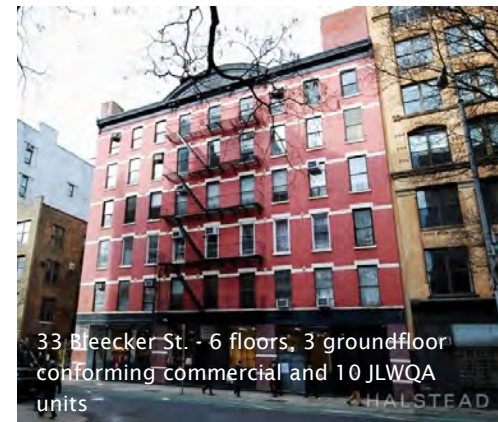
# Three Silos – Worksheet

## Silo 3

### Silo #3: The coop and condo JLWQA and rent-stabilized/IMD Lessees

This is the emotion-laden Silo because unlike Silos #1 and #2 these stakeholders are dealing with their homes and most likely one of the most significant investments in their lifetimes.

The reality is that all of the complex and conflicting toxic elements that have embroiled the community reside in this space: 7A, JLWQ conversion, property assessments, coop/condo board approvals, revisions to certificate of occupancy, artists certifications, the exit tax/fee into an art fund, DOB process, etc. Some of these elements may seem intractable due to DCP's jurisdictional limitations, but they cannot be allowed to lay waste to the opportunities for progress in the other silos for intelligent land use planning and the promotion of housing affordability.



# Three Silos – Worksheet

## Silo 3

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### Alternate Solutions

The practical need for JLWQAs and residential uses to co-exist in a single building inspires a solution:

- ❑ JLWQA and General Residential spaces are subject to incompatible zoning rules and requirements: the process may not be possible in many buildings and may require converting one into another within a single building, or adding new residential space to the top, is made theoretically possible, but regulatory contradictions undermine their co-existence.
- ❑ Getting a new C of O is very expensive and might reveal building-wide problems and require coop or condo upgrades that a unit owner might not want to pay for. Would the coop assume such costs just so a unit owner would qualify for market-rate mortgages?
- ❑ This issue's resolution must not have to trigger a difficult or expensive C of O change – basically, JLWQAs would have to be made almost interchangeable with an unrestricted, non-artist use. This can be done by:
  - ❖ Altering the zoning definition of artist (possibly restated also at the New York State level), a zoning text change and something that can be done within this new Special District as artists only have a defined function within M1-5A and B.
  - ❖ Altering the zoning definition of JLWQA, to allow it to be created in post-1961 or new space.

*We recommend that DCP reach out to the architectural community with substantial experience with the overlaps and conflicts among M1-5A/B regulations, the Loft Law and the MDL prior to the CPC vote to gain further insights on how these competing regulatory schemes currently and under the proposed text amendments relevant to this unique silo unnecessarily hinder the conversion to residential use and the creation of affordable housing. We recommend consideration of the full testimony of Alexandr Neretoff in this regard. [\[See full testimony\]](#)*

# Three Silos – Worksheet

## Silo 3

- 
- ❑ Existing JLWQAs are **legal** and there is no reason why they cannot continue to exist or be “made” as before, by conversion (but avoiding the MDL 1,200 SF minimum) or even be allowed to be created “new” in post-1961 floor area, even 100% new construction (See Footnotes 2 and 3).
  - ❑ There cannot be any **requirement** for existing JLWQAs to become “Loft Dwellings” (to recall the definitions used in Tribeca a couple of decades ago), even if that **option** would be made available for newly-created or converted space (See Footnotes 2 and 3) and could also be used **voluntarily** by someone for existing units: a **required** conversion to Loft Dwellings would trigger a C of O change and a C of O expense we are trying not to burden existing unit owners with. **Not** having to get a new C of O issued might avoid triggering re-assessment, so that JLWQA’s would remain at a lower tax assessment helping the older residents and the owners of rental IMD and rent-regulated units.

*In a bid **not** to remove a thin layer of extra protection from IMD and rent-regulated units, artist-only restrictions would not be lifted from such an existing JLWQA unit without the occupants’ or tenants’ consent.*

- ❑ No existing JLWQA or existing or future (when and if certified by the Loft Board) IMD or other rent-regulated unit not yet covered by a C of O, would trigger a process by which MIH would be required or be subject to MIH if continued use would require a new C of O, in recognition of their de-facto affordable unit status. Here the “A” stands also for affordability!
- ❑ Newly-converted or newly-built JLWQA units will be subject to locally-adjusted MIH with no threshold exceptions: (See Footnotes 2 and 3).

# Three Silos – Worksheet

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## Footnotes

1. A Zoning-permitted change from a JLWQA to a UG 2 General Residence individual space requires a change in that building's C of O. JLWQA is a manufacturing district use, UG 17D, exclusive to SoHo-NoHo (M1-5A and 5B) and to the old Tribeca LMM Special District (where it was allowed to coexist with the now-discontinued "special" residential use "Loft Dwellings" demonstrating how co-existence can be made to work). UG2 is a residential use permitted in R and some C districts. Making SoHo-NoHo into a M/R mixed district (using the Williamsburg, Dumbo and Gowanus models) would allow both uses to coexist in the same district, but does not address the nature of their relationship and especially not the process of changing one into the other.
2. The paper part of a new C of O process will easily rise to \$ 100,000 and then, a new C of O for a building whose last C of O was issued in the 1980's or 1990's will require updates to systems grandfathered into the last 20+ year old C of O inspection/compliance cycle, but will now have to be brought up to 2021 standards. Add to that energy code compliance, sprinkler, elevator code updates, and documenting (and physically correcting) changes made in each loft-apartment over the past 30 – 40 years (many of them illegal, so they may have to be demolished). In some cases, the other units would be exempted if an "amended" C of O is applied only for the unit in question, but all the building-wide issues would still have to be dealt with. Will a coop want to expose itself (and a unit owner agree to pay for) all the costs associated with a new C of O just to qualify for a market-rate mortgage (the main advantage of compliance)? There are better solutions than this!
3. This being said, UG2 residential spaces are subject to Zoning Resolution, Multiple Dwelling Law and Building Code laws, rules and regs that are specific to UG2, including matters of light and air, distance to windows, exits, density, non-residential uses, fire and safety rules, that are different, usually more demanding, and actually, incompatible with JLWQA rules as they would apply within the same building but mandate a differently-configured building envelope. JLWQA rules were written to facilitate the inexpensive residential re-use of obsolete vacant industrial buildings in the 1970's, and traded safety and quality of life for cost made possible by the JLWQAs low occupancy density and reliance on sprinkler coverage. There is no easy way to convert just one or two spaces in a formerly JLWQA building to UG2: not at all, in many buildings, and only with considerable difficulty and deliberate work in other, mostly smaller or corner buildings.
4. Building envelopes: residential buildings are limited by the MDL to 30 feet deep coverage from windows so they generally are 70 feet deep (on a typical 100-foot-deep lot), limited by a Zoning-required 30-foot-deep rear yard. This issue will come up each time a JLWQA building is enlarged, fueled by the new up-zoning: penthouses under 33% of roof area are not independent spaces thus are not considered "new" floor area. Anything more than a penthouse would be "new construction" thus would have to be UG2 residential, since JLWQA can only exist in pre-1961 space, and I see nothing in the new zoning proposal that changes that (despite my urging that this happen during the Envision phase). One more incompatibility problem that is not addressed in the CPC proposal.

# Three Silos – Worksheet

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## Contributors

Shelly Friedman, Esq., Friedman & Frigot

Steve Herrick, Cooper Square Committee

Alexandr Neratoff, Architect [\[See full testimony\]](#)

Zella Jones, President, NoHo-Bowery Stakeholders, Inc.

Dominic Sonkowsky, Welcome to Chinatown

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 9:51:50 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kevin Jones**

Zip: **10026**

I represent:

- **A local community group or organization**

Details for "I Represent": **Summoners Ensemble Theatre, producers of A Christmas Carol at the Merchant's House and Killing an Evening with Edgar Allan Poe, both at the Merchant's House Museum.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Moving forward with this plan does nothing to protect the historic buildings in the area, in fact it increases the likelihood that they would be destroyed to make way for huge buildings that would ruin the character of the neighborhood and diminish any affordable housing in favor of expensive condos. If we as New Yorkers care so little about our past, and our neighbors, as to sell it all to the highest bidder, or deepest lobbying pockets (the fact that these developers have been major political donors is disgusting), then our future New York City will be the poorer for it.





**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 3:31:26 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Rainer Judd**  
Zip: **10012**

I represent:

- **A local community group or organization**
- **Other**

Details for "I Represent": **Judd Foundation**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Statement of Rainer Judd, President, Judd Foundation to NYC Planning Commission  
September 2, 2021. Thank you Chair Lago and Commissioners for the opportunity to testify today. I am Rainer Judd, President of Judd Foundation. Judd Foundation is a not for profit founded by the will of artist Donald Judd. We own 101 Spring Street a permanently installed building with art of Judd's and other artists of his time. None of our staff or board members live in SoHo. However, we support those who currently do. I agree with Anita Brandt from CB2 - This challenge is an opportunity for us to work together to secure the distinct and unique future for the community of SoHo and contiguous neighborhoods. I want to thank the hard work of community members, the Borough President, many elected officials, CB2, Village Preservation, Cooper Square, NoHo Bowery Stakeholders, Youth Against

Displacement out of Chinatown, Sierra Club, and so many others. Judd Foundation is committed to our community of artists and low income residents. I was born at 101 Spring Street in 1970, corner of Spring and Mercer. My parents Donald Judd and Julie Finch bought 101 Spring Street in 1968 for 68,000. They were co-founders of Artists Against the Expressway in the later 60's that opposed the city's plan to raze multiple blocks of cast iron buildings north and south of Broome Street. Artists and residents were not supported at all by the city when they inhabited and bought buildings, fought for them and saved them. The idea that artists should be charged now is appalling. Charge a fee to luxury residents and retailers. It is important to keep in the forefront historic preservation, its value and its challenges while continuing to support current rent controlled residents and only affordable housing. No more luxury housing, no new offices. No demolition. Judd Foundation spent 10 years in planning and 2 years of work to restore our building at 101 Spring Street. It is expensive to upkeep and restore these magnificent buildings. We are happy to share our experiences of the challenges and resources available for historic preservation. I want to mention something I would consider if I were a city leader: the income that these neighborhoods bring to the city will be diminished in parallel as the historic quality diminishes in the process of demolition and development. I'd like to bring your attention to a letter dated March 25, 2021 from National Trust for Historic Preservation To the Mayor and Chair Lago of NYC Dept of City Planning. A quote from this letter reads "The SoHo/NoHo Neighborhood Plan includes a dramatic increase in FAR that would impact a 56-block, 146-acre project area—80 percent of which overlaps the boundaries of 6 historic districts including the SoHo Cast Iron Historic District. According to our local partners at the Municipal Art Society, the most recent September 2020 MapPluto data shows there are approximately 2.5 million square feet of development rights currently available within the rezoning area. The proposed rezoning would more than triple this amount to nine million square feet, of which six million would be located within the historic districts. The National Trust is deeply concerned that a massive increase in development rights, if approved, would result in proposals out of context with the scale, height, and density of these neighborhoods. This could result in yet more luxury apartments, with a limited affordable housing component, and potentially push out long-term tenants. It is also disconcerting that the rezoning area's boundaries are so closely aligned with this concentration of historic districts. This will result in intense pressure on the Landmarks Preservation Commission to approve out-of-scale development proposals within the historic districts. While considering the impacts of this major initiative, we urge the Department of City Planning to work with the Landmarks Preservation Commission to conduct an analysis identifying the best sites for redevelopment and to calibrate upzoning to encourage projects in those locations. We also recommend DCP develop design guidelines in partnership with LPC and the community to inform future development within the historic districts. This will lessen the burden on the LPC and give clarity to the community and to developers as proposals are conceived." Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, August 30, 2021 4:37:37 PM  
**Attachments:** [SoHo for City Planning.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jeffrey Kroessler**  
Zip: **11104**

I represent:

- **A local community group or organization**

Details for "I Represent": **City Club of New York**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

I submit these comments in opposition to the proposed upzoning of SoHo-NoHo-Chinatown. I am uncertain whether I will be able to testify in person.

August 30, 2021

To: City Planning Commission

From: Jeffrey Kroessler, President

The City Club of New York urges the Borough President, the City Planning Commission, and the City Council to reject Mayor De Blasio's ill-advised and damaging SoHo/NoHo Upzoning Plan. The proposal would do irreparable harm to the neighborhoods of SoHo, NoHo, and Chinatown and provide a highly flawed template for similar rezoning actions across the city. Most damning, it would fail to achieve its purported goals of increasing housing affordability and equity while destroying nationally recognized historic neighborhoods and displacing lower income residents (disproportionately seniors, Asian Americans, and artists) as well as independent and arts-related businesses.

The plan, if implemented, would result in oversized development and the proliferation of big box chain stores, the destruction of historic properties and affordable rent regulated housing, and the construction of an enormous amount of high-end office, hotel, private university, and luxury residential development, none of which the city is currently lacking, and none of which is now characteristic of these neighborhoods. Alternative approaches would not result in such harms, but rather would modify the current zoning so as to allow for a broader range of appropriate retail uses and new residential development at an appropriate scale and with true affordable housing. These alternatives have been overlooked, ignored, or dismissed.

### **Issues with the plan:**

#### **Built environment/preservation:**

The proposed rezoning would allow up to 12 FAR, the highest legally allowable density for residential development in the State of New York. This is 20% higher than the allowable FAR along Billionaire's Row in midtown. Most of the rezoning allows either 12 FAR or 9.7 FAR, which is also unacceptable. FAR this high would result in grossly out of scale new development. Average FAR in SoHo-NoHo-Chinatown is currently under 5. The vastly increased allowable FAR encourages the demolition of historic buildings (many not LPC-protected) and the development of oversized vertical enlargements on designated properties. While the Landmarks Preservation Commission maintains jurisdiction over designated properties, increasing the FAR so far above the existing built form sends a message to the agency to allow demolitions and enlargements of historic buildings, and creates huge financial incentives for developers to seek ways to do so.

While the city projects that the rezoning will result in 3.8 million square feet of development — a staggering total equivalent to an Empire State Building and a Chrysler Building together for this small area— it actually allows more than 10 million square feet of additional development, or the equivalent of three and a half Empire State Buildings, most of which is unaccounted for in the city's projections.

## Environment/Infrastructure:

The City projects the construction of 3,000 new apartments, nearly doubling the population of the rezoning area. And yet, there is no commensurate increase in basic infrastructure. The proposed rezoning lacks any commitment to provide school seats, parks and open space, sanitation and water, and other municipal services needed to accommodate this vast growth.

The rezoning area, especially the Broome Street and Canal Street corridors, already suffers from terrible and highly elevated levels of air pollution. It's irresponsible to seek to add significant numbers of new residents, workers, and shoppers to an area which already has unmitigated pollution issues, and to worsen those problems by adding more vehicle trips and congestion to the mix.

The highly elevated levels of demolition and new construction that the rezoning will trigger within an area already dense with residents will have deleterious effects on the health of residents and workers alike.

## Housing Affordability and Equity:

This upzoning endangers hundreds of existing units of rent regulated affordable housing in the rezoning area. By significantly increasing the allowable FAR, the plan provides a huge financial incentive to developers to seek to displace rent regulated tenants, demolish the buildings, and permanently remove their rent regulated housing. To be clear: what is counted as "affordable" in this plan is far above the income level of those now living in those rent regulated units. At present there is little incentive to demolish existing structures as almost all rent regulated housing in the rezoning area is located in buildings at or above the allowable size for new development. Landmark designation would not necessarily prevent the destruction of affordable housing units, since the LPC has allowed demolition of all but the facades of designated buildings. Seniors and Asian American residents, especially in the Chinatown section of the rezoning, would be especially at risk of displacement.

A combination of loopholes and exemptions to affordable housing "requirements," competing allowances for uses with no affordable housing requirements, and the relatively small lot sizes in the rezoning area means that the plan is likely to create little or none of the promised "affordable housing." The plan exempts from any on-site affordable housing requirements all retail uses, offices, hotels, commercial uses, facilities housing NYU or other universities, and a broad range of other uses, including luxury condos and residential rentals of 25,000 sq. ft. or less per zoning lot. In most cases where the City predicts affordable housing will be built, the plan allows developers to build more market rate space by *not* including affordable housing, thus providing a tremendous financial incentive for developers to not produce a single unit of affordable housing.

Even if new developments did include required "affordable housing" at 70-75% luxury market rate, analysis shows that such developments would make these neighborhoods wealthier and their housing more expensive than they currently are. That fact renders hypocritical the administration's statements about equity.

## Small Business and Arts Uses:

By allowing big box chain retail as well as eating and drinking establishments of unlimited size, the plan will make it very difficult for any other type of business or non-profit to survive here unless they are fortunate enough to own their space. All others will be pushed

out of their spaces by the competition from the megastores, chains, and franchise operations. That is not what visitors expect from New York City.

If enacted, the rezoning will significantly harm and diminish these neighborhoods' traditional role as incubators for independent businesses, art galleries, and design-related businesses, and it would essentially transform the character of these historic neighborhoods.

Better Alternatives not considered:

Community groups and local organizations have offered several alternative changes to the existing regulations, but these have been all but ignored.

1. Zoning changes that would allow a broader range of retail uses with appropriate size limits, such as 10,000 square feet.
2. Changes to allow as-of-right residential development with affordable housing requirements at a scale appropriate for the neighborhood, in keeping with the current FAR.
3. Deeper and broader affordable housing in new construction without the huge range of exemptions currently proposed.
4. Targeting new residential and affordable housing development on sites that don't currently have residential uses (and especially not rent regulated affordable housing) and that don't contain historic buildings: parking lots, parking garages, and 1-3 story commercial buildings.
5. Encouraging the conversion of underutilized or empty commercial or manufacturing space to residential use, with affordable housing requirements.
6. Reinforcing and protecting the artistic character of these neighborhoods, ensuring that artists can continue to live and work here, and that galleries, design studios, and arts foundations can still be located here.

That the city has not engaged in a negotiation with the neighborhood voices offering these alternatives, but has instead vilified them, is a clear indication that supposed goals of this upzoning are in opposition to the interests of the residents and businesses in those communities.

Conclusion:

In light of the broadly deleterious effects of the proposed rezoning, its failure to achieve its purported goals or to recognize, much less account for or mitigate, its harmful impacts, and the unwillingness on the part of the City to consider more effective and appropriate strategies to update the zoning for this area and achieve goals of housing equity and affordability with none of the negative effects of this proposal, we strongly urge you to reject this proposal.

For the city to push ahead with this damaging proposal in the face of significant and unified community opposition makes clear that this is not about what is best for New Yorkers, but what is best for those poised to profit from the new construction.

Jeffrey Kroessler, President  
The City Club of New York

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 10:45:25 AM  
**Attachments:** [9-02 testimony City Planning hearing.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Michael McKee**  
Zip: **10011**

I represent:

- **A local community group or organization**

Details for "I Represent": **Tenants Political Action Committee**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

See attached written statement.



**Public Hearing on Mayor de Blasio's proposed SoHo/NoHo upzoning  
New York City Planning Commission  
Thursday, September 2, 2021**

**Testimony by Michael McKee, Treasurer**

Thank you for the opportunity to testify about this important issue.

I want to begin by stating unequivocally that Tenants PAC believes that all neighborhoods in the five boroughs of New York City, including more affluent communities, need to accommodate greater density to increase the supply of affordable housing. If this proposal by the de Blasio administration were truly designed to accomplish that in SoHo and NoHo, we would support it.

But this plan is a genuine wolf in sheep's clothing. Far from producing truly affordable housing, the plan in a nutshell is a gift to private, profit-making real estate developers that, if enacted, will result in displacement of long-term residents and the loss of existing affordable housing, along with other negative effects.

There are many things wrong with this plan. But I want to focus my limited time at this public hearing on the threat that the plan represents to tenants living in apartments that are subject to rent control or rent stabilization, and tenants in Loft Law units that have not yet transitioned to rent stabilization, as well as threats to the rent-regulated housing stock itself.

According to the City Planning Commission, there are 185 buildings in the SoHo/NoHo rezoning area with rent-regulated apartments. Through research and legwork, Village Preservation has identified 108 of these buildings, containing roughly 650 apartments. But the City Planning Commission is refusing to release the complete list of addresses and the number of units, so it is reasonable to conclude that the actual number of rent-regulated units in the 185 buildings within the rezoning area is closer to 1,000.



Under current rules, there is little incentive to demolish these buildings, all of them low rise, because the replacement buildings could not be substantially larger. But Bill de Blasio's plan would upzone all of them, by 30 percent in some parts of the rezoning area, by 94 percent in other parts, and by 140 percent elsewhere. This would put a target on the backs of these tenants and these apartments and would inevitably lead to displacement of the long-term residents and loss of the affordable housing.

Any increase in FAR at these addresses will lead to disaster. If a rezoning plan for SoHo/NoHo is going to be adopted, these buildings should be demapped – no increase in FAR. This would make for a complicated map, but it would be the only way to protect the rent-regulated housing stock and the people who live in it.

Two years ago, the New York State Legislature enacted the Housing Stability and Tenant Protection Act of 2019, which repealed Vacancy Decontrol and several other mechanisms that landlords had used to evict tenants and remove rent-controlled and rent-stabilized units from the system. But the legislature unfortunately left one loophole intact: the right of a landlord of rent-regulated housing to evict tenants for purposes of demolition.

If this upzoning is approved, the City will be creating an irresistible incentive for demolition. Developers will target these 4 to 7-story buildings. Tenants will experience harassment, curtailment of services, and trumped-up eviction cases, while being bombarded with buyout offers. In one of the hottest real estate markets in the five boroughs, where new downtown condos sell for an average of \$6.5 million and market rents for new construction approach \$17,000 per month, developers will be licking their lips.

Demolition of rent-controlled and rent-stabilized housing is a difficult and lengthy process and fairly rare. Landlords must obtain permission from the NYS Division of Housing and Community Renewal, and if the application is successful tenants are entitled to modest relocation funds. Sometimes tenants defeat these plans after years of struggle, but usually landlords ultimately win in what becomes a war of attrition. If you create a big enough incentive, the process will be attractive to greedy developers, despite its cost and despite its difficulties.

Do not fall for the argument that because most of these buildings are in the historic district, there is no danger. All too often the Landmarks Preservation Commission allows demolition of all but the facades of buildings, which is sufficient under rent control and rent stabilization rules to qualify as "demolition" and to permanently remove apartments from the rent regulation system.

Nor would the addition of anti-eviction and anti-harassment protections to the plan, or funds to hire organizers or lawyers to represent tenants threatened with displacement, be sufficient to fight the market forces that would be unleashed by this upzoning. It would be useful for such measures to be incorporated, but they are no match for greedy speculators.

I call your attention to the recent publication by Village Preservation, “Mapping the Incentive to Demolish.” I commend Andrew Berman and his staff for this invaluable analysis – but remember that this map contains only the 108 buildings with rent-regulated apartments that Village Preservation has been able to identify.

You must also act to protect the Interim Multiple Dwellings subject to Loft Board jurisdiction remaining in the SoHo/NoHo rezoning area. After 40 years most IMDs have been legalized and transitioned to rent stabilization, but there are some 200 IMDs out of the original 900 that are still under Loft Board jurisdiction, so it’s only reasonable to assume that some of them are in SoHo/NoHo. In general, the 200 buildings have not been legalized only because of intractable landlord refusal to comply with the Loft Law.

Tenants PAC urges the City Planning Commission to reject this bad plan in its entirety. But if it is to move forward, we demand the following changes:

- (1) Eliminate any upzoning of all buildings containing rent-controlled or rent-stabilized housing, or Loft Law IMD units and joint live-work quarters. And we demand that City Planning release the complete list of addresses plus the number of units within the rezoning area.
- (2) Eliminate all loopholes that would allow new buildings or “vertical enhancements” (penthouses) without creating any affordable housing, in particular the 25,000 square feet loophole.
- (3) Eliminate the ability of expansionist institutions such as NYU to intrude into the area; no more dormitories.
- (4) Eliminate the eligibility of big box stores and huge eating and drinking establishments.
- (5) Eliminate the eligibility of office buildings and hotels.
- (6) Mandate greater affordability in any new housing: a mix of 25 percent “affordable” and 75 percent market-rate is unacceptable, especially when the “affordable” housing will be anything but.

Overall, at best this plan represents a failure of imagination on the part of the mayor and the members of his administration who are charged with planning. It could also be

viewed as a cynical approach to initiate the destruction of a unique neighborhood fostered by artists and innovative zoning and state legislation that created a unique cultural community.

Mandatory Inclusionary Housing has been an abysmal failure. It is based on the mistaken belief that the only possible model is to bribe the private, profit-making real estate industry to create a small number of “affordable” units in return for allowing them to create a glut of luxury housing – in most neighborhoods with significant taxpayer subsidies. This program inevitably bids up prices and rents while exacerbating the housing crisis – and in many cases the luxury housing sits empty. Just look at Flatbush Avenue. We do not need more market-rate housing; we need housing that is truly and permanently affordable to low and moderate-income New Yorkers.

MIH works only if you believe in trickle-down economics. I do not believe in trickle-down. It is time to look for a new model of social housing – using government resources to create social housing that will be genuinely affordable, and permanently affordable, free of dependence on profit-making developers.

One final point: Supporters of this upzoning have accused opponents of being racist NIMBY reactionaries who don’t want low-income people of color moving into the neighborhood. I have spoken to many SoHo residents, some of whom are long-time Tenants PAC supporters, and some of whom I have known and worked with for many years. It is clear to me that they would welcome genuinely low-income housing. The bullying tactics being used against opponents of this ill-advised plan should be repudiated by all elected officials, as well as those appointed to bodies such as this one.

In sum, SoHo and NoHo need updated zoning rules, and they also need affordable housing. We urge you to go back to the drawing board and remove the negative features of the current plan and give us a new plan that will be a net positive.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 2:00:53 PM  
**Attachments:** [REBNY to CPC re SoHO-NoHO .pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ryan Monell**  
Zip: **10022**

I represent:

- **A local community group or organization**

Details for "I Represent": **The Real Estate Board of New York**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Please see attached.

REBNY Testimony | September 2, 2021

## **The Real Estate Board of New York to The City Planning Commission Concerning the SoHo/NoHo Neighborhood Plan**

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY appreciates the opportunity to submit testimony in strong support to the City Planning Commission (the Commission) regarding the SoHo/NoHo Neighborhood Plan (ULURP Nos. C210422ZMM and N210423ZRM; CEQR 21DCP059M) in the Borough of Manhattan.

The historical and cultural significance of the SoHo/NoHo neighborhood cannot be overstated. Encompassing the largest collection of cast iron buildings in the world, its architecture cements its status as a unique and special environment worthy of protection. However, this can be done while also comprehensively reviewing the current zoning text to modernize the district without sacrificing its vibrant character.

Retail is an important component of this vibrancy. From an economic perspective, SoHo/NoHo in recent decades has been a significant driver for the Manhattan economy, and for New York as a whole. Much of this is due to SoHo/NoHo being viewed today as one of the city's premiere retail destinations. With \$3.1B in retail sales annually, SoHo and NoHo outperform all retail districts in New York City except for Fifth Avenue, and between 2002 and 2015, retail job growth increased by 40%, creating more than 4,300 jobs and providing economic mobility for thousands of New Yorkers. Equally as important, economic activity from SoHo/NoHo generates upwards of \$1.2 billion in tax revenue for the city annually, a significant boon for city coffers.

However, the commercial success of the neighborhood is not guaranteed forever. E-commerce trends have continued to accelerate while the costs of doing business and the overly complicated regulatory framework of the neighborhood remains. A draconian regulatory regime will dampen future opportunities to adapt to changing market conditions. The Commission has an obligation to ensure a continued retail presence in SoHo/NoHo so that it will remain a mixed-use neighborhood. As a result, the time is now to identify new opportunities to create flexibility for property owners, brokers and businesses looking to expand or locate into the neighborhood. This includes eliminating the need to comply with a complex set of regulations including size and use restrictions.

The compliance issues in SoHo/NoHo today stem from the neighborhood's history as a manufacturing-based area for the city, quite different from how the neighborhood is utilized today. Since 1977, M1-5A and B zoning district designations intended for manufacturing have been completely out of context with the mixed-use neighborhood SoHo/NoHo has become. As a result, while heavy manufacturing is legal for SoHo/NoHo and one could open a tannery with no zoning constraints, retail uses which are predominately through most of the district cannot. In Use Group 6, retail uses of up to 10,000 SF are not permitted as-of-right below the floor level of the second story in the M1-5B zoned areas of the neighborhood and are only allowed below the floor level of the second story in M1-5A

district in buildings with less than 3,600 SF of lot coverage. Use Group 10 regional and attraction retail, typically 10,000 sf of zoning floor area or more, and for which SoHo is known, is not allowed as-of-right in any of the neighborhood currently.

The proposed zoning map and zoning text change would correct the outdated requirements. The Commission should support allowing ground-floor Use Group 6 retail, space prime for smaller retailers, to be as-of-right throughout SoHo/NoHo, with some low impact retail uses also allowed on upper floors. In addition, along the Broadway and Lafayette corridors, Use Group 10, for large retailers, should also be allowed as-of-right on the second floor and below.

SoHo/NoHo's success as an economic commercial hub relies tenuously on the discretionary exceptions permitted under the zoning resolution, through special permits, variances, or grandfathering of a building's existing use over the past three decades. As documented by the Department of City Planning, these mechanisms are incredibly complex, time-consuming, and costly, often taking years to navigate. Certainly, the process and framework has created a deterrent for additional economic opportunity for the neighborhood over the years.

This paradigm must change for the future success of the neighborhood. Creating opportunities for as-of-right retail in appropriate settings is the most concrete step that can be taken to bolster retail, maintain and further job growth, and secure SoHo/NoHo's economic future in the years to come.

Supporting SoHo/NoHo in the coming decades requires opportunity for new investment and innovation. The current zoning framework does not accommodate that investment. REBNY greatly urges the City Planning Commission to adopt the zoning map and zoning text amendments so that the vibrancy of SoHo/NoHo's architecture can be matched with a vibrant mix of uses.

Thank you for the consideration of these points.

## **CONTACT:**

### **RYAN MONELL**

*Government Affairs*  
Real Estate Board of New York  
212-616-5247  
rmonell@rebny.com

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 7:55:59 PM  
**Attachments:** [ltr\\_20210831\\_CPC\\_SoHo NoHo Upzoning.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Richard Moses**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **I am President of the Lower East Side Preservation Initiative**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Please see the Lower East Side Preservation Initiative's letter, attached here. A hard copy will follow by mail.

August 31, 2021

Marisa Lago, Chair  
NY City Planning Commission  
Calendar Information Office  
120 Broadway - 31st Floor  
New York, NY 10271

**Re: "Soho Noho Neighborhood Plan" Upzoning Proposal**

Dear Chair Lago:

The Lower East Side Preservation Initiative - LESPI - is writing to strongly oppose the Mayor's proposed "Soho Noho Neighborhood Plan" to upzone SoHo and NoHo. If approved, this plan would allow buildings to be built to 2½ times larger than what is currently permitted. It would promote out-of-scale luxury condominiums, destroy the character of these neighborhoods and set a dangerous precedent, threatening neighborhoods throughout the city.

Included in these neighborhoods are some of the city's most popular historic districts. The plan, as it now exists, would dramatically alter the scale within those districts. It would also allow the proliferation of large chain Big Box stores, making it more difficult for small, independent and family-owned businesses to survive.

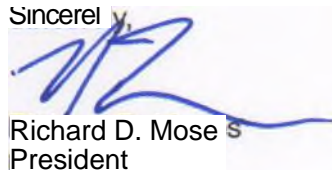
While this upzoning plan is presented as a means to promote affordable housing, the specifics of the plan belie that claim—there are no provisions for explicitly middle- and low-income residents. Actually, the plan promises to make the neighborhoods less affordable, neighborly and hospitable than they are now.

Instead, LESPI supports the Community Rezoning Plan for Soho/NoHo, supported by many local community organizations. This plan would help create more affordable housing for the area, while maintaining the neighborhood character that so many residents, businesses and visitors cherish.

The charm and livability of New York City lie in its neighborhoods and their distinctive qualities. Those distinct charms are what draw prospective residents to live in New York and tourists to visit. Our historic districts and neighborhoods are not only characterized by beautiful, irreplaceable architecture, but typically with a low scale that allows for light and air, particularly important in these times of pandemic.

I respectfully urge the City Planning Commission to defend New York City neighborhoods and reject the "The SoHo/NoHo Neighborhood Plan" upzoning. Thank you.

Sincerely,



Richard D. Mose  
President

Lower East Side Preservation Initiative

93 Fourth Avenue #1223 New York, NY 10003 [info@LESPI-NYC.ORG](mailto:info@LESPI-NYC.ORG)



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 3:57:59 PM  
**Attachments:** [9-2-2021 WRITTEN TESTIMONY to City Planning - By David Mulkins Bowery Alliance of Neighbors.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **David Mulkins**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **Bowery Alliance of Neighbors**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

My testimony is in the attached pdf.



184 Bowery, #4 New York, NY 10012  
[www.boweryalliance.org](http://www.boweryalliance.org)  
David Mulkins, President  
[mulbd@yahoo.com](mailto:mulbd@yahoo.com) 631-901-5435

Sept 2, 2021

*President*  
**David Mulkins**

*Vice Presidents*  
**Michele Campo**  
**Jean Standish**

*Secretary*  
**Sally Young**

*Treasurer*  
**Jean Standish**

*Landmarks Committee Chair*  
**Mitchell Grubler**

*Co-Founders*  
**Anna L. Sawaryn**  
**David Mulkins**

**Board of Advisors:**

**Simeon Bankoff**  
*Executive Director*  
Historic Districts Council

**Kent Barwick**  
*President Emeritus*  
Municipal Arts Society

**Leo Blackman**  
*Architect*

**Kerri Culhane**  
*Architectural Historian*

**Doris Diether**  
*Zoning Consultant*

**Eric Ferrara**  
*Historian & Director*  
Lower East Side History Project

**Pi Gardiner**  
*Executive Director*  
Merchant's House Museum

**Michael Geyer**  
*Architect*

**Bob Holman**  
*Poet & Proprietor*  
Bowery Poetry Club

**Joyce Mendelsohn**  
*Historian/Writer/Educator*

**Mick Moloney**  
*Musician, Historian*

**Luc Sante**  
*Historian*

Department of City Planning  
120 Broadway  
New York, NY 10271  
Attn: Marisa Lago, Chair

Subject: Why you should reject the SoHo/NoHo Rezoning Plan

Dear Chair Lago and Commissioners:

SoHo and NoHo are iconic economically vibrant historic districts famous for cast iron architecture and as an incubator for modern art. By adding height and bulk, big box superstores, luxury housing, and NYU dorms, this plan would destroy its unique creative character, displace longtime residents and small businesses---especially in Chinatown---and set a terrible precedent for the destruction of historic districts all over this city.

When these hearings started, the mayor's forces said they would work with and listen to the community. They insisted "We're not talking about an upzoning." They used the public hearings as a cover, ignored our voices---and in fact maligned our character---and produced a predetermined upzoning plan that brings on tall towers, NYU dorms, big box stores, and hastens the displacement of residents and small businesses.

To call this plan "affordable housing" when it brings 75% luxury units and only 25% affordable is a fraudulent developer driven sham that will increase hypergentrification. While the term "*mandatory inclusionary housing*" may have fooled some in the past, it does not fool this community. It certainly did not fool Community Board 2, which voted by a staggering 36-1 to reject the plan.

The city ignored the *Community Alternative Plan for SoHo and NoHo*, which seeks more affordable housing but without luxury upzoning, big box stores, NYU dorms, mass displacement, and the destruction of historic character.

Please vote "No" on the mayor's SoHo/NoHo Rezoning Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "David Mulkins".

David Mulkins, President

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 11:20:43 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Linda Pagan**

Zip: **10012**

I represent:

- **Myself**
- **A local business**
- **A local community group or organization**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

As a 30 year resident of Soho and a business owner in Soho for 26 years I am opposed to the current upzoning plan. I am also the President of Soho Village, a neighborhood association of retailers, restaurants and residents...our members are vehemently opposed to the Upzoning. We want the area to be rezoned and we want affordable housing in the the planned districts however, the current plan does not provide for affordable housing in the way that the community needs it. Also, the whole reason Soho became a world wide magnet for visitors is because, unlike most of Manhattan, the buildings are built on a human scale. Taller buildings are not the answer...you would be killing the goose that laid the golden egg. More than a dozen local groups have offered an Alternative Rezoning Plan, which would not employ any

upzoning, destroy no affordable housing, require deeper and broader new affordable housing in new residential construction at a scale that matches the neighborhood, and allow reasonable-sized retail. It is critical that you reject the current Upzoning plan and look at the Alternative Rezoning Plan. best, Linda Pagan

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 3:40:59 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Cordelia Persen**

Zip: **10012**

I represent:

- **A local community group or organization**

Details for “I Represent”: **NOHO NY BID**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

Testimony of Cordelia Persen, NoHo BID New York City Planning Commission Hearing – September 2, 2021 Hello, I’m Cordelia Persen, the Executive Director of the NoHo BID. As a member of the Envision Advisory Group, I have been deeply engaged with this process from the beginning. Over the last three years, I have attended almost every Zoom and meeting and heard the many concerns over the plan. I also have heard some very good ideas for compromise to address some of those concerns and hope this rezoning will go through with those changes in place. Everyone knows there are some real problems with the current zoning that need to be addressed. The current mishmash of zoning rules that have been patched together since our last rezoning, continue to lead to the kinds of problems the opposition to this plan have been complaining about. What the area needs is a coherent plan to follow going forward. We need zoning that actually matches current usage vs continuing with the long cumbersome expensive variance process that only works for certain well financed tenants and

developers. From the beginning, the NoHo Business Improvement's goals for the rezoning center around retail use of our buildings. We are happy to see that the plan makes retail as of right and ends the arbitrary 10,000 sf limit to size of retail that makes no sense, due to the sizes of our building floor plates. We have said since the beginning that retail is in a major flux and property owners and retail uses need flexibility to use their spaces as the time and trends lead them. Covid has only made this more true. The NoHo BID also feels very strongly that we want to preserve the historic character of the district and are concerned with the level of upzoning currently proposed. SoHo Broadway Initiative, NoHo Bowery Stakeholders and Cooper Square Committee have come up with alternative zoning scenarios that we believe will allow more growth, but not at a level that will be detrimental to the district. We hope the Department of City Planning will look closely at these plans and alter their current proposal and we can get this done and move the districts into the future.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 4:39:40 PM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Sandy Reiburn**  
Zip: **11217**

I represent:

- **A local community group or organization**

Details for “I Represent”: **Preserve Our Brooklyn Neighborhoods**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

Preserve Our Brooklyn Neighborhoods Re: SoHo/NoHo Rezoning In Opposition Aug 29th, 2021 To Chair Lago and Commissioners, Preserve Our Brooklyn Neighborhoods (“POBN”), as advocates for historic preservation of streetscapes and buildings in Brooklyn, supports its neighbors and neighborhood organizations involved in the same concerns throughout Fort Greene, Clinton Hill, and throughout New York City. After carefully looking into the rationale of the purported ‘benefits’ of a community wide rezoning, we are in unanimous agreement that this rezoning must not proceed and eviscerate the treasured and unique parts of our City – Soho/Noho and part of Chinatown which are now in harm’s way. Encroaching and anomalous towers, which will be the result if the ULURP is ratified, are hyped as justified on the basis of so-called ‘affordable housing’. As long as the reliance on de facto bait and switch Federal criteria AMI ‘tiers’, which have incurred so much neighborhood hostage taking and displacement (substantive data now shows), the raison d’etre of handing over livable and

human-scale blocks for predatory greed, is as phony as a wooden nickel. To add insult to injury, the character and context of SoHo/NoHo...the gritty exemplar of manufacturing; artists creating in their workshops and ateliers; the aesthetic raw pleasure that the cast iron buildings impart...those and more serve to invite the world –tourists and the curious to come to see who New Yorkers really are-not by the phallic size of competing luxury towers, but by the charm and history which will be sanitized if this is allowed to happen. Would that this alleged moral imperative actually help the underserved to get a roof over their head...well- yes, that would merit an honest contrast of opinions as to whether the ends justify the means here. But, anyone not under a rock (nor those who obviously have financial skin in the game) will say, this up-zoning is a farce. This, however, is NOT it. It can never be accepted as a ‘public good’ and the question is how much of this will be ever more shameless giveaways by your Agency? How complicit will you be in the further emasculation of community voice and residents’ ownership of its future? Preserve Our Brooklyn Neighborhoods, and our hundreds of members therefore urge you to reject this proposed rezoning. Thank you for your consideration of this matter. Sincerely, Sandy Reiburn –President Preserve Our Brooklyn Neighborhoods



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 3:49:05 PM  
**Attachments:** [AIANY SoHo Rezoning Statement.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Adam Roberts**  
Zip: **10028**

I represent:

- **A local community group or organization**

Details for "I Represent": **American Institute of Architects New York**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Dear Commissioners, On behalf of the American Institute of Architects New York, I am submitting our association's statement in support of the SoHo/NoHo Neighborhood Plan. The statement was first issued last year and we continue to remain strongly behind the goals of the proposed rezoning. Sincerely, Adam Roberts Director of Policy, AIA New York



**AIA**  
New York

December 8, 2020

## AIA New York Statement of Support for SoHo/NoHo Rezoning

Equitable design is a key component of solving New York City's ongoing affordability crisis. Without new housing, rents and home prices will continue to rise, making the city unaffordable for most New Yorkers. While there has been a significant amount of new residential construction in the city over the last few years, it has primarily been in more economically distressed and non-white communities in the outer boroughs. It is time that wealthier white neighborhoods start to accept new residences and new residents.

### The American Institute of Architects

AIA New York  
536 LaGuardia Place  
New York, NY 10012

T (212) 683 0023

F (212) 696 5022

[www.aiany.org](http://www.aiany.org)

Architects strive to design integrated neighborhoods, ones with residents from diverse backgrounds and economic circumstances. True integration requires a diversity of housing typologies, not only market-rate units, but affordable and supportive units as well. The city has many tools to encourage diverse typologies, including the NYC 15/15 Rental Assistance Program, Supportive Housing Loan Program, Mandatory Inclusionary Housing (MIH), and Zoning for Qualify and Affordability (ZQA). All of these should be utilized for rezoning SoHo, NoHo, and other neighborhoods.

The proposed rezoning of SoHo and NoHo offers a first step towards making our city's housing policies more equitable. The current proposal shows that new construction can occur within established neighborhoods and historic districts, respecting older forms of architecture and current residents. Most crucially, plans for 800 units of legally mandated affordable housing would make one of our country's most expensive areas affordable for thousands of New Yorkers.

SoHo and NoHo have not undergone significant zoning changes in half a century, despite transforming from industrial to primarily residential and retail in use. Rezoning the area would enable compliance with more recent housing policies, such as MIH, which requires around 25% of new units to be affordable. Furthermore, it would also remove burdensome restrictions on small businesses which do not exist in neighborhoods with more updated zoning.

It is the duty of architects to ensure that neighborhoods are open and accessible to all, not only those of means. Therefore, AIA New York is expressing its strong support for the rezoning of SoHo and NoHo to allow for more residential construction. We encourage the city to allow for even greater amounts of affordable housing as the proposal is refined through discussions with the community. The current debate over this rezoning will set the precedent going forward of whether affordable housing can be designed and built in wealthier white neighborhoods.

It is time that zoning be used to make our city, particularly those centrally located neighborhoods like SoHo and NoHo, livable for all New Yorkers. In 2022, we will have a new Mayor and City Council, and we hope a rezoning of SoHo and NoHo will spur them to allow more affordable housing in similar parts of the city.

Board of Directors, AIA New York

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**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 10:50:11 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Dominic Sonkowsky**  
Zip: **10013**

I represent:

- **A local community group or organization**

Details for "I Represent": **I am the Community Affairs Liaison for Welcome to Chinatown, a nonprofit supporting Manhattan Chinatown small businesses**

**My Comments:**

Vote: I am **other**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Welcome to Chinatown is a nonprofit organization founded in the wake of the pandemic to support Manhattan Chinatown small businesses. To date, our team of 50+ volunteers have raised and put back over \$1.5 million into our neighborhood, and directly assisted over 80 Chinatown small businesses through grants and other initiatives. We have been recognized by Councilmember Chin and New York State Senator Kavanagh for our work, and our mission is to ensure that "Chinatown will always be open for business." The following is our position on the SoHo/NoHo ULURP. First, we want affordable units with lower income targets, and community preference for affordable units to be extended to Chinatown. Affordable units built should serve working class Chinese Americans at highest risk of displacement. This especially applies to seniors in Chinatown, who are a quarter of Chinatown's population, many of whom

live without elevators and are largely home-bound as a result. Second, rezoning should include an anti-harassment provision for any rent stabilized tenants in the area, and funding for groups like CAAAV to make it enforceable. Third, we do not want this rezoning to open the door for more big box stores. The last thing Chinatown needs is megacorporations next door that engage in unfair competition like predatory pricing. We do want Chinatown businesses in the rezoning area, such as Kam Hing Coffee Shop or food wholesalers vital to Chinatown's economy, to also have a place in newly constructed buildings, following the precedent set by the new Essex Market. Lastly, we want a reduction in allowable commercial FARs to incentivize residential over commercial development. New York City has a housing crisis. As Brooklyn Borough President Eric Adams has recognized, the city has grown by about 630,000 from 2010 to 2020, but built only 206,000 new housing units during the same period. This rezoning should incentivize the construction of new housing - not new commercial development.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 1:59:43 PM  
**Attachments:** [Soho Retail RZN SAS Testimony 9.2.21.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Steven Soutendijk**  
Zip: **10104**

I represent:

- **A local business**

Details for "I Represent": **Cushman Wakefield**

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Please see attached.



**Steven Soutendijk**  
Executive Managing Director  
1290 Avenue of the Americas  
New York, New York, 10104  
Direct +1 212713 6845  
Steven.soutendijk@cushwake.com  
cushmanwakefield.com

### **SoHo/ NoHo Rezoning Testimony: Steven Soutendijk**

Good morning. Thank you to the City Planning Commissioners for letting me testify today. My name is Steven Soutendijk, Executive Managing Director at Cushman & Wakefield.

I am honored to be here today in support of the proposed SoHo and NoHo rezoning.

I have spent my career as a retail leasing specialist focused on institutional landlord representation in Manhattan. You may know of me as a “broker.” The hundreds of brokers in New York City play an important part in our city's economy especially in facilitating the retail market with new sales, leases and openings. My colleagues and I have been working tirelessly to identify opportunities to help New York's retail sector bounce back from the pandemic, which has hurt small businesses and mom and pop shops deeply.

Retail vacancies are at a record high across the City and rents in SoHo are at the lowest mark in almost a decade. Before the pandemic, SoHo was one of the hottest markets for retail leases, but only to those who could not just afford the rents, but who could take on the onerous three year-long special permit application process. Because retail in SoHo is not legal as of right.

I know most of today's hearing will be about the housing debate and the overall idea of what it means to rezone SoHo, but at the heart of this conversation is that the SoHo of today, a globally renowned retail market, does not align with its outdated and ill-matched underlying zoning.

If we want to see SoHo come back to its roots, an eclectic district of new and unknown brands and global retail icons, we have to remove the barriers to access that smaller retailers cannot afford. Currently, vacant commercial space cannot be leased as-of-right unless a retailer is willing to spend the time and money to pursue a special permit in front of this very panel, which are costly, burdensome and effectively bar small businesses from even considering the district.

The current zoning hurts business owners and blocks opportunities for growth in the neighborhood. Breaking down these barriers through a thoughtful rezoning will bring diverse and varied retailers to the most influential retail district in the nation, revitalizing the corridor and increasing access to the iconic area.

Retail is favorable for those who live and work in SoHo, too - for those on fixed incomes, the revenue from ground floor retail can provide for necessary and unexpected maintenance and repairs for their historic home. Making it easier for small and large property owners to do so evens the playing field.

Retail plays a major role in our city's economy - if SoHo fails to recover, the city will face a longer, more drawn out path back to our pre-COVID economy. We must modernize the zoning to legalize retail, meet the needs of the mixed-use district Soho has become, and help local businesses recover in the wake of the pandemic.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Soutendijk', with a stylized flourish at the end.

Steven Soutendijk  
Executive Managing Director  
Retail Services Group  
Cushman & Wakefield

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 9:38:27 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jean Standish**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **Bowery Alliance of Neighbors**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

If the SoHo/NoHo upzoning is implemented, it would actually make these neighborhoods richer, less diverse, and more expensive, and likely destroy much affordable housing and push out longtime tenants and businesses, all the while allowing grossly out-of-scale new construction and big-box chain stores. It provides multiple incentives and loopholes for developers to avoid building any affordable housing at all, but would enable and encourage huge commercial structures, luxury condo construction, and hotels. Included in SoHo and NoHo are some of the city's most popular historic districts; consequently, the SoHo/NoHo upzoning would set a dangerous precedent for the destruction of historic districts all over this city. This plan calls for the first upzoning of an historic district in the sixty-six years of the Landmarks Preservation Commission's existence. City Planning asked many agencies to participate in the process. Shockingly, the Landmarks Preservation Commission was not one



of them. The Mayor's plan would allow new development of an egregious scale, up to two-and-a-half times what current rules allow. It would push out longtime tenants in rent-stabilized units and legally protected lofts, and encourage the demolition of historic buildings. Even if new developments are built as the City predicts with 70-75% luxury condos and 25-30% "affordable housing," these developments will overall actually be more expensive, and house wealthier and less diverse residents, than the current neighborhood overall, making for a less equitable, less affordable neighborhood. I urge you to oppose the SoHo/NoHo upzoning.

Thank You.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:37:50 PM  
**Attachments:** [2021 SoHo.NoHo.Chinatown Upzoning.423 Broome St Coop.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **LORA TENENBAUM**  
Zip: **10013**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **423 Broome Street Corp., an Artists Cooperative since 1973**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Previous submissions were in connection with the DCP public hearings, CB2 Public Hearings, BP Brewer's Public Hearing. The below references a 36 second film showing traffic conditions which I have to submit separately.

423 Broome Street Corp.  
423 Broome Street  
New York, NY 10013

August 29, 2021

To: The Honorable Members of the New York City Planning Commission

Re: Opposition to the SoHo/NoHo/Parts of Chinatown Rezoning

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

Dear Chair and Members of the CPC:

I am writing to you on behalf of my artists' JLWQA Cooperative, which has authorized me to explain why we urge you reject the proposed rezoning of SoHo, NoHo and parts of Chinatown and return it for a complete redo. We are truly terrified of what will happen to the community we helped grow and thrive and we see a good likelihood of significant displacement not only of ourselves (forced out by rising taxes and a hostile environment) but also of our neighbors.

It is a very dystopian plan.

We are an artists residential cooperative in SoHo, and have been here since 1973. We pooled our money together and bought a largely empty loft building. We struggled through the IMD process and finally got our Certificate of Occupancy 9 years later. The early years were tough on us. We fixed up our lofts as best we could afford, some got outside jobs (or their spouses did) and made art around the job, while others depended on income from their art. None of us became wealthy. We raised our children here. Some of us left, other artists came. The last sale, to an artist certified by the Dept. of Cultural Affairs, was in 2001. Two of us passed away and their heir and his wife and child now occupy the loft, except when they are away in Burundi, where they run a renowned non-profit clinic and hospital. Our maintenance fee fluctuates depending on income from the ground floor retail, taxes, and the costs of maintaining a 150 year old building. Right now, at its highest ever, it is considerably less than we would have to pay for one of the tiny, un-artist friendly "affordable" apartments contemplated in the rezoning.

Some might scoff, and say we are rich because the value of our lofts has gone so high. But we are like small farmers...land rich but dollar poor. The only way we could realize

our “wealth” is to leave...in other words, be displaced. And you will make that more difficult, with the proposed Arts Fund, which only applies to UG17D, and not other transitioning use groups. An Arts Fund that will not help the artists here in SoHo nor give us what had been Envisioned to help the arts in our community: affordable residential homes for artists and their families, with shared studio spaces; as of right UG3 museums.

As I said, we have been here since 1973. Now we are senior citizens, aging in place. The artists among us continue to work, manufacturing our art where we live. We do not want to be displaced. Where else in Manhattan could we get the light needed to create art than low-rise SoHo? As you know, artists never stop working. And, as you also know, Manhattan is a good place to be old...public transportation, museums, inexpensive or free entertainment. No cars needed. This is the home and the workplace we always planned to only leave feet first. But City Planning wants us gone. They even tried to say we don't exist and refused to quantify us.

It is painful and wrong to be called “legacies,” treated as gone and forgotten. Not important enough for DCP to even quantify or our businesses counted as part of the economy of the neighborhood. The picture DCP paints, with their “trickle down housing” Ayn Rand friends, is not our community. We are a community of artists. Our square block, which is between Crosby and Lafayette, Broome and Grand, has more than 70 rent stabilized units on it. Our ethnicity is majority Asian-American, according to the data available from the census, and it is our Asian-American population that is most vulnerable to displacement. Our block also has two penthouses, obtained through special permits in supposedly JLWQA buildings, whose sales have made us the “richest block in NYC” twice. We are a community of contrasts. We would welcome more diversity, but know it can be done within the envelope of our current buildings. **It just takes creative thinking.**

And that is what concerns us. It is clear that the upzoning will make our community even whiter and richer. The simple math shows that. Right now, about 40% of the residents in the upzoning area earn under \$100K, which would put them on the center and bottom end of the affordability window. There are approximately 8000 residents in SoHo/NoHo/parts of Chinatown now. Add 4000 new residents, of which at best 30% will be in the DCP predicted affordable units. In each case, the vast majority of the residents, old and new, will be earning over \$100K, and the proportions are worse among the new.

But we don't think the MIH buildings will ever be built because **the whole plan promotes and encourages commercial development** and is rife with carveouts that practically insure that any new housing in our community will be market-rate, and thus most likely, with little or no ethnic diversity. In fact, if trends are followed, many of those new market rate units will be used to launder money belonging to non-citizens and never be occupied by residents. There is a SoHo building, a new construction made a couple of decades ago, that has 42 residential units...and last we looked only 5 people were registered to vote in the City...three of them in one family. That is endemic. Plus,

the upzoning will enable almost every building in SoHo/NoHo, including the “preservation areas” to sprout penthouses to house the wealthy. No more “JLWQA may not be enlarged.”

We want SoHo to remain the vibrant, popular, active, **inhabited** artistic community it is, not a commercial center with big box stores that is a ghost town at night, except for the clubs and “interactive entertainment” venues DCP gleefully anticipates.

Our community’s uniqueness is in that it had and still has an artistic core, that its historic cast-iron buildings resonate with the past and have been repurposed for the future, that it is an easily accessible part of New York that looks like no place else in the world and is thus a draw for visitors from every part of the globe. Even the DCP acknowledges that after Midtown, our neighborhood was the moneymaker for the City. Why would people come here if it looks like Midtown South?

Sure, some changes are needed, such as

- legalizing retail on the ground floor and below, so long as it is under 10,000 square feet.
- Right now anyone can own a JLWQA, but only artists certified by the Department of Cultural Affairs can live there with their families (this is a fact of the current zoning that that City Planning Staff constantly ignores). We agree that the city should try to find some way to legalize the non-artist owners who signed “the SoHo Letter” of indemnification. The ship that could have stopped that has long since sailed. A government ship.
- We agree that a more diverse community is a better community. This Plan won’t bring us that. Quite the opposite, in fact. We support mandatory deeper affordability in units built within the current FAR. And perhaps mandatory % of artists with shared studio space. Open up the definition of “Artist” to include other creative “makers”.
- Allow all UG3 museums as of right. (The Guggenheim and the New Museum both had to get special permits; not sure why the Museum of the Chinese in America didn’t, but none should have to.)
- These changes can be done by text change alone.

But we need to keep some things that make this mixed use community live-able for the residents:

- No retail 10K square feet or greater. Definitely no retail of that size without proper indoor loading docks; no exceptions allowed.

- No eating or drinking establishments greater than 5K square feet. This has worked well for us. Let's not overburden the State Liquor Authority with more 500 foot rule hearings, nor make night time as unbearable as daytime is nowadays for the residents.
- An FAR of 5.0. Adding an appropriate height limit would be good too, to avoid another monstrosity that is the NoMo Hotel. (It looms behind our building, blocking some of the light in our studios, from a block away. And we still cannot figure out how they are within the FAR of 5.0, even with the merged lots.)

And, some things must be considered in this rezoning which, truthfully, is presented as if the pandemic and global warming don't exist:

- As you know, we have zero open green spaces. Zero. The Plan admits we are open space starved and admits their plan will worsen this. So why not plan for open spaces? Why not discourage glass towers, which serve to heat the environment, and mandate eco-friendly materials? Better yet, since construction adds to airborne particulate matter, why not encourage repurposing within existing building envelopes?
- Since approximately 25% of downtowners own cars, why is the DCP not anticipating any parking needs. Is it because right now our M1-5A&B districts generally don't allow non-commercial parking during the day, but the new C districts will? Why not shorten the street-bed, enlarge our sidewalks, put in plantings, bike lanes, delivery areas? Discourage cars.
- If the concrete industry were a country, it would be the third largest contributor to CO2 in the atmosphere. Why not replace concrete with more eco-friendly materials?

We fully support the Community Board 2 Resolution in Opposition to the City's Proposed Plan. It accurately and clearly analyzes and details the fundamental and unfixable flaws in the Plan. We urge you to look at the Alternative Plan set forth by Village Preservation.

Hundreds of us took you at your word when you started the Envision SoHo/NoHo community study. Rezoning was not in the picture. It wasn't even in the picture at the end. This rezoning plan was an ugly surprise to us. Even worse is the message about data collection and democratic process when it is being rammed through during a pandemic, based on Zoom meetings where the DCP consistently called on the members of Open NY more often, proportionately, than any other group, including the residents.

Please return this plan for a complete redo, starting with studies not taken during the pandemic. This SoHo/NoHo Neighborhood Plan is a nothing about keeping and improving a Neighborhood and everything about destroying and remaking it.

Kindest regards,

A handwritten signature in black ink, appearing to be 'LT' with a long horizontal stroke extending to the right.

Lora Tenenbaum  
for and on behalf of  
423 Broome St. Corp., an Artists Cooperative.

PS: Lastly, please note that the short film attached (34 seconds). It was taken in 2018, and is typical of what traffic was like at Broome & Lafayette on Fridays. And its typical of what we are experiencing now, exacerbated by restaurant sheds. The data taken for this upzoning was taken in March 2021, during the pandemic, some from just a block north of this location. The findings were that no problems were to be expected.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 1:02:17 PM  
**Attachments:** [SOHO-NOHO UPZONING -- City Planning Commission Hearing -September 2, 2021.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kathleen Wakeham**  
Zip: **10003**

I represent:

- **A local community group or organization**

Details for "I Represent": **Metropolitan Council on Housing**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I am opposed to the SoHo/NoHo Rezoning plan because it will deepen NYC's housing crisis. Many in the area and in the surrounding area are Asian Americans, artists, and working class people who will be displaced by this plan. Further, it will be the death knell of small businesses. Please see the attached for further comments by me. Thank you.



**NEW YORK CITY  
CITY PLANNING COMMISSION**

**September 2, 2021**

**“SoHo/NoHo Public Hearing”**

**Kathleen Wakeham    ksw@att.net  
325 East 12<sup>th</sup> Street  
Apt. 5B  
NYC 10003**

My name is Kathleen Wakeham of the Metropolitan Council on Housing. For 50 years, I have lived in the community as a rent stabilized tenant, and am very familiar with the needs of our community. Please vote NO for the proposed upzoning of Soho/Noho.

This upzoning is another giant giveaway to developers during deBlasio’s lameduck year in office. Many are deBlasio donors who lobbied relentlessly for this giveaway.

Such development will cause the demolition of more than 600 units of rent regulated housing. These units are the homes of lower income and Asian American residents. Also, this Rezoning will incentivize “secondary displacement” of thousands more tenants in the surrounding area who are Asian American and lower income residents.

This plan includes office, hotel, and other commercial space as well as luxury condo space and facility space for institutions like New York University which are all exempt from affordable housing requirements.

The COVID-19 pandemic has had a devastating impact on New Yorkers. Over a million New Yorkers have lost jobs and are facing eviction because of inability to pay rent. Over 70,000 New Yorkers are without stable homes. Our community does not need another upzoning for “super-luxury” housing and “commercial corridors”. This proposed plan will not provide or preserve needed true affordable housing. Rather, it will only increase the housing crisis of New York.

**COMMUNITY BOARD 2 “SoHo/NoHo Public Hearing”**

**Kathleen Wakeham    kws@att.net  
325 East 12<sup>th</sup> Street  
Apt. 5B  
NYC 10003**

The corporate chains in the “commercial corridor” would be the death knell of small businesses. During the pandemic, 50 percent of small businesses have closed. New Yorkers need commercial rent control to save and revive small businesses, not another give away to corporate chains.

Please vote NO to this Rezoning Plan, and please consider the plans proposed by Greenwich Village Society for Historical Preservation (GVSHIP) and the Chinatown Working Group. Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 10, 2021 7:20:42 PM  
**Attachments:** [SOHO-NOHO UPZONING -- City Planning Commission Hearing -Sept. 2, 2021.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kathleen Wakeham**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent": **I represent Metropolitan Council on Housing**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

My testimony is uploaded.

**NEW YORK CITY  
CITY PLANNING COMMISSION**

**September 2, 2021**

**“SoHo/NoHo Public Hearing”**

**Kathleen Wakeham    ksw@att.net  
325 East 12<sup>th</sup> Street  
Apt. 5B  
NYC 10003**

My name is Kathleen Wakeham of the Metropolitan Council on Housing. For 50 years, I have lived in the community as a rent stabilized tenant, and am very familiar with the needs of our community. Please vote NO for the proposed upzoning of SoNo/NoHo.

This upzoning is another giant giveaway to developers during deBlasio’s lameduck year in office. Many are deBlasio donors who lobbied relentlessly for this giveaway.

Such development will cause the demolition of more than 600 units of rent regulated housing. These units are the homes of lower income and Asian American residents. Also, this Rezoning will incentivize “secondary displacement” of thousands more tenants in the surrounding area who are Asian American and lower income residents.

This plan includes office, hotel, and other commercial space as well as luxury condo space and facility space for institutions like New York University which are all exempt from affordable housing requirements.

The COVID-19 pandemic has had a devastating impact on New Yorkers. Over a million New Yorkers have lost jobs and are facing eviction because of inability to pay rent. Over 70,000 New Yorkers are without stable homes. Our community does not need another upzoning for “super-luxury” housing and “commercial corridors”. This proposed plan will not provide or preserve needed true affordable housing. Rather, it will only increase the housing crisis of New York.

**COMMUNITY BOARD 2 “SoHo/NoHo Public Hearing”**

**Kathleen Wakeham    kws@att.net  
325 East 12<sup>th</sup> Street  
Apt. 5B  
NYC 10003**

The corporate chains in the “commercial corridor” would be the death knell of small businesses. During the pandemic, 50 percent of small businesses have closed. New Yorkers need commercial rent control to save and revive small businesses, not another give away to corporate chains.

Please vote NO to this Rezoning Plan, and please consider the plans proposed by Greenwich Village Society for Historical Preservation (GVSHIP) and the Chinatown Working Group. Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 11:23:03 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Briar Winters**

Zip: **10002**

I represent:

- **A local community group or organization**

Details for “I Represent”: **The Coalition to Protect Chinatown and the Lower East Side**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

When members of the Coalition to Protect Chinatown and the Lower East Side heard New York City’s Department of City Planning (DCP) Executive Director Anita Laremont accuse those who are against de Blasio’s SoHo/NoHo rezoning of racism this week, we weren’t surprised. This administration has long known that sowing division is the best way to distract from their perpetuation of racist land use policy and collusion with big real estate. The working class communities of color in Chinatown and the Lower East Side found themselves under grave threat from speculative luxury overdevelopment and displacement in 2008, and so we created the Chinatown Working Group Plan, our own protective rezoning plan, and submitted it to DCP, only to be told by de Blasio that the protections we demanded (similar to those already given to other communities) were “too ambitious.” Meanwhile, they continued to upzone communities of color across the city, accelerating displacement, and towers and

luxury hotels streamed into Chinatown and the Lower East Side, pricing out tenants and small businesses. Our councilmember worked to divide our communities along racial lines so that we wouldn't be able to fight back. Now the City is trying to ram through another massive gift to developers in the form of a rezoning in SoHo, NoHo and Chinatown that promises to displace the remaining rent-regulated tenants, and carries no airtight assurance of any truly affordable units in the new construction that results. We are not fooled. Let us be very clear: if Mayor de Blasio and his DCP actually cared about racial justice and truly affordable housing, they would have passed the Chinatown Working Group Plan to protect the working class communities of color in the Lower East Side and Chinatown when it was submitted to them after years of careful work by over 60 community groups and stakeholders back in 2015. The concern they pretend to have now is a charade, pure and simple. Rent regulated tenants, workers and small businesses have come together across racial lines to expose the City's SoHo/NoHo/Chinatown rezoning for what it is: a giveaway to some of the city's wealthiest developers and landlords, including Jonathan Chu, Jing Fong restaurant's former landlord, who owns multiple properties within the rezoning area and stands to benefit financially from the new proposal, while Jing Fong's union workers struggle to find jobs after Chu evicted the restaurant. They, alongside the many rent-regulated tenants in the area, now risk losing their homes. Worse, DCP has treated the communities of Chinatown and the Lower East Side as non-existent when they came out in opposition to the plan. We unequivocally reject any attempts to divide our communities by both Mayor de Blasio and his DCP. Councilmember elect Christopher Marte's decisive and unifying primary win in the District 1 City Council race in June shows that our district refuses to accept the divide-and-conquer displacement agenda of our current mayor and councilmember. We reject this upzoning plan and demand the immediate passage of real community-led zoning protections for us all!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 9:56:47 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Seri Worden**

Zip: **11231**

I represent:

- **A local community group or organization**
- **Other**

Details for "I Represent": **National Trust for Historic Preservation**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

The National Trust for Historic Preservation strongly urges the Department of City Planning (DCP) to reject the proposed "SoHo/NoHo Neighborhood Plan". If approved, this rezoning would risk destroying the world-famous and irreplaceable architectural fabric of these intact 19th and early 20th century cast-iron, brick, and limestone industrial and commercial districts. The National Trust is deeply concerned that a massive increase in development rights would result in proposals out of context with the existing scale, height, and density of these historic neighborhoods. The most recent September 2020 MapPluto data shows there are approximately 2.5 million square feet of development rights currently available within the rezoning area. Unfortunately, the proposed upzoning would more than triple this amount to nine million square feet, of which six million would be located within the historic districts.



This could result in yet more luxury apartments, with a limited affordable housing component, and potentially push out long-term tenants. It is also disconcerting that the rezoning area's boundaries are so closely aligned with this concentration of historic districts. Given the potentially disastrous impacts of the "SoHo/NoHo Neighborhood Plan," we urge DCP to work with the LPC and the community to conduct a preservation-based analysis identifying the best sites for redevelopment and to calibrate upzoning to encourage projects in those locations. We also recommend DCP develop design guidelines in partnership with LPC and the community to inform future development within the historic districts, lessening the burden on the LPC and giving clarity to the community and, importantly, to developers as proposals are conceived. The National Trust absolutely agrees that we must increase affordable housing throughout the United State and especially within our cities. The nation's housing crisis is a complex problem that lacks a single answer and requires a broad mix of strategies to solve through regulations and subsidies at the local, state, and federal level. Cities across the nation are benefiting from collaborative efforts to create affordable housing and to protect and repurpose historic buildings by measures such as reducing the threshold for affordable housing in new construction to allow for more units, encouraging Accessory Dwelling Units (ADUs), and supporting well-designed infill construction. In addition, valuable tax incentives such as the federal historic tax credit ("HTC") help drive down the cost of housing and have increased the availability of low- and moderate-income housing units. In cities across the nation, federal HTCs are used in combination with many other incentives including the Low Income Housing Tax Credit. The National Trust supports the thoughtful modernization of zoning in SoHo and NoHo that would create affordable housing, allow a wider range of commercial and residential uses, and support the creative community. This is not it. These neighborhoods are a paradigm for the revitalization and preservation of a formerly industrial district into a thriving multi-use neighborhood. As the zoning is modernized, it would be wise for the City—SoHo's steward—to protect and celebrate this remarkable success story while also ensuring more equity and affordability for all New Yorkers.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 10:51:40 AM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Elliott Barowitz**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

. By way of introduction, I have been involved with Artist housing since Mayor Wagner. I was an original member of the Artist Certification Committed; I have been a member of the NYC Loft Board for about 15 years. Many people at the Hearing, a short time ago, conducted by Gail Brewer had no understanding of the Loft Board. Of the original 914 buildings in Manhattan most have been in SoHo and NoHo. They are protected by law not by the Dept. of Planning as was said at that zoom meeting. As an Artist I am dismayed by those assertions that seem patronizing. Any one over 62, we should all know, can't be displaced. The artist districts, SoHo and NoHo, are of older folks, some pay little rents as required after the buildings are legalized. Not everybody that lives there are rich by any means. The original penalty by the Loft Board for landlord's inactions was \$50, it is now a maximum of \$25,000. Some at that meeting had no idea of these facts. There are no parks or playgrounds in SoHo or

any plans. This is significant as increased housing will obviously require green spaces. One other thing the noise of new constructions, particularly if housing is designed on top of existing loft buildings will not only be deafening but the streets will be partially passable. While I applaud housing for the disadvantaged, there are scores of brownstones and brick buildings all over Brooklyn and Queens that the Real Estate industry will not touch because of the cost of reconstruction. Once again, these districts were formed by artists; artists are not, save for a very few, rich. I don't believe that there is any other city in the Western World that would disrupt the artist communities. Testimonies, at the brewer hearing, aside from good wishes and thoughts of affordable housing, ignores the existing community, save for a bone or two thrown at artists. Combining Chinatown with Soho is madness, Making artists pay \$100 dollars per square foot if they wish to sell their lofts to non-artists is more than madness, As artist only districts, (indeed SoHo was designated as artist only) the City and the banks ignored the restrictions there for non-artists who now live among the artists. I have no problems with that, and I know that the majority of lofts, and now including mostly Brooklyn, are lived in by artists or so-called fellow-travelers and others essentially have things to do with the arts. We all should well know, the arts, tourism and restaurants are largely dependent on the culture of the City. The arts supplies the culture, and if artists continue to leave the City for lack of affordable housing the City will indeed suffer. Elliott Barowitz

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 10, 2021 8:01:43 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Erica Baum**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **I represent myself, my husband and my son.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

We are long term residents of SoHo. I am an artist and my husband works in construction. We have a son who was born and raised here. We fully support Community Board 2's resolution opposing the Mayor's upzoning proposal and urge you to reject the City's rushed and reckless plan to rezone SoHo, NoHo, and parts of Chinatown. We support Community Board 2's resolution in a 36-1 vote against the plan for the following reasons:

- The plan's housing calculations are spurious - the upzoning will authorize several categories of development, only one of which (New Residential larger than 12,500 SF) includes guaranteed affordable housing.
- Given that SoHo and NoHo are world-renowned shopping destinations, developers are likely to opt for mixed-use zoning, which is not subject to Mandatory Inclusionary Housing (MIH).
- Even if MIH were to be built, the law requires only 20-30% of units to be affordable, letting the other 70-80% be market rate. But even within that 20-30% percent, what is deemed affordable could be as high as 115% of Area Median Income – in the case of SoHo and NoHo

that could be over \$100,000. And that's only if developers choose residential development. There is nothing in the plan that guarantees that they will. So we could end up with no 'affordable' housing at all and the loss of housing for people who are displaced. • The upzoning will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with at least 635 rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the area of the plan but will be directly altered as a consequence of it. • The upzoning is best characterized as a gentrification plan. It will provide the basis for over nine million square feet of new structure, equal to three Empire State buildings. Those air-rights are a pure giveaway to developers, with nothing to gain for the community – no municipal services, green space, schools – nothing. • The upzoning intends to simplify zoning and land-use requirements for all development, and encourages development on a significantly larger scale than at present. We are concerned that the changes will result in the further congestion of sidewalks, further exacerbating the neighborhood's shift towards becoming an open-air shopping mall for highly competitive, deep pocket retailers. For the last 50 years the area has been an inclusive source of innovation, but this upzoning puts its identity at risk. • The up-zoning also includes a strange tax: an assessment of \$100/SF for present residents for conversion of their residences from Artist Live Work status to simple residential. Is this assessment even legal? • Property values in Soho have increased far above those elsewhere in the city and property tax payments made by residents have significantly increased, cumulatively over several years easily exceeding \$100/SF. We do not see why this assessment, on top of annual property tax assent, should be paid by present residents. If someone builds an additional 20,000 SF in residential space in the Up-zone area will they also be required to pay \$2,000,000 tax for the construction of this space in a location where previously on Artist Live Work status was permitted? If not, why not? • If there is any new tax at all it should only be levied on the construction of new market rate residential space. • Will this reduce the likelihood of construction of \$3,000-\$5,000/SF luxury market residences? No, for them it's a drop in the bucket. We believe that the SoHo, NoHo and Chinatown upzoning proposal must be rejected, so that we can devise a plan that prioritizes the construction of deeply affordable housing. Sincerely, Erica Baum Timothy K. Allen Residents of 81 Grand St. New York NY 10013

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 12:11:19 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **William Beekman**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I have lived in SoHo since 1980. We raised your family there.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

SoHo/NoHo is a unique neighborhood in an overbuilt city. Building heights are moderate throughout, and zoning has allowed many varied and locally owned shops and services to flourish. Megastores have invaded the Broadway corridor, which has been an unfortunate development. Further development will negatively affect the area.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 10:44:09 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Leigh Behnke**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I am an artist living in a JLWQA co-op. I am not sure if this was submitted properly and I did not have time in person**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I live on the Broadway corridor, where I moved legally BEFORE there was retail. I have lived and worked in my loft 1984 and hoped to live here while aging in place. I am not rich, and I fully support the City's laudible goal of providing affordable housing to a wide diversity of our population. This proposal is a set up for failure for both residential and retail spaces due to the incompatibility these historical structures to comply with the proposed requirements. These incompatibilities are not being discussed or considered as this process is rushed through. 1. Residential Conversion Alexandr Neratoff has offered expert testimony explaining that a zoning change from JLWQA to UG2 requires a change in the building Certificate of Occupancy. UG2 residential spaces are subject to rules and regulations that are different, more demanding, and incompatible to those for JLWQA. As Neretoff states it would be impossible

to accomplish unless a building is vacant. I think this is something that is not completely understood. In my building it will be physically impossible without a gut renovation of the entire building, and will never be suitable for normal uses. It is a large space with few windows, not a normal apartment designed for living. I was involved with the conversion of our building from Manufacturing to JLVQA. It was a complicated process due to the nature of how and why these 19th and early 20th Century buildings were constructed. Many of their features are not compatible with the requirements or uses being proposed in this new zoning and will cause a lot of hardship and inability to comply. The cost of conversion would be astronomical even if a way was found to overcome these issues. Add that to the \$100 sq ft fee and I will not be able to stay here for my senior years. Those kind of costs are beyond the means of most older artists.

2. Expanded Retail Our infrastructure is not adaptable to accommodate the expanded delivery requirements of upzoned retail structures- including vault spaces, which are a unique feature of our late nineteenth century buildings and are a notable feature of our protected landmarks. They preclude the construction of the required loading bays that normally accompany larger retail deliveries. Our streets are already overcrowded, with Large Destination Retail occupying just 1% of potential spaces. Without an ability to physically adapt the spaces to include loading bays any upscaling would harm all other stakeholders in the neighborhood, and make residential living impossible. Deliveries would be on the street, not internal, and would occur at night due to street conditions at all other times.

Conclusion In conclusion, the plan has no realistic mechanism to make the conversions of our historical architectural heritage work for the proposed changes. This plan needs to be rejected and we need to go back to the drawing board and find a way to preserve this heritage while accomplishing goals that reflect the current usage.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 9:14:20 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Paul Bowden**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I represent myself, my husband and our daughter who live in SoHo.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

We are not opposed to the creation of affordable housing in SoHo, NoHo, and Chinatown however we are opposed to supertall buildings in these neighborhoods. We support the efforts and work demonstrated by Greenwich Village Preservation in that many, specific real estate opportunities exist in these neighborhoods which may be purchased by the city which can be converted to affordable housing without disrupting the unique charm/scale our area offers. We also would like to see a school, library, green spaces developed as we are raising a family in SoHo.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 6:15:24 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Eric Callender**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

The new construction on Mercer Street already violates the University's previous commitment to have the most unused area per capita on the superblock. The character and way of life in Soho/Noho was be adversely affected by the increased population/traffic/polution caused by the potential construction the proposal.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 8, 2021 2:04:03 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Armando Castro**  
Zip: **10031**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I love this place and i grow in here ,so sad ppl they doing this for business and politics We need to save chinatown and little Italy ect

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 1:51:22 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Regina Cherry**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

The Plan would allow development up to 2 1/2 times the size current rules allow. The City says it will result in 3.8 mil sq ft of new development, but would actually allow well over 10 mil sq ft of new development in rezoning area, or nearly four Empire State Buildings, most of which is unaccounted for in their environmental analysis. The up-zoning will incentivize the demolition of many of the 600+ units of rent regulated and loft law affordable housing, which are disproportionately occupied by lower income and Asian American residents, and disproportionately located in the areas with the greatest proposed upzonings which create the greatest incentives for demolition. It will likely add pressure for "secondary displacement" of thousands more residents of rent regulated affordable units in the immediately surrounding area, which are even more disproportionately Asian American and lower income. The plan is likely to result in little or no new affordable housing due to multiple loopholes which have no

affordable housing requirements — office, hotel, or other commercial space, retail space, and any community facility space for institutions like NYU, as well as luxury condo space of 25K sq ft or less per zoning lot are all EXEMPTED The plan allows developers to build as much or more market-rate space WITHOUT affordable housing as they can if they do include affordable housing, on EVERY site where the City says affordable housing will be built, thus making affordable housing construction highly unlikely and INCENTIVIZING building without it. Even if new developments are built as the City predicts with 70-75% luxury condos and 25-30% “affordable housing,” these developments will overall actually be more expensive, and house wealthier and less diverse residents, than the current neighborhood overall, making for a less equitable, less affordable neighborhood. The plan would allow unlimited NYU expansion into area, violating NYU 2031 expansion plan agreements which were supposed to limit the university’s expansion. The plan would allow new construction which is more than two and a half times the size of the average existing building in the neighborhood. The plan would encourage the demolition of historic buildings recognized as city, state, and national landmarks. The plan is opposed by leading citywide and statewide housing and tenant groups, city, state, and national preservation organizations, and Chinatown groups. It would help push out longtime artist residents of neighborhood as well as arts groups and businesses It would allow the proliferation of huge big box chain stores as well as bars, pushing out longtime smaller independent businesses and destroying quality of life. Three things which residents and community groups consistently said during the “public engagement” process they did not want in any plan for the neighborhood — Upzoning, Big Box Chain Stores, and allowance for NYU Expansion — are the cornerstones of this plan Over a dozen community and tenant groups have offered a community alternative rezoning plan which would allow construction of true, more deeply and broadly affordable housing, without tenant displacement, out-of-scale development, and without big box chain stores forcing out local businesses. Urge those with a vote on this plan to vote NO, and urge community, civic, housing, social justice, tenant, and preservation groups to join in opposing it. Sincerely, Regina Cherry

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 2:05:36 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Amy Chin**  
Zip: **10001**

I represent:

- **Myself**

Details for “I Represent”: **As a lifelong New Yorker who works in the Soho/Noho/Chinatown neighborhood.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I vehemently oppose the Mayor’s poorly conceived “Soho Noho Neighborhood Plan”. If approved, this plan would allow buildings to be built to 2½ times larger than what is currently permitted. It would promote out-of-scale luxury condominiums, destroy the character of these neighborhoods and set a dangerous precedent, threatening neighborhoods throughout the city. Included in these neighborhoods are some of the city’s most popular historic districts. The plan, as it now exists, would dramatically alter the scale within those districts. It would also allow the proliferation of large chain Big Box stores, making it more difficult for small, independent and family-owned businesses to survive. While this upzoning plan is presented as a means to promote affordable housing, the specifics of the plan belie that claim—there are no provisions for explicitly middle- and low-income residents. Actually, the plan promises to

make the neighborhoods less affordable, neighborly and hospitable than they are now. Instead, I support the Community Rezoning Plan for Soho/Noho, supported by many local community organizations. This plan would help create more affordable housing for the area, while maintaining the neighborhood character that so many residents, businesses and visitors cherish. The charm and livability of New York City lie in its neighborhoods and their distinctive qualities. Those distinct charms are what draw prospective residents to live in New York and tourists to visit. Our historic districts and neighborhoods are not only characterized by beautiful, irreplaceable architecture, but typically with a low scale that allows for light and air, particularly important in these times of pandemic. I respectfully urge the City Planning Commission to defend New York City neighborhoods and reject the “The SoHo/NoHo Neighborhood Plan” upzoning. Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 4:42:01 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Michelle Choi**

Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I am a 19 year resident of Soho. I live with my husband and 9 yr old son. I have been following this plan for the past year and find that the plan as it stands and presented by the city is heinous. In no way does the city plan guarantee affordable housing which is supposed to be the thrust of this whole plan. Instead what this plan will do is 1) displace current low income residents who currently live in affordable housing; 2) create more luxury housing that will likely become pied a terres but most likely homes to uberwealthy families; 3) create larger out of scale retail spaces - I am especially opposed to any restaurants and bars in excess of 5000 sq ft; 4) punish anyone selling their apts by charging \$100/sq ft - many loft residents in coop are old and their lofts are their only assets. Taking that away through an "art fund" is punitive because they are all artists!; 5) allow entry of NYU into Soho which should not be allowed - they are among the largest landlords in NY already; 6) allow out of scale FAR in Soho which



is a treasure of a place in NYC. Please reconsider this plan. I have sent many emails and testified at many hearings and other scheduled Zoom meeting as well as the CB2 meeting in June. I cannot attend the public hearing in person b/c I do not want to possibly spread Delta to my son before he starts his first day of school. Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:13:17 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **M Clayton**  
Zip: **10014**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I vehemently oppose the SoHo/NoHo up zoning plan. It is a giveaway to developers (many are De Blasio donors who lobbied relentlessly for this) that will produce little or no affordable housing and will destroy neighborhoods. The plan is wrong for the communities, the neighborhoods and the democratic ideals. Consider: It would allow development up to 2 1/2 times the size current rules allow. The City says it will result in 3.8 mil sq ft of new development but would actually allow well over 10 mil sq ft of new development in rezoning area, most of which is unaccounted for in their environmental analysis. It will incentivize the demolition of many of the 600+ units of rent regulated and loft law affordable housing, which are disproportionately occupied by lower income and Asian American residents, and disproportionately located in the areas with the greatest proposed upzonings that create the greatest incentives for demolition. It will add pressure for "secondary displacement" of

thousands more residents (even more disproportionately Asian American and lower income ) of rent- regulated affordable units in the immediate area. It is likely to result in little or no new affordable housing due to multiple loopholes that have no affordable housing requirements — office, hotel, or other commercial space, retail space, and any community facility space for institutions like NYU, as well as luxury condo space of 25K sq ft or less per zoning lot are all EXEMPTED. It allows developers to build as much market-rate space WITHOUT affordable housing as they can if they include affordable housing, on EVERY site where the City says affordable housing will be built, thus making affordable housing construction highly unlikely and INCENTIVIZING building without it. Even if new developments are built as the City predicts with 70-75%! luxury condos and 25-30% “affordable housing,” these developments will overall actually be more expensive, and house wealthier and less diverse residents, than the current neighborhood overall, making for a less equitable, less affordable neighborhood. The plan would allow unlimited NYU expansion into area, violating NYU 2031 expansion plan agreements which limit the university’s expansion. It would allow new construction that is more than two and a half times the size of the average existing building in the neighborhood. The plan would encourage the demolition of historic buildings recognized as city, state, and national landmarks. The plan is opposed by leading citywide and statewide housing and tenant groups, city, state, and national preservation organizations, and Chinatown groups. It would help push out longtime artist residents of neighborhood as well as arts groups and businesses. It would allow the proliferation of huge big box chain stores as well as bars, pushing out longtime smaller independent businesses and destroying quality of life. Over a dozen community and tenant groups have offered a community alternative rezoning plan that would allow construction of more deeply and broadly affordable housing, without tenant displacement, out-of-scale development, and without big box chain stores forcing out local businesses.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 12:47:32 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Joseph DiMondi**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I am opposed to this plan for the following reasons - uncapped retail / restaurant sizes will result in housing displacement thru the use of 2nd and 3rd floor space currently used for housing - affordable housing is insufficient and should be 100% affordable buildings concentrated in the few remaining development sites in soho/noho and adjacent areas - the punitive conversion tax ignores the fact that most units have been purchased at market rates, and therefore acts as a penalty for local residents Finally, the CPC needs to listen to local businesses and residents. Unless the Envision process

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 9:50:47 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Fred Doner**

Zip: **10012**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **Frederick Doner, Doner Studio and Residence, SoHo Michele Oka Doner, Doner Studio and Residence, SoHo**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

We have lived in Soho for 38 years, employing our live/work loft space as art studio and residence. We raised two children here, sending them to other neighborhoods for school. There are no schools in SoHo. The current SoHo zoning plan is a fraudulent front pretending it is for low income housing, when over 90% of its value comes in the form of market rate or higher residential apartments, and big box retail, which nothing to do with Affordable Housing. As much or more affordable housing can be created here repurposing existing buildings at existing heights without this sell out to developers. In Viet Nam, a U.S. Corporate once said "we had to destroy this village in order to save it." That is what this plan would do. You will be destroying the world's most famous U.S. example of true urban renewal, you will

be destroying the integrity of an historic district, and you will be creating 3600 or more mid to high rent apartments in the false name of affordable housing. Gale Brewer acknowledged there was no guarantee of the promised affordable units, and even the 20% promise is too low. She acknowledged lack of schools, lack of green space and parks, lack of infrastructure that can accommodate this level of development. After public hearings and recommendations that balanced all stakeholder's interests by a planning firm hired by the planning commissions, this plan ignores all of those hearings time, people involvement and conclusions as a total sell out to developers. Please redraw this plan to include true affordable housing, and true balance of stakeholders with emphasis on those who live here and helped make SoHo what it is. Thank you. Frederick Doner

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 1:07:36 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Helen Jean Arthur Dunn**  
Zip: **10014**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am the proud owner of an 1840 townhouse which my late husband and I restored to its full beauty. It sits on a residential block abounding with history. This was Richmond Hill, for a time Washington's headquarters during the revolutionary war. He stayed in the mansion on the top of the hill. After the war he gave this land to Aaron Burr, as a reward for his service. But Burr killed Hamilton in a duel, and had to flee the country. Burr came back twice, first to lease the land to John Jacob Astor, and then to sell it to him. Astor slid the mansion down to the riverside where it became an opera house and later a bordello. Then Astor leveled the hill with oxen and proceeded to lay out the first grid in New York City. He then built the houses just like mine, with federal or neo classical facades. I'm telling you this story because it is what we must treasure and maintain in this community. It's history and beauty. The zoning must not allow beautiful historic streets like mine to be desecrated. Once gone, our history and

beauty will be gone forever.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 1:07:48 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Amy Durning**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I ask you to please oppose a plan that is being sold as a promise for affordable housing - while not guaranteeing even a single unit of affordable house in perpetuity be built. Further - a plan that supports big box Commercial Chain stores that are not human scale Over our small business owners and storefronts. We do not need more luxury high rise housing in soho / noho - we do not need more commercial Space when tons of commercial Space remains empty - the pandemic has changed the face and trajectory of the city and our urban development needs to reflect that. Please oppose the soho / noho up zoning until a more progressive and community supported plan be made - check our Greenwich preservations alternative plan

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:19:11 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Nancy English**  
Zip: **10012**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **I am the president of a co op at 46 Great Jones St.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

We are opposed to the SoHO/NoHo up zoning plan. Historically zoning changes have made major alterations to an area, not always to the better....the current up zoning will have a negative impact on the area. Beware. This is a beautiful, historical area, up zoning will allow a wall of massive towers and commercial development. There is no guarantee that affordable housing will be built and there is a possibility that 185 low rise buildings will be demolished displacing 635 rent regulated units. Is this what you want? There must be a better way. Various organizations have made suggestions which I am sure you have reviewed. We live in a JLWQA building and the fee of \$100 per sq. ft to convert to residential is unfair and unjust. We are elderly, not rich, long time residents of NoHo. We never got any aid to convert our loft to JLWQA but our contributions made this area economically viable. Why do we have delete

our IRA to raise money to convert to residential and to contribute to some vague art fund. Up zoning will break protection fo historical buildings and set a precedent for other areas to their determent. Please vote no for this zoning plan. Nancy English

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 2:45:35 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Lauren Feldman**  
Zip: **10011**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I strongly disagree with this project. The Merchants house is an incredibly special historical gem in NYC and we must preserve it. We must not do anything that can possibly damage this incredible institution that gives so much to NYC.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 10:16:18 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jane Fisher**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I am a resident (coop owner and board president) of SoHo, and have been for 35 years. My husband is a certified artist-in-residence.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

This plan will not accomplish its stated goal: to increase affordable housing in SoHo/NoHo. It is a giant giveaway to developers, many of whom are De Blasio donors who lobbied relentlessly for this upzoning. It would allow development up to 2 1/2 times the size current rules allow. The City says it will result in 3.8 mil sq ft of new development, but would actually allow well over 10 mil sq ft of new development in rezoning area, or nearly four Empire State Buildings, most of which is unaccounted for in their environmental analysis. It will incentivize the demolition of many of the 600+ units of rent regulated and loft law affordable housing, which are disproportionately occupied by lower income and Asian American residents, and disproportionately located in the areas with the greatest proposed upzonings which create the greatest incentives for demolition. It will likely add pressure for "secondary displacement" of

thousands more residents of rent regulated affordable units in the immediately surrounding area, which are even more disproportionately Asian American and lower income. The plan contains multiple loopholes which have no affordable housing requirements — office, hotel, or other commercial space, retail space, and any community facility space for institutions like NYU, as well as luxury condo space of 25K sq ft or less per zoning lot are all EXEMPTED. The plan allows developers to build as much or more market-rate space WITHOUT affordable housing as they can if they do include affordable housing, on EVERY site where the City says affordable housing will be built, thus making affordable housing construction highly unlikely and INCENTIVIZING building without it. Even if new developments are built as the City predicts with 70-75% luxury condos and 25-30% “affordable housing,” these developments will overall actually be more expensive, and house wealthier and less diverse residents, than the current neighborhood overall, making for a less equitable, less affordable neighborhood. The plan would allow unlimited NYU expansion into area, violating NYU 2031 expansion plan agreements which were supposed to limit the university’s expansion. The plan would encourage the demolition of historic buildings recognized as city, state, and national landmarks and it is opposed by leading citywide and statewide housing and tenant groups, city, state, and national preservation organizations, and Chinatown groups. It would help push out longtime artist residents of neighborhood as well as arts groups and businesses and allow the proliferation of huge big box chain stores as well as bars, pushing out longtime smaller independent businesses and DESTROYING quality of life. Three things which residents and community groups consistently said during the “public engagement” process they did not want in any plan for the neighborhood — Upzoning, Big Box Chain Stores, and allowance for NYU Expansion — are the cornerstones of this plan. Over a dozen community and tenant groups have offered a community alternative rezoning plan which would allow construction of true, more deeply and broadly affordable housing, without tenant displacement, out-of-scale development, and without big box chain stores forcing out local businesses. Why won’t you heed this alternative? Do the right thing: REJECT THE MAYOR’S PLAN.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 9:26:28 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ara Fitzgerald**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Noho resident for 50 years. Shareholder in small resident owned co-op**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Dear City Planning Commission, Having been in many meetings and the 'Envision' gathering at Scholastic, I urge you to pay attention! The current plan is **FLAWED**. We need actual affordable housing. Why are giveaways to Real Estate, building **MORE** luxury housing, affordable housing that is not affordable, displacing current residents, scoffing at Landmarks and neighborhood character the **ONLY** way to go? There is something at stake here larger than real estate profit and political graft. It is a great city finding the **COURAGE** to **ENVISION** a plan that has true vision in which everyone----even real estate developers....work together to create a vision for the future. We are better than this plan! Thank you for further attention to this challenging situation. Ara Fitzgerald





**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 13, 2021 10:40:46 PM  
**Attachments:** [SoHo NHL Development Sites-1.pdf](#)  
[Regarding SoHo Demolitions 8\\_23\\_2021 \(1\).pdf](#)

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Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

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- Public Hearing Date: **09/02/2021**
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**Submitted by:**

Name: **Brenden FitzGerald**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Please see the attached files submitted by SoHo resident Brenden FitzGerald

# **NYC Department of City Planning Anticipated Development Lots Within the SoHo National Historic District**

## SoHo/NoHo Neighborhood Plan Environmental Impact Study

### *DEIS Chapter 7: Historic and Cultural Resources Development Sites*

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#### **29 NHL Contributing Buildings Projected for Development**



Development Site PP (Demolition for new 200 foot building)  
558 Broadway, (East Facade) Crosby Street



Development Site PP (Demolition for 200 foot building)  
558 Broadway (West Facade)



Development Site XX (Demolition for 200 ft tall Building)  
589 Broadway East Facade





Development Site XX (Demolition for 200 ft tall building)  
589 Broadway West Facade (160 Mercer Street)



Development Site LL (Demolition for 160 ft tall building)  
506 Broadway



Development Site UU (Demolition for new 160 ft tall Building)  
474 Broadway



Development Site VV (Demolition for 200 foot building)  
481 Broadway East Facade





Development Site VV (Demolition for 200 foot building)  
481 Broadway West Facade (54 Mercer Street)



Development Site WW ( Demolition for 160 ft tall building)  
518 Broadway





Development Site RR (Demolition for 75 ft building)  
143 Spring Street



Development Site BBB (Demolition for 75 ft building)  
146 Spring Street



Development Site HH (Demolition for 95 ft tall residential building)  
102 Greene Street





Development Site NN (Demolition for 95 ft building)  
141 Greene Street



Development Site II (Demolition for 130 ft tall building)  
3 Mercer Street



Development Site JJ (Demolition for 95 ft. Building)  
149 Mercer Street





Development Site X (Demolition for 165 ft building)  
163 Mercer Street



Development Site QQ (Demolition for new 95 foot tall building)  
43 Mercer Street



Development Site MM (Demolition for 95 ft building)  
53 Mercer Street





Development Site SS  
41 Wooster Street (Demolition for 105 ft building)



Development Site OO (Demolition for 95 ft building)  
103 Prince Street



Development Site OO (Demolition for 95 ft building)  
103 Prince Street





Development Site YY (Demolition for 85 ft building)  
118 & 120 Prince Street



Development Site 7 (Demolition for 145 ft building)  
381 Canal Street





Development Site ZZ (Demolition for 145 ft building)  
317 & 319 Canal Street



Development Site AAA (Demolition for 175 ft building)  
325 & 327 Canal Street



Development Site TT (Demolition for 95 ft building)  
355 West Broadway

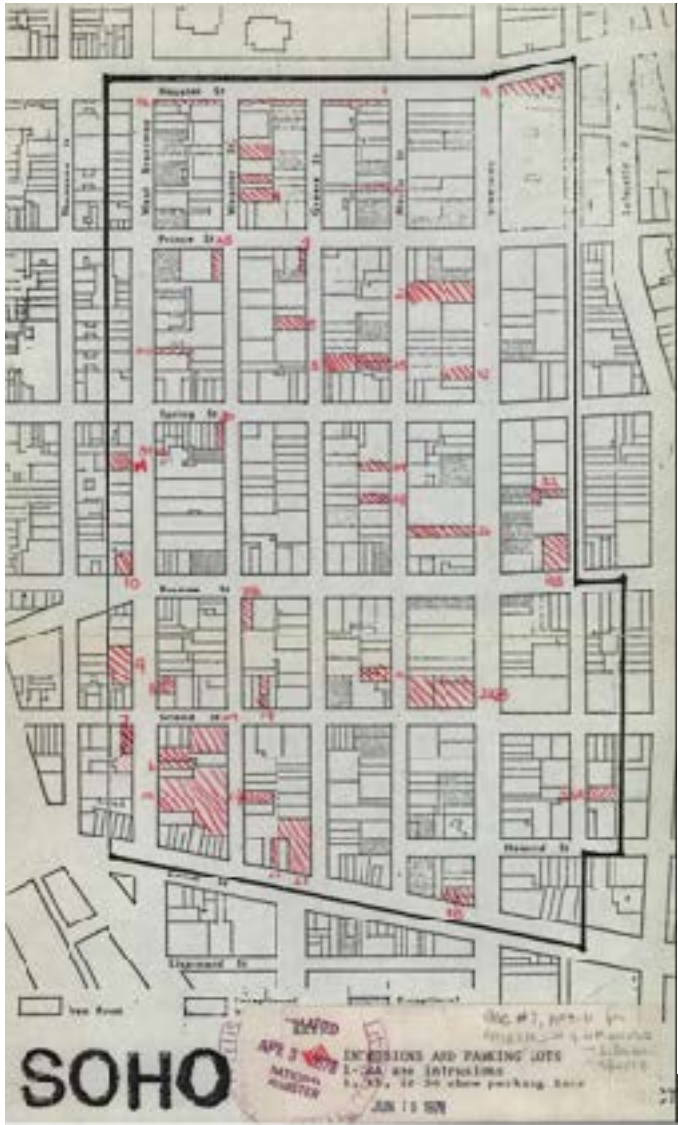




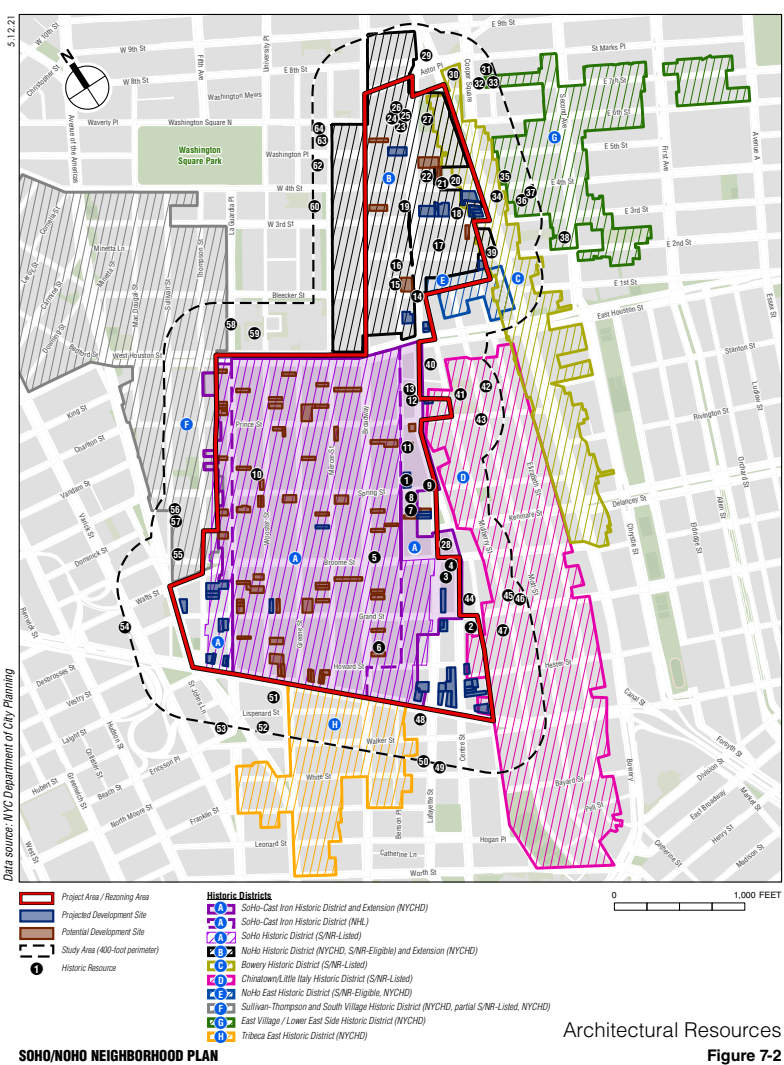
Development Site V (Demolition for 100 ft building)  
323 West Broadway



Development Site FFF (Re-use plus increase height to 135 ft)  
90 Grand Street.



National Register Intrusions 1978



SoHo Development Sites 2021



# **NOTES**

- \*The above do not include at minimum 39 additional non-contributing developments adjacent to historic resources (see Table 5 EIS page 7-60).**
- \*In addition, all buildings will be zoned as-of right for up to 135 ft additional development. (See 90 Grand Street example above)**
- \*All references above from New York City Department of Planning Draft Environmental Impact Statement “SoHo/NoHo Neighborhood Plan” Chapter 7, pages 7-21 - 7-26; Table 7-5, pages 7-60 - 7-65; and Figure 7-2 Historic Districts Map**

**<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/soho-noho/07-deis.pdf>**

**Prepared by Brenden FitzGerald August 23, 2021**

## **Regarding Demolition and Development of the SoHo National Historic Landmark District and Mayor De Blasio's upzoning *SoHo/NoHo Neighborhood Plan***

### **Chronology of "Landmarking" SoHo**

In 1965, the Haughwout Building (488-492 Broadway) was designated by the City of New York as a Historic Landmark. In 1973, the New York City Landmarks Preservation Commission created the "SoHo - Cast Iron Historic District." In the same year, the Haughwout Building was added to the National Register of Historic Places (NR). Four years later, the National Park Service (NPS) Historic Sites Survey Division assessed the Haughwout Building, yet determined that it did not meet the strict criteria for National Historic Landmark designation. Instead, the Secretary of the Department of the Interior (DOI) sent a letter to the LPC, stating that it would nominate the entirety of SoHo.<sup>1</sup> The final NPS/DOI district would extend the LPC district boundaries to include all of the buildings of West Broadway, the row of buildings on the east side of Crosby from Broome to Howard Street, and the east half of the Howard Street block. To include the other exceptional buildings which did not have cast-iron facades, the NHL was listed as the "SoHo Historic District."<sup>2</sup> For context, sixteen other NHLs were designated in NYC in 1978, including the American Stock Exchange, the Equitable Building, the Metropolitan Life Insurance Company Building, the National City Bank Building, the New York Life Building, the New York Stock Exchange, and the Tiffany and Company Building.

### **National Historic Landmark Significance of SoHo**

According to the National Historic Landmarks Program rules, "National Historic Landmarks are buildings, sites, districts, structures, and objects that have been determined by the Secretary of the Department of the Interior to be nationally significant in American history and culture."<sup>3</sup> NHL and NR properties share the same seven criteria for designation: location, setting, design, materials, workmanship, feeling, and association. While an NR may be designated for local or state significance, an NHL must be of *national* significance. While a property or resource may meet the standards of national significance, the decision finally rests on the NHL Program's definition of historic integrity: "If the resource has been more than modestly modified or deteriorated since its period of national significance, it may meet the NR standard but not the NHL standard."<sup>4</sup>

The NPS monitors existing NHLs for consistency with the Secretary of DOI's *Standards and Guidelines for Historic Preservation*, as well as for modifications which may have upset the integrity of setting, feeling, and place. Due to the high national significance of NHL resources, the Secretary and NPS are required to present an annual threat assessment to Congress and the President. The NPS is also required to *de-designate* NHLs when they no longer meet the standards of integrity for which the resource was selected. De-designation has occurred due to modification, material replacement, and adjacent development.

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<sup>1</sup> National Archives Catalogue, National Archives Identifier: 75315858. File Unit: National Register of Historic Places and National Historic Landmarks Program Records: New York. Series: National Register of Historic Places and National Historic Landmarks Program Records, 2013 -2017. Records Group 79: National Park Service, 1785-2006.

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When SoHo was listed as an NHL, the only noted “intrusions” were low buildings: parking lots and gas stations. The lead historian noted SoHo as “an unusually cohesive district.”<sup>5</sup> The architectural historian noted that the “intrusions” did not affect the integrity of the district, and the district would be accepted “as-is.”<sup>6</sup>

Should the floor to area ratio upzoning of the Mayor de Blasio’s “SoHo/NoHo Neighborhood Plan” be approved and implemented, the district would no longer meet the original nomination criteria for integrity, and the NHL status of SoHo would be in peril. This is shown quite clearly by the Municipal Arts Society’s interactive 3D Google Earth model of projected development heights of new construction on the “intrusion” parcels.<sup>7</sup>

### **Parallel History**

At another moment in SoHo history, the state and federal governments disparaged the residents who resisted the Lower Manhattan Expressway as a nuisance – enemies of progress and the flow of capital. The LPC and the National Historic Preservation Act (NHPA) were established to protect communities threatened by such “progress.” Then, as now, the definition of “progress” is subject to the whim of temporarily elected officials and their coterie of supporters and theorists. We now universally recognize that many of these city-destroying efforts produced disastrous results. Fifty years ago, SoHo would have been another one of these disasters. Today, SoHo’s preservation stands as the first example of historic preservation adaptive re-use in the country.

### **De-designation of the “SoHo Historic District” as a National Historic Landmark**

In addition to SoHo, New York City has only one other NHL district, the “Brooklyn Heights Historic District.” Incidentally, in 1994, the NPS listed the Brooklyn Heights NHL as threatened. Even now, the historic integrity of these districts is being slowly eroded by the permanent effects of the de Blasio administration’s anti-historic preservation bias: In 2019, the Mayor weakened the LPC’s preservation rules to no longer adhere to the Secretary of the Department of the Interior’s *Standards and Guidelines for Historic Preservation*. Chief among these weakened rules are more lenient material substitution standards. A noteworthy example is the demolition of historic double hung wood sash windows, with the large blown cylinder glass panes which characterize SoHo’s cast-iron facades. These large panes were noted in the NPS nomination as the progenitor of the modern skyscraper. However, with the “SoHo/NoHo Neighborhood Plan,” the LPC will be entirely powerless to preserve SoHo. The proposed As-of-Right zoning height increases will sabotage the LPC’s efforts to maintain the historic integrity for which was the NHL designated.

The NPS assesses district integrity according to “design” and “feeling.” The NPS defines *design integrity* as “spatial relationships between major features, [and] visual rhythms in a streetscape.”<sup>8</sup> *Feeling integrity* is defined as “[the] expression of the aesthetic or historic sense of a particular period of time. It results

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> “SoHo/NoHo: Who Knows?” Municipal Arts Society of New York.  
<https://www.mas.org/news/soho-noho-who-knows/>.

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from the presence of physical features that, taken together, convey the property's historic character."<sup>9</sup> If these collective attributes are lost, yet the NHL designation remains, the NHL Program loses meaning.

### Summary of Rules, Laws, and Procedure for NHL Removal

1. The NPS creates a report of threatened NHLs and, with the Secretary of the Department of the Interior, submits this report to Congress and the President every year.
  - a. The list has recently included the NHL districts in Savanna, Georgia; Annapolis, Maryland, Cape May, New Jersey; and Beaufort, South Carolina.
  - b. Like SoHo, these districts are classified as endangered not because of deterioration, but for planned future development.
2. The NPS classifies districts in the most endangered Priority 1 category because "*serious damage is imminent, and inadequate protective strategies are being utilized to preserve the Landmark's integrity.*" SoHo may be categorized as Priority 1 because:
  - a. The rezoning reduces the preservation area of the NHL by 70% by carving the "Broadway Corridor" out of the protected historic district.
  - b. The rezoning promotes demolition of contributing buildings, including cast-iron buildings, and significantly weakens the NYC Landmarks Preservation Commission's authority to regulate preservation and maintain the integrity of SoHo's historic fabric.
3. The NHL Programs has a de-designation trigger (36 C.F.R. § 65.9) which exists to maintain the excellence of the NHL program.
4. The NPS mechanism triggering withdrawal of NHL designation (36 C.F.R. § 65.9(b)(1)) is when "*the property has ceased to meet the criteria for designation because the qualities which caused it to be originally designated have been lost or destroyed.*"

### Harm

NR/NHL listing does not prohibit private demolition. However, residential and commercial property owners within NR districts and NHL districts may access federal and state tax credits, grants, loans, and technical preservation advice from the NPS. In addition, the U.S. Office of the Comptroller of Currency (OCC) offers guidance to communities, private housing developers, municipal lenders, and banks to raise equity funding for project capital using the Historic Tax Credit (HTC) program. Many communities have also combined HTCs with Community Reinvestment Act (CRA) funding to create affordable housing.<sup>10</sup>

Before engaging the blunt, and yet unproven, instrument of upzoning for private luxury development to create more affordable housing stock and destroying history, New York should look to identify historic manufacturing and commercial properties (including struggling office buildings) for adaptive re-use as mixed-income multi-use properties. These modes of planning with HTCs and the CRA are proven and sustainable. The method de Blasio proposes has failed in his previous upzoning experiments. This final experiment of his administration is based on a simplistic supply and demand proposition: more housing stock will lower housing costs. It discounts the latent demand for luxury housing as New York is transitioning into a high-wage technology economy. His policy of inclusionary housing – in exchange for

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upzoning – is clumsy and porous. There is no guarantee any affordable housing will accompany SoHo development, developers can pay into an affordable housing fund instead, yet displacement of adjacent communities is certain.

The 1978 SoHo NHL nomination attributed the designation in part to the adaptive re-use of manufacturing buildings as a nationally significant cultural event.<sup>11</sup> The plan does not consider the hazards to the hundreds of artists who have lived and worked in rent-stabilized lofts for decades. Due to the speculative development climate and demand for ultra-luxury housing in SoHo, our low- to moderate-income community of artists have endured two decades of harassment. My own family survived five years of construction as our building was gut renovated around our rent-stabilized loft and converted into multi-million dollar condominiums. The upzoning will further incentivize speculative developers to apply even more pressure to artists, most of whom are now seniors, to vacate their lofts or endure years of construction.

The history of urban gentrification-sprawl proves that street level amenities targeting luxury consumers will expand outwards in proportion to the influx of wealth. This Plan bases its policy logic on attracting extreme wealth to a small area. The sprawl will invade the vulnerable and aging low-income neighborhood of Chinatown. Within Chinatown, is the National Register designated Bowery Historic District. The City's Plan projects that dozens of buildings in the Bowery NR district will be demolished. The consequences of the Plan are grave to our history and the people.

Brenden FitzGerald  
August 23, 2021

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Details for "I Represent":

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Vote: I am **opposed**

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Please see the attached files submitted by SoHo resident Brenden FitzGerald

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August 23, 2021

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## **SoHo/NoHo Neighborhood Plan Environmental Impact Study**

### *DEIS Chapter 7: Historic and Cultural Resources Development Sites*

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## **29 NHL Contributing Buildings Projected for Development**



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481 Broadway East Facade



Development Site VV (Demolition for 200 foot building)  
481 Broadway West Facade (54 Mercer Street)



Development Site WW ( Demolition for 160 ft tall building)  
518 Broadway





Development Site RR (Demolition for 75 ft building)  
143 Spring Street



Development Site BBB (Demolition for 75 ft building)  
146 Spring Street



Development Site HH (Demolition for 95 ft tall residential building)  
102 Greene Street





Development Site NN (Demolition for 95 ft building)  
141 Greene Street



Development Site II (Demolition for 130 ft tall building)  
3 Mercer Street





Development Site JJ (Demolition for 95 ft. Building)  
149 Mercer Street



Development Site X (Demolition for 165 ft building)  
163 Mercer Street



Development Site QQ (Demolition for new 95 foot tall building)  
43 Mercer Street





Development Site MM (Demolition for 95 ft building)  
53 Mercer Street



Development Site SS  
41 Wooster Street (Demolition for 105 ft building)



Development Site OO (Demolition for 95 ft building)  
103 Prince Street





Development Site OO (Demolition for 95 ft building)  
103 Prince Street



Development Site YY (Demolition for 85 ft building)  
118 & 120 Prince Street





Development Site 7 (Demolition for 145 ft building)  
381 Canal Street



Development Site ZZ (Demolition for 145 ft building)  
317 & 319 Canal Street



Development Site AAA (Demolition for 175 ft building)  
325 & 327 Canal Street





Development Site TT (Demolition for 95 ft building)  
355 West Broadway



Development Site V (Demolition for 100 ft building)  
323 West Broadway

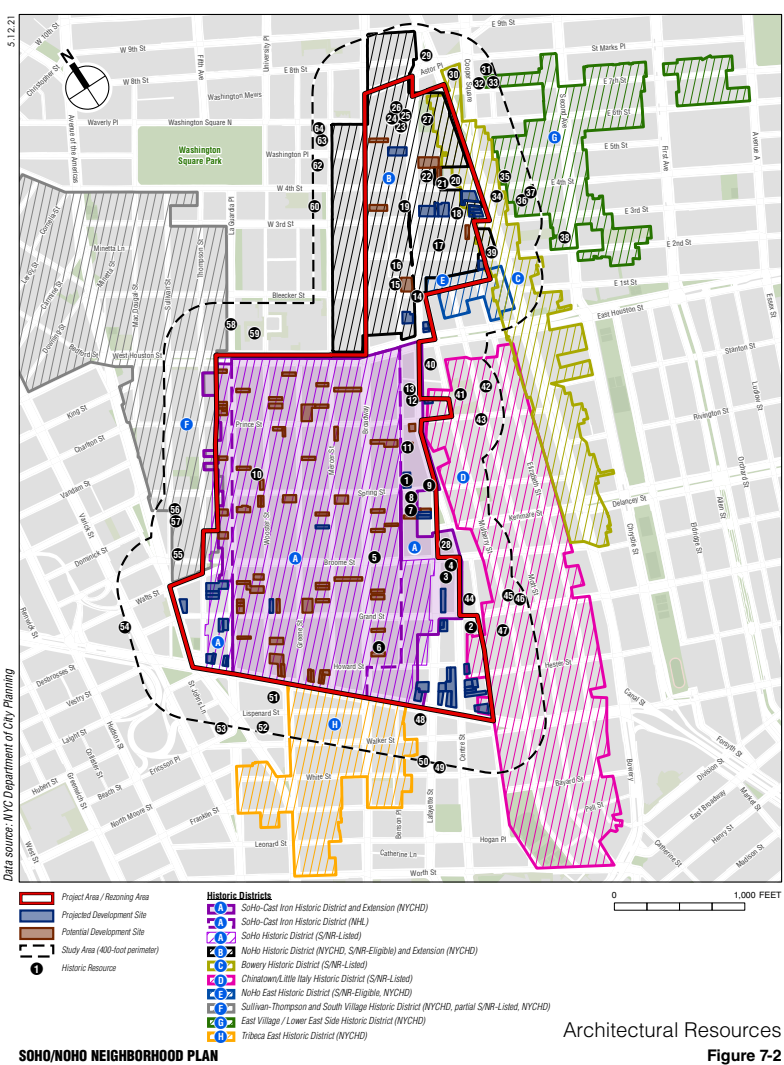


Development Site FFF (Re-use plus increase height to 135 ft)  
90 Grand Street.





National Register Intrusions 1978



SoHo Development Sites 2021

# **NOTES**

- \*The above do not include at minimum 39 additional non-contributing developments adjacent to historic resources (see Table 5 EIS page 7-60).**
- \*In addition, all buildings will be zoned as-of right for up to 135 ft additional development. (See 90 Grand Street example above)**
- \*All references above from New York City Department of Planning Draft Environmental Impact Statement “SoHo/NoHo Neighborhood Plan” Chapter 7, pages 7-21 - 7-26; Table 7-5, pages 7-60 - 7-65; and Figure 7-2 Historic Districts Map**

**<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/soho-noho/07-deis.pdf>**

**Prepared by Brenden FitzGerald August 23, 2021**



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:07:35 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **gail fox**  
Zip: **10011**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I am ahainst the project

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 8:20:18 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jen Gatien**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Noho resident and artist**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

The integrity of soho and Noho is what differentiates it from every other neighborhood.

Losing it to developers will make New York lose it's history as a protected enclave for artists

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 10, 2021 1:48:57 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **cristina guadalupe**  
Zip: **10002**

I represent:

- **Myself**

Details for "I Represent": **Architect, Artist and journalist on Architecture and Art**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Downtown Brooklyn has been destroyed already in this fashion.... All this is pure predatory speculation. It's so obvious is painful. I wrote a two piece story on my Instagram Sep 6th @cristinaguadalupegalvan . If you are interested you can read it there. All this is so shameful and demonstrates such levels of narrow mindedness and greed that shame on them if they pass this project. It's going to hurt the city so much.... But it seems that the local politicians care little for the city. Plus this mayor is leaving. I don t believe he should be proposing these type of projects if he is not going to have to deal with it. He is just cashing the cow

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 9:56:48 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Sanford Hirsch**  
Zip: **10013**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **Mr. & Ms.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

We are writing to express our strong opposition to the proposed Soho/Noho Upzoning Plan. As residents of Soho for 49 and 52 years respectively, we believe the changes that will occur if this plan is approved will destroy the unique neighborhood that has been our home for many years, and will not contribute any significant amount of "affordable" housing. In addition, the proposed tax on sales of loft units will punish those, like us, who pioneered this neighborhood and who have invested our time, hard work, and money in changing what was a derelict warehousing district into a model for urban revitalization across the country and around the world. Soho is a unique community, in terms of its population and its architecture. It was developed in the late 1960s & early 1970s as a home to a core of creative individuals, and built on the efforts of those individuals into a network of small, vital businesses. Those of us

who live and work here repaired and revived the then-deteriorating building stock into an architecturally unique neighborhood of 4 and 5-storey brick and cast-iron buildings that have become the hallmark of our neighborhood and a draw to tourists from around the world. Erecting more and higher buildings will obliterate that neighborhood. It should be noted that the current neighborhood of SoHo exists only because the buildings were saved from destruction proposed in an earlier scheme to "improve" the area by running a highway through it. The neighborhood is currently at capacity for tourists and shoppers at peak weekend times and often during the week. Adding hundreds or thousands of additional residents will easily overcrowd both sidewalks and streets and will create a nightmare for pedestrians and drivers alike. This should be the most apparent concern, as it affects the health and safety of everyone who walks or drives in the area. We can note that it is currently unsafe to cross Canal Street or Broome Street at various intersections during rush hours due to the volume of traffic on streets that were not designed to accommodate it. That the proponents of this plan did not consider even this basic concern demonstrates that they haven't considered the real impacts of the changes they are proposing. Finally, Soho and Noho were developed by individuals who are artists or who operate small creative endeavors in various fields. That is another hallmark of the neighborhood, and what makes it work is the interaction of these creative people - of our neighbors - whose creative energies grow as a result of those interactions. The explosion of new residents in multi-story, large residential or combined-use buildings will fracture this neighborhood and will bring an end to the creative center that helped bring New York City out of the dire conditions of the financial crises of the 1970s. We implore you to consider these and many other reasons to join with the Community Board which rejected this plan in a rare, nearly-unanimous vote. Sincerely, Deborah Beblo Sanford Hirsch 22 Wooster St New York, NY 10013

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 3:36:19 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Fannie Ip**  
Zip: **10002**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

My name is Fannie Ip and I grew up in the Lower East Side where I currently continue to reside. Chinatown is a gateway for many Asian immigrants such as myself when my family and I newly arrived here in the U.S. 40 years ago. We lived in Confucius Plaza while my mother worked at a nearby garment factory. I have many fond memories of celebrating Chinese holidays with our neighbors while adjusting to the American culture. Chinatown is not just some kitschy area where people come to have dinner on Christmas day. It is a livelihood for many who live and work there because there is nowhere else that can provide the same social support and affordability in NYC. I am here to urge you to please oppose the Soho Noho Neighborhood Plan because Chinatown will be destroyed if this plan goes through. Not only there's no guarantee that any affordable housing will be created from this plan but this plan will also reduce the little existing affordable housing that's left. This plan will

displace many of the elderly and the lower income and working class residents in Chinatown who will be most vulnerable and at risk of displacement from this plan as concluded by Village Preservation and Community Board 2. After 9/11, Chinatown suffered a heavy blow to its small businesses and it took many years to recover and bounce back to the Chinatown that it once was. However, these small businesses that keep Chinatown's economy running suffered another heavy blow recently due the pandemic. If the City Planning Commission really cared about planning, it would do everything it can to protect the Chinatown's small businesses and its residents by opposing this plan. This is also a racist plan because there has been no outreach on this plan for the Chinatown community and not to mention, Chinatown isn't even included in the name of this plan nor in the City's testimony you just heard, when Chinatown would stand to lose the most from this plan as mentioned earlier. This plan was thought up by racists and put together by racists, and if this plan gets approved then the members of the City Planning Commission are also racists. Mom and Pop stores that have been in the neighborhood for generations will be forced to close and the lower income and elderly residents will be displaced, while a handful of corrupted politicians, City employees and individuals that are in bed with real estate developers, will profit off of the loss of this historical neighborhood that have helped so many immigrants like myself, forever to a couple of shiny glass towers for billionaires. Thank you.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 2:32:31 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Barbara Kahn**  
Zip: **10003**

I represent:

- **Myself**

Details for “I Represent”: **I am a longtime resident of Manhattan. I work in the arts and love my city.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

The proposed SOHO/NOHO rezoning plan will result in a large amount of destruction of existing housing to be replaced by outsized buildings that will block the sun, both physically and metaphorically. Both SOHO and NOHO are community neighborhoods with longtime residents--artists employed in cultural work, small independent businesses and elderly on fixed incomes. Current demographics show a community that is diverse in a way that reflects our city's history—racially, religiously, economically, generationally and by occupation. Rezoning or upzoning will endanger the housing and businesses of these current residents in favor of a nebulous number of “affordable” housing units. What is the definition of affordable in this proposal—the minimum or maximum income? How many units will be required in new buildings and who will enforce compliance? Will there be sufficient accountability for



noncompliance or will it be a monetary fine that will be seen by the developer as the cost of doing business that will only temporarily affect their profit? What protections or guarantees for existing tenants and businesses will be included in the final proposal? I have not seen satisfactory answers or any answers at all to these questions in the research I've done on the proposal. Change itself is a neutral word—it can be good or bad. I believe that the proposal for upzoning will be good for investors—domestic or foreign—and developers, as well as for lobbyists and recipients of political donations. It will be bad for these historic neighborhoods of middle and low income residents and small businesses and for New York City's historic legacy. When the pandemic is finally under control, and tourists return in large numbers, they will come to see the arts and the history of our city. They will not come looking for the same big box businesses they can find at home. When friends or family have visited from out of town, they ask to see the site of the World Trade Center, a play or art gallery, the SOHO boutiques or the historic neighborhoods that their immigrant grandparents lived in. They don't ask to see Target or Best Buy. I have immersed myself in the history of my adopted city—a city I love. I enjoy playing guide and giving unofficial walking tours to friends or family from out of state or abroad. I join the community organizations and community board members, local officials and numerous other citizens who oppose this monstrous assault on our homes and heritage. I respectfully urge you to vote against this giveaway to politically-connected developers. If historic landmark protections can be dismissed at the whim of a current city administration, the faith we have in the democratic rule of our city will be severely diminished. The disappointment may be irreparable.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 11:46:32 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ryder Kessler**  
Zip: **10014**

I represent:

- **Myself**

Details for “I Represent”:

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project?  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

I am a lifelong downtown Manhattanite and former member of Manhattan Community Board 2—deeply rooted in this community. Like all progressives who want a vibrant, affordable, equitable, and sustainable city, I am committed to evidence-based decision-making, racial equity, climate action, and empowerment of the marginalized. These commitments make it imperative to break the status quo in Soho and Noho by updating zoning rules to legalize new housing. Housing in New York is increasingly unaffordable, and the evidence is clear that a severe supply shortage is to blame. Stagnant supply and surging prices have left more New Yorkers than ever in precarious housing situations, evidenced by record numbers in crowded city shelters. Scholars from Berkeley, NYU, and elsewhere have found that building new housing—including market rate housing—reduces prices and halts displacement in lower-income neighborhoods. When we have zoned for new housing, it is in the city’s less affluent, disproportionately Black and brown neighborhoods. Whiter and wealthy areas have, in fact,

lost housing units over the last decade or so. Failing to contribute to the city's housing stock, we perpetuate rising prices and segregation. Indeed, New York's Black population fell by 4.5% from 2010 to 2020. Increasing the density of housing in transit-rich areas like Soho and Noho is also critical to addressing climate change, as it allows more residents to live without cars. Recently, New York experienced its highest one-hour rainfall total ever recorded: we are in a climate emergency. Beyond affordability and integration, our environmental commitments impel action. As a professional voting and democracy advocate, I am sensitive to ensuring all voices are heard in political decision-making. This rezoning process has included remarkable opportunities for community input over many years; the voices of longtime residents have been amply heard. We must think, too, of those whose voices we hear comparatively less—specifically, those who cannot afford to live in lower Manhattan or who lack the resources to attend relevant hearings. I urge the CPC to update the zoning of Soho and Noho, ideally with modifications to increase legal residential floor area ratios relative to commercial FARs—to further incentivize the housing construction we desperately need, and need here.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 9, 2021 6:16:25 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jillian Key**  
Zip: **10011**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I fully support this opposition.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 11:35:00 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Michael Kramer**  
Zip: **10009**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

My name is Michael Kramer. Forty years ago, I was a member of the steering committee of Lower Manhattan Loft Tenants and the coordinator of the New York Loft Tenants Housing Clinic. In 1980-81 I was up in Albany lobbying to pass the LOFT LAW. This law legalized the live-work status of creatives and makers who were living in former manufacturing spaces. In Soho/Noho my neighbors still reside in IMD and legalized buildings who are now aging in place. This was and still is affordable housing. NYC has benefited greatly from the creation of a unique community though the value created by these pioneers who literally built their own spaces with their own hands. They should be celebrated for their contribution to tourism and the tax rolls. They should not be forced to consider harassment from building owners looking for an up zoning windfall.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 12:20:36 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Meghan Krasula**  
Zip: **11229**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **I represent myself as a New Yorker who lived in Midtown East for 11 years and previously worked in Soho. While I currently live in Brooklyn Soho and the Village are an important part of New York for me and my family.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I'm writing in as different organizations in Soho have reached out for support. I'm concerned about the upzoning as it changes the character and feel of the neighborhood. As it stands there are so few places in Manhattan where the light shines through to the streets. Soho and the Village are one of the few places where that does still happen. I look at Hudson Square and there is a noticeable difference in the light and air in the neighborhood since the Trump hotel was approved and larger buildings have been built. I also see it in my neighborhood in Brooklyn where single and multi family homes have been torn down for 8 story apartment buildings in the same spot. There is not enough room for the people, the parking and the

public services can not support the increase. I support affordable housing but this seems like another push by developers to increase luxury development that will be purchased as investment without people actually living in them. The city keeps pushing out low to middle income residents. And after yesterday's flooding there is an opportunity to look at our building practices - additional building in areas that have flooded previously is short sighted given rising water levels and increased flooding due to climate change.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 3:58:44 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Aditya Kumar**  
Zip: **10011**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **Yes**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I support the proposed rezoning plan. The neighborhood needs more housing and should not be hung up by red herrings in the Village Preservation Society's objections. More housing supply, any housing supply, will improve the neighborhood.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 10:39:33 PM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Steve Leon**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am an owner of a legal coop with a C of O. How vindictive of DCP to suggest if ever we want to change the status of the apt to sell to someone who isn't an artist they will change any amount of money. Residents maintain and restore the vaulted public sidewalks from the 1880's and these world renowned facades, pay exorbitant property taxes and the City wants more! It should set up a fund to support the aging artists who hoped to age in place instead of making it too expensive for us to remain here. The Plan is bad and must be scrapped!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 7:03:05 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Steve Leon**

Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

The "AKA" Art's Fund is punitive and vindictive. As a resident who is married to an artist. We raised two sons in soho and because we lived in a 9 story building with 8 residents we have always had to pay out annually a lot of money to keep the aging building up to code. The public sidewalks from the early 1900's are vaulted. The steel beams that support them require continual maintenance.. the facade, sidewalk and building mechanical maintenance is paid for by 8 artists residents. Not some LLC or private equity group. The joy is in the fact that our building is visible in many movies and advertisements. We are now seniors and our grown children come back and visit their childhood home. We never thought we would be forced to leave because the City would come up with a ill conceived tax that our children will have to pay when they inherit their family home!!! Don't vote for this plan. We support guaranteed affordable housing to be built here.. and yet open pedestrian walkways aren't substitutes for a

Real Park and the displacement of low income residents( mostly our Chinatown neighbors) is deplorable. Envision a better Plan. The Community Alternative Plan. Thank you

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, August 30, 2021 7:26:39 PM  
**Attachments:** [Attachment DCP online testimony 21\\_09\\_02.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ann Levy**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I'm a longtime resident of Soho. I'm against the City's Proposed Soho/Noho Pla which will destroy a unique neighborhood and is so shot full of loopholes for developers that it does not guarantee that any affordable housing will be built. It will displace seniors and low-income residents in Soho, Noho, and Chinatown, making the neighborhood wealthier and less diverse. The urban planners who have put together the Soho/Noho plan have used an approach akin to one of weather forecasters ignoring global warming and basing weather projections far into the future on conditions from years ago that no longer apply. The plan does not consider the new economic reality and changing neighborhood needs, in part brought on by the pandemic, with an online retail economy, people working from home, and residents fleeing the City. These will be permanent changes, but it is impossible to predict now, what new viable

economy will be needed. On top of this, New York City post-pandemic finances, at best uncertain, have not been considered. With many tax payers out of work, retail businesses shuttered, and the possibility of another future Republican Federal Government that won't fund New York City, there is no way to expect the City can keep up services at their current levels, let alone expanded ones for a denser neighborhood. There will be added costs for increased zoning and construction supervision, law enforcement and code inspections to ensure the safety of residents and existing historic structures. Overlooking budgeting and planning for these contingencies will result in the destruction of a neighborhood and the lives of its residents. As planned, there are two unacceptable scenarios, neither ensuring the "affordable" housing needed: 1) If the economy magically roars back. Skyscrapers rise everywhere with increased office space, luxury residential units, and big box stores. The neighborhood is overwhelmed with crowds, traffic, garbage, and noise because the City has not planned and the population becomes even wealthier and less diverse. OR more likely 2) With the new online retail economy, people working at home and away from the City, new office space and luxury housing outpace demand and languish. The historic architecture and unique neighborhood is destroyed by towers and big box stores, found everywhere else. Soho and Noho look like Any City, USA. There is no reason for tourists or shoppers to come here and the area becomes derelict. Geological studies are needed to see that skyscrapers can be built in Soho, a former swampland, without structurally damaging fragile 19th century historic buildings. Building collapses from adjacent construction have already displaced residents a number of times. The proposed "Mechanism" for converting JLWQA units to Residential Use Group 2 is seriously flawed. • The \$100 per Sq. Ft. Loft Conversion Fee is burdensome to residents, costing on average \$200,000 to \$250,000 per unit. • Making units comply with Use Group 2 building codes would require costly major renovations and, in many cases would be impossible because of architectural limitations of the buildings themselves. Do not approve this Plan.

RE: Soho/Noho and Chinatown rezoning Plan — I oppose.

To the Department of City Planning:

I am a longtime artist resident of Soho. **I'm in favor of building more affordable housing but *I cannot support the City's Proposed Soho/Noho Plan.*** *It has been hastily put together, poorly thought out, and has major flaws that will cause displacement of residents and not guarantee that any affordable housing is ever built.* For these reasons I support the CB2 Resolution in Opposition to the City's Proposed Plan.

**The Soho/Noho plan is based on spurious urban planning logic. There seems to be a reluctance on the part of the City planners involved to look at the uncertain post-pandemic future we face, let alone the current reality.** I see two possible outcomes to the Soho/Noho plan—neither of them good:

1) If the economy magically roars back. Skyscrapers rise everywhere with increased office space, residential units, and big box stores. Seniors, artists, and racially diverse and low-income residents are displaced. The neighborhood is overwhelmed with crowds, traffic, garbage, and noise and becomes even wealthier and less diverse.

OR

2) More likely, in a new kind of economy with people working at home, new office space and luxury housing outpaces demand and languishes. Many, especially low-income, residents are displaced. The historic architecture and unique neighborhood is destroyed by towers and big box stores that make Soho and Noho look like Any City, USA. There is no reason for tourists to come here and the area becomes derelict.

**The plan is so shot full of loopholes for real estate developers that there is no guarantee that *any* affordable housing will ever be built.**

It will reduce the net number of affordable units by incentivizing demolition of at least 185 low-rise buildings with up to 635 rent-regulated units, many

in Chinatown, whose residents have been *excluded* from the process by the DCP.

It further de-incentivizes creating affordable units because developers can create office space and commercial units, without the requirement, carried in new residential construction, to create any affordable residential units.

**The plan provides for big-box stores, oversized restaurants, the expansion of NYU buildings into Soho, and skyscrapers with tallest allowable FARs in Manhattan.** This will all impact negatively on residential life and drive out the small shopkeepers boutiques that make the area a “neighborhood” and bring in visitors. As a tour-guide friend of mine said, “If the City goes through with this, no tourists will want to come here.”

**It is clear that the Plan has been ill-thought out and rushed through because so many points have not been considered in a serious way, inaccurate assumptions have been made, and reliable studies have not been conducted.** For example:

According to the Scoping Plan, projections of increased pedestrian and vehicular traffic, would be based on conditions found on an afternoon in October of 2020 — while pandemic conditions still exist and the neighborhood was still half-empty! What kind of realistic measurement can this be?

And what about environmental concerns: What impact of wholesale construction for several years in terms of dust, debris, asbestos, and noise on residents and workers, some of who are in the neighborhood 24/7? According to a representative of the Sierra Club UpZoning of the scale proposed has terrible impact on the environment and greenhouse gases.

**What geological studies have been done or need to be done to be sure that giant towers can even be built in Soho, a former swampland, *and* without causing structural damage to fragile 19th century historic buildings?** We have already seen residents displaced by damage and building collapses from adjacent construction. **With this track record, how can we be at all sure that the City is capable of planning carefully and**



**thoughtfully for such major “surgery,” ensuring that 19th century buildings will not be damaged, and making sure that all construction codes will be followed to the tee?**

**The proposed “Mechanism” for converting JLVQA units to Residential Use Group 2 is seriously flawed.**

- The \$100 per Sq. Ft. Loft Conversion Fee is punitive and burdensome to residents. It would cost on average \$200,000 to \$250,000 per unit.
- Bringing the units in question to comply with Use Group 2 building codes would be costly, requiring major renovation and, in many cases would be impossible because of the architectural limitations of the buildings themselves.
- Please see architect Alexander Neratoff’s written testimony copied below which details this eloquently. (Relevant part is in red type.)

**How can we expect the City which has shown that it cannot provide adequate garbage collection, snow, clearance, noise control, and policing in the neighborhood suddenly step up to the plate and deliver these services for a nearly doubled population** — especially with an uncertain post-pandemic financial future?

**There is a real need for affordable housing in the neighborhood, but there is no reason why it cannot be created out of repurposing empty hotels and empty office space and building under current FAR limits on empty lots.**

Why does unneeded luxury housing have to be built for a paltry amount of affordable housing to be created, as is central to the Soho/Noho Plan? Real estate developers interests work against building truly affordable housing and they should be eliminated from the plan.

**In fairness to Soho and Noho and the entire City, this plan needs to be scrapped and started from scratch in a thoughtful way when we are well past the pandemic.** In the meantime, it makes sense to take time to do more thorough research, and to study how **other world class cities** (like Berlin which was devastated by WWII) **have managed to preserve their historic neighborhoods by keeping new building heights consistent with older structures, constructing imaginative new**

**buildings that fit in architecturally with historic ones, and by permitting taller buildings only *outside* of historic districts.** Since we don't know what the economy and needs of the population will be when we are truly on the other side of the Pandemic, it makes sense to wait and then devise a plan that makes sense in that new reality. **If NYC wants to remain a cultural and historical destination point, a livable residential area, and one that provides truly affordable housing, it needs something much better than the current Soho/NoHo Plan.**

Lower Manhattan below 14th Street includes multiple historic and architecturally diverse neighborhoods and is one of the City's true gems. The City has made clear that the Soho/NoHo Plan is expected set a precedent for what it will do with UpZoning in other historic neighborhoods. **If this plan goes through as it is now, this will not only be an irreversible destruction of one of the World's most unique and historic neighborhoods, but will also start a trend that will destroy what is special throughout the five boroughs.**

**Do not move forward with this plan. It is a disaster.**

Sincerely,

Ann Levy  
10013

Testimony from Alexander Neratoff to which I refer to in the section above about the JLWQA conversion is copied below:

**A | ALEXANDR  
N | NERATOFF**  
architect

57 prince street, suite 2F new york, ny 10012 tel. 212.431.0011 alexandr@neratoff.com

## **SoHo-NoHo Testimony**

July 7, 2021

What is unique about SoHo-NoHo is the mixed-use nature of the neighborhood, from the macro level (building-by-building, floor-by-floor) down to the micro-

level, where each space could be used simultaneously for living and working without separation. This concept developed in SoHo-NoHo was the first example in the US where a municipal Zoning Resolution recognized a mixed-use concept down to this micro level, counteracting the prevalent 20<sup>th</sup> century planning theory that separated uses – living, working, commerce, industry – into different zones and buildings. This still vibrant concept was much admired and copied all over the world, and is no doubt a principal basis of the neighborhood's continued attraction. It became particularly appropriate as the pandemic accelerated the trend to mix living and working on a simultaneously unit-by-unit and neighborhood-wide basis.

As a stand-in member of the Advisory Board, I listened for months to an examination of SoHo-NoHo Zoning issues, discussing how to preserve its specialness while fixing its 50-year-old anachronistic features, expanding the “artist” exclusivity to “makers” of all types, and finding ways to introduce affordable housing opportunities into an area with few underdeveloped sites. The DCP never divulged to us what they were planning until they revealed this surprisingly disappointing proposal. More than just a squandered opportunity to build on what was invented 50 years ago, it's as if New York City decided to consciously exterminate everything unique about SoHo- NoHo, and to aggressively return this neighborhood to conventionality. To make it into just another Upper East Side with an emphasis on offices and retail. [See Footnote 1]

The DCP claimed this proposal would accomplish several goals. None will actually be achieved.

### **The Affordable Housing Rationalization will not work**

Convincing reports were prepared by Village Preservation that show how few new affordable housing units will result from this rezoning (and how many more old ones will be lost). Within the three peripheral “Opportunity Areas” that the DCP proposed to go to R-10 (equivalent to ten times lot area, same as West 57<sup>th</sup> Street, double the existing limit), the new market values will surely trigger mass demolition. Should any sites choose to go residential, in the large South-East Opportunity Zone, actually part of Chinatown, more existing and actually affordable units will be displaced than new not- so-affordable ones created. In the rest of SoHo-NoHo, the few available large sites will go commercial: that has already been demonstrated by the choices developers made in the past two years to build new commercial buildings in NoHo, a choice that will be made even easier by the new MIH penalty and the additional \$ 100/SF residential conversion fee. The DCP is relying on a theory that SoHo-NoHo is

infinitely marketable and that the \$ 100/SF fee and 25% MIH penalty will not deter wealthy buyers. Market realities will put a lid on realistic sales values and developers know this.

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Most sites in SoHo-NoHo are small (25 x 100) and most are already developed: at the proposed FAR 5 for the historic core (R7-X is equivalent to the existing M1-5), a 2,500 SF lot would yield only 10,500 SF of new residential space (by conversion, new construction or enlargement) with a commercial 1<sup>st</sup> floor. Most importantly, the residential potential is under the MIH threshold of 12,500 SF: even if the FAR was 6, still **NO** affordable housing will be created on any such sites in the SoHo-NoHo core. Even at the very few small under-developed “Corridor” sites, despite the proposed FAR 9 yield (9 times lot area), it would be easy not to hit the 12,500 MIH threshold by using a commercial/residential mix.

### **JLWQA Preservation will instead allow this unique type of mixed-use space to disappear**

It's truly a joke that a conversion penalty would be imposed on existing legal JLWQAs – and that the zoning's ambition appears to be eliminate this legal special use, letting it die a natural or buy-out fueled death as no new JLWQAs would be allowed to be created by conversion or new construction, contrary to what was specifically discussed in the initial community-outreach “Envision” process: slide #43 of the CPC 05/17/21 presentation shows an Envision-phase graphic about a JLWQA's path to compliance that can end with its continued use as a JLWQA or as a new type of live-work use for an artist, maker or cultural worker, NOT a general residential use. Why the 180-degree turn? This quiet substitution of goals is unnecessary, not what we discussed and a clear choice of a path to banality.

Red Flag: as presented, IMD or rent-stabilized JLWQA space could be converted to UG2 residential use without the protected tenant or family' authorization, if the owner of the rental JLWQA would pay the \$ 100/SF fee allowing personal-use evictions of certified artists or their families by non-artist relatives of the owner. This pathway must be blocked by incorporating tenant sign-off in the process.

### **JLWQA conversion to unrestricted residential, to allow financing or marketing to non-artists**

The remaining argument for this DCP-proposed re-zoning was being made to resolve difficulties financing, thus selling, JLWQAs because these spaces are

limited by Zoning to occupancy only by DCA-certified artists. The DCP proposal is to allow a conversion from JLWQA to UG2 residential use by the up-front payment of a \$ 100/SF fee (\$ 250,000 for a classic 2,500 SF loft) into a special “Art Fund”, which would then permit the unit owner to obtain a new C of O for unrestricted residential use. This solution will not work. Apparently, the DCP has not talked to any architects.

A Zoning-permitted change from a JLWQA to a UG 2 General Residence individual space requires a change in that building’s C of O. JLWQA is a manufacturing district use, UG 17D, exclusive to SoHo-NoHo (M1-5A and 5B) and to the old Tribeca LMM Special District (where it was allowed to coexist with the now-discontinued “special” residential use “Loft Dwellings” demonstrating how co-existence can be made to work). UG2 is a residential use permitted in R and some C districts. Making SoHo-NoHo into a M/R mixed district (using the Williamsburg, Dumbo and Gowanus models) would allow both uses to coexist in the same district, but does not address the nature of their relationship and especially not the process of changing one into the other.

The paper part of a new C of O process will easily rise to \$100,000 and then, a new C of O for a building whose last C of O was issued in the 1980’s or 1990’s will require updates to systems grandfathered into the last 20+ year old C of O inspection/compliance cycle, but will now have to

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be brought up to 2021 standards. Add to that energy code compliance, sprinkler, elevator code updates, and documenting (and physically correcting) changes made in each loft-apartment over the past 30 – 40 years (many of them illegal, so they may have to be demolished). In some cases, the other units would be exempted if an “amended” C of O is applied only for the unit in question, but all the building-wide issues would still have to be dealt with. Will a coop want to expose itself (and a unit owner agree to pay for) all the costs associated with a new C of O just to qualify for a market-rate mortgage (the main advantage of compliance)? There are better solutions than this!

3. This being said, UG2 residential spaces are subject to Zoning Resolution, Multiple Dwelling Law and Building Code laws, rules and regs that are specific to UG2, including matters of light and air, distance to windows, exits, density, non-residential uses, fire and safety rules, that are different, usually more demanding, and actually, incompatible with JLWQA rules as they would apply

within the same building but mandate a differently-configured building envelope. JLWQA rules were written to facilitate the inexpensive residential re-use of obsolete vacant industrial buildings in the 1970's, and traded safety and quality of life for cost made possible by the JLWQAs low occupancy density and reliance on sprinkler coverage. There is no easy way to convert just one or two spaces in a formerly JLWQA building to UG2: not at all, in many buildings, and only with considerable difficulty and deliberate work in other, mostly smaller or corner buildings. [See Footnote 2]

Getting new unrestricted residential COs for individual SoHo-NoHo spaces is too expensive (besides the conversion fee), disruptive and in many cases, impossible to accomplish, unless one starts with a vacant or commercial building and performs substantial building-wide work. That option is only available to developers. This entire rationalization for the re-zoning is pointless and the few people that had a claim of being hurt by the JLWQA designation will not get anywhere with this proposal.

To make the proposed conversion from JLWQA to UG2 possible, the DCP will have to invent a new class of SoHo-NoHo-specific residential use type that would be allowed by Zoning to co-exist in a single building with JLWQAs, and work with the Department of Buildings and the NYS Legislature to update the Building Code and MDL Art. 7B to make this happen. The DCP has not addressed this.

The DCP's failure to find adequate ways for new construction to trigger the MIH program in sufficient numbers to make a difference rather undermines the main reason for this proposal. Understanding that the argument for individual unit conversion does not work leaves the DCP proposal groundless.

### **Alternate Solutions**

The practical need (as seen above) for JLWQAs and residential uses to coexist in a single building inspires a solution: why not allow JLWQs (possibly without certification) to continue to exist, to allow new ones to be created, and even new JLWQ buildings to be built? The penalty the DCP invented is there to encourage conventionality. Why engage in a really complex multi-agency operation to make co-existence work when the entire problem could be dealt with by a mere change of definition of the term "artist" in the Zoning Resolution, the permission for JLWQAs to be occupied by others, not only artists, and by allowing JLWQAs to be created within post-1961 space or by new construction? This could be done by two zoning text changes [See Footnote 4]. One can do that in two different ways:

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Give up on the entire “curated” nature of JLWQs (no more “A”): just make these “mixed-use” spaces where one can live and work in no particular percentage or amount, with no restrictions as to what you did (paint, sing, direct plays, invent widgets, sell stocks, does not matter) – it would be an anarchic mix whose entire premise would be as freedom-oriented as lofts were in the 1970’s when the concept was invented. This would remain an M zone (for makers not manufacturers, in this century) but one could make in it anything one could manufacture in the old M1-5A/B zone. Or one could just live. No rules. No buy-ins, no buy outs. Simple.

One can create two classes of JLWQs – A’s would be curated (there would still be an approval by DCA and maybe one for inventors by some other agency) and the M’s would not be, thus would allow general living. To pass from the old JLWQA one would pay a fee, but no change in C of O would be required to pass back and forth. Some type of enforcement would be needed. The “A”’s would be thus restricted and would remain lower-value spaces, thus a little more affordable. More importantly, any new building that would choose to be an unrestricted JLWQ could easily insert an “affordable” JLWQA floor in it – 25% of a classic 6-story 25 x 100 loft building (4 market residentials and a store) is one affordable floor. One can mandate that “affordable” in SoHo- NoHo would yield an “artist/maker”-only affordable unit with no MIH threshold. [See Footnote 3]

One could still make this district a M/R but it’s not necessary to do so in order to fix all the problems outlined by everyone in the AG meetings. The huge increase in FAR unencumbered by any MIH or Art-Fund payments was added to the proposal after we were done with the “Envision” process. Why?

Anachronistic manufacturing preservation rules can be stricken, retail rules fixed, even FAR adjusted without introducing an R use component. In fact, in the interest of planning theory, I would be very much opposed to adding an R use, and would prefer to see the M in this district to stand for Mixed- Use – to promote energy-efficiency, the end of use separations that promote commuting and single- use buildings and neighborhoods. But one could add the ability of building conventional R buildings inside even this type of district. I don’t know why you would want to, but you could.

As to MIH, the rule could be actually very simple: ANY new construction, of any use, even an enlargement, creates MIH. As we saw above, standard SoHo-



NoHo lots are exempt from MIH (and how many 50-foot vacant lots that could produce MIH can you name?). All of them would suddenly yield at least some more affordable “artist or maker” units. More to the point – so will a new office building. Or an enlargement – the latter might have to be used off-site in a better process than the ridiculously-complex and expensive process that MIH now represents. Why would any developer choose to follow it when one could build an office building, no strings attached? In this alternative, the office building could have a JLWQA affordable floor. On larger lots (that cannot be allowed to be subdivided after this zoning is adopted, to avoid MIH), a separate JLWQA building could be built.

Any retail over 10,000 SF should also pay an MIH fee, as should retail over 5,000 SF in any building with a less than 10,000 SF footprint: that will cover most sites off-Broadway and off-Lafayette Street.

Beneficiary zones outside of SoHo-NoHo should include all of CB 1, 2, and 3. And no penalty for building off-site. Since SoHo-NoHo has almost no open space, making the process work by going slightly off-site should not be discouraged. And perhaps an appreciable discount in SF area can be given in return for deeper affordability: the latter is what’s needed, not the rents set by middle-class income standards now in use.

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## **Conclusions**

The need to have JLWQAs and residential uses to coexist in a single building and for the change to be achievable without a change in the C of O inspires this solution. What is valuable about JLWQAs is at this point not that much the artist factor, but the mixed-use characteristic. JLWQs (without the “A” thus no “Certification”) would continue to exist, new ones could be created, and new JLWQ buildings could be built. The penalty the DCP invented is there to encourage conventionality and will have the effect of getting rid of all the old residents, either by eviction or by buy-out. Replacing them – US! – with wealthy bankers. After the two-year process we went through, this is a shameful result.

The open floodgates of new commercial construction would be the only real result of this up-zoning as presented. We never discussed this substantial FAR increase during the Envision process, and its imposition into and next to one of the world’s most renown historic districts would leave Landmarks as the only control mechanism to determine “appropriateness” and, it should be noted, only for sites inside the district. This result reveals the real rationalization for SoHo-



NoHo's re-zoning: not really the outgoing mayor's parting gift to owners of commercial real estate in this area as some have charged, it points to City Hall's proposed re-positioning of SoHo-NoHo as a high-tech office and high-end retail area taking full advantage of the area's saturation with major mass transit lines and hubs (that would have been wasted if the area would develop into high-density housing, as offices produce far higher density per land area than housing thus a more effective use of city and transit resources). This is the same principle used to plan massive FAR increases around transit hubs like Grand Central and Penn Station, and a regrettable reversion to 20<sup>th</sup> century planning theory advocating high density office and shopping cores surrounded by bedroom communities reached by centralized mass transit.

### **Footnotes**

The area's unusual demographics do not reflect the underlying zoning (that would have frozen an early 1980's mix of artists that if anything had a higher ratio of women-headed households but little racial diversity): today's ethnic mix reflects the prosperous white population that bought its way into SoHo often breaking the law doing so. It's not the law's weakness, it's the area's illegal gentrification that sources the problem. The large number of remaining IMDs and rent-stabilized units, as well as the deeply affordable existing housing in Chinatown, represent the area's real stock of affordable housing and preserving that has to be a prime directive in the rezoning. The reverse will happen: loft tenants will be endangered by direct eviction and buy-outs, and Chinatown protections will crumble confronted with a doubling or tripling of permitted FAR.

Building envelopes: residential buildings are limited by the MDL to 30 feet deep coverage from windows so they generally are 70 feet deep (on a typical 100-foot-deep lot), limited by a Zoning- required 30-foot-deep rear yard. This issue will come up each time a JLWQA building is enlarged, fueled by the new up-zoning: penthouses under 33% of roof area are not independent spaces thus are not considered "new" floor area. Anything more than a penthouse would be "new construction" thus would have to be UG2 residential, since JLWQA can only exist in pre-1961 space, and I see nothing in the new zoning proposal that changes that (despite my urging that this happen during the Envision phase). One more incompatibility problem that is not addressed.

This system might be safer for IMD's or rent-protected units that could remain off-limits for personal-use evictions to non-certified family members. Perhaps one could invent some other protection. Certainly, no conversion from an "A" restricted to a certified artist or maker and family including children or other heirs would be allowed without the tenants' or family's consent.

The Zoning Resolution determines uses but it also legislates building size, shape, height, the size and depth of rear yards, courts and window locations that would be different for each type of use. The special "Loft Dwelling" use was created in the 1970's for Tribeca to allow an area-specific residential use to coexist with JLWQAs within the same building. Something of the same process would have to be done in SoHo-NoHo to resolve these inconsistencies. The Multiple Dwelling Law covers some of those standards and other subjects in its own way, and any Zoning Resolution changes have to be reflected in the MDL that is a New York State law thus has to be addressed by the New York Legislature.

Thank you for allowing me to share my thoughts.



\_\_\_\_\_  
Alexandr Neratoff Architect  
Living and Working in SoHo since 1980.

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**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 12:56:59 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jessica Lin**

Zip: **10002**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

This project will displace the community currently living in the neighborhood and create homelessness in the area. This plan does not benefit New Yorkers and will make it a worse place to live.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 2:50:56 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Robert Lobe**  
Zip: **10013**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **Along with my artist wife and many neighbors and our children**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

As artists, we moved into a rat infested industrial space in 1972. We raised two children. An oversize mostly empty corner building, the then owner was grateful to sign five year leases. Fast forward to 1985, there still were not a enough of us tenants to bid against the real estate corporation that owns the building today. We fought hard for the Loft Law up in Allbany and now we are rent stabilized. Today the building we live in has eleven sold condominiums. Our new neighbors are all rich and white. Some units are just piedaterre/Airbnb with zero diversity. Amazingly the art world is returning to this area with many new galleries as Chelsea becomes unaffordable and EVERY gallery today is adding artists of color to their rosters. in the Mayor's rezoning plane "Affordability and Diversity" is a hoax and a lie. At 76 years with medical conditions this could trigger the end for us. I went before Community Board 2 to be

granted permission to install my SUPERSTORM sculpture on Duarte Square in 2019-20 right next to Hudson/Gitano Square. I've been a proud New Yorker since 1967 and my artist/wife was born and raised in Brooklyn. What are we now, chopped liver? Please vote no.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 9:57:59 PM  
**Attachments:** [MFL to CPC - comments on SoHo NoHo Plan.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Mary Fran Loftus**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

The courtesy of confirming receipt of the attached comments would be appreciated. Thank you. Mary Fran Loftus

**Mary Fran Loftus**  
**115 East 9<sup>th</sup> Street**  
**New York, NY 10003**

September 3, 2021

Marisa Lago, Chair  
CITY PLANNING COMMISSION  
Calendar Information Office – 31st Floor  
120 Broadway, New York, N.Y. 10271

Re: Application Number: **C 210422 ZMM**  
Project: **Soho Noho Neighborhood Plan**

Submitted electronically at  
<https://a002-irm.nyc.gov/EventRegistration/RegForm.aspx?eventGuid=fa206f3d-6400-4a95-8b39-87b1bfa975ef>

Dear Chair Lago and Commissioners:

I stand with Community Board 2, housing and tenant leaders, environmental groups, preservationists, and thousands of neighbors in SoHo, NoHo, and Chinatown, to say that the Soho/Noho Neighborhood Plan is wrong. The City is lying about its impacts, and I oppose it.

A project that fails to guarantee that even one unit of critically-needed affordable housing will be built is appalling. The Mayor's plan would allow new development of an egregious scale, insure a surge of hypergentrification, displace longtime residents and small businesses, and incentivize the demolition of historic buildings.

Huge increases in the allowable height and density of buildings yield the potential for over 9,000,000 square feet of new structures, equal to three Empire State buildings. It could create a wall of massive towers from Mercer Street to Broadway and on to Crosby Street, as well as along Lafayette Street in NoHo. Air-rights would be given free to speculators, but the community is promised nothing: not a new school, not additional sanitation or police services, not a community center, not an inch of recreational or green space.

The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous and complex. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented.

Marisa Lago, Chair  
CITY PLANNING COMMISSION  
September 3, 2021  
Page 2 of 2

This would be the first upzoning of an historic district in the sixty-six years of the Landmarks Preservation Commission's existence. City Planning asked many agencies to participate in the process but neglected to include Landmarks Preservation Commission. What is the point of even having such a commission or landmark districts if they cannot protect our historic resources?

The Department of City Planning has refused to listen to the community. The lack of outreach to Chinatown residents, many of whom would be greatly impacted by this plan, is shameful. Community Board 2's thoughtful December 2020 resolution in response to the Draft Scope of Work appears to have been dismissed. Forcing CB2 to file a FOIL action to obtain information about the plan is distressing.

SoHo, NoHo and Chinatown need to evolve in a creative and sustainable way. We need affordable housing and a path forward for the continuation of JLWQA. Both can be achieved without a massive developer-driven upzoning that promises neither. During yesterday's public hearing, commissioners asked for input on aspects of this plan. Legitimate options, worthy of consideration, have been provided in the Community Alternate Zoning Plan for SoHo/NoHo and in recommendations made by Community Board 2. Please seriously consider those options.

The Mayor's plan would line the pockets of developers who have given generously to his campaign and lobbied for these changes for years. Please join housing and tenant organizations, environmental groups, preservationists, local leaders, and Community Board 2 and oppose it. I urge the City Planning Commission to say "NO" to this misguided plan.

Sincerely,  
Mary Fran Loftus



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 7:20:15 PM  
**Attachments:** [SoHo\\_Noho\\_Testimony\\_City\\_Planning\\_Commission\\_Hearing\\_9\\_2\\_2021\\_\(2\).pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Zeke Luger**  
Zip: **11375**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

[see file, thanks]

## **SoHo/Noho Testimony, City Planning Commission Hearing, 9/2/2021, Zeke Luger**

*Hello there. Thank you for hearing my testimony. The parts I didn't get to verbally are in italics.*

Hi there. My name is Zeke Luger. Thank you for allowing me to speak today.

So DCP has had one main “community partner” for the SoHo rezoning, and that’s Open New York. Almost all of the public testimonies in favor of the rezoning are from members of Open New York. So I want to talk to you about Open New York for a minute.

I got introduced to Open New York last December. I ended up getting enlisted by people in Flushing, Queens to help fight back against a rezoning there, not far from Queens College where I go to school. Flushing is a really lively and unique majority-Asian American working class neighborhood. But, like many other New York neighborhoods, recently much of Flushing’s downtown has been demolished after a series of rezonings and large variances that allowed the construction of enormous glass towers, and pushed out thousands of local residents living in rent stabilized housing. The rezoning we failed to prevent will bring in 1,700 more million-dollar condos and 900 new hotel units to Flushing.

I ended up writing an opinion piece opposing the Flushing rezoning. Within a couple hours I was terrified to find I had more than 60 comments on my opinion piece, almost all of them calling me stupid, a liar, that I didn’t know what I was talking about, that I was promoting homelessness, or that I was a “NIMBY”. I talked about this with SoHo residents recently, and people seemed to have had similar experiences, which is why I’m speaking today.

Open New York is a pro-developer astroturf organization founded by a quantitative real estate investor, who makes money by betting on these rezonings he’s attempting to influence. They operate by pretending to ally themselves with young people on twitter interested in transit and urbansim and terrified of climate change. Their paid leaders bombard them with hyper-aggressive messaging saying that if you don’t support these upzonings and building new luxury housing, you’re a “climate arsonist”, and eventually these young people start imitating them and bullying local housing activists. Despite their self-description as “grassroots”, I’ve seen zero evidence that they do any kind of on-the-ground outreach to local residents in the neighborhoods they advocate in.

Open New York loves to claim that their organization only advocates in “high opportunity” neighborhoods, but that’s just not true. They push an ideology that applies to all neighborhoods. One of their leaders, who works for the founder’s quantitative real estate company, spent a day in June trying to convince everyone that a friend of mine from Flushing “has taken money from the [North Korean](#) government”, which is both super racist, and really dumb. *When the Sunrise Movement tried to join a coalition to support the Flushing activists, the Open New York’s founder himself, the quantitative real estate investor, called Sunrise “[segregationist\[s\]](#)” and corralled Open New York’s members to spam Sunrise until they dropped their membership in the alliance.* Moreover, during the rezoning campaign, Open New York’s members would not let Flushing

activists post anything on twitter without butting into their feeds to call them as “[NIMBYs](#)”, which is Open NY slang for “racist”. *That’s how they operate on Twitter, they make sure that every single post about zoning or development in New York with more than 20 or so likes gets tagged with their spam, so that any political speech looks like it’s controversial, even when it’s broadly supported by local tenants. This organization’s primary purpose is to engage in organized cyberbullying of neighborhood activists trying to stay in their homes in neighborhoods across NYC.*

I’ll also add that about an hour ago, right after a Chinatown resident testified, Open New York members are commenting on their Slack feed, [saying](#) “DCP should introduce a plan to rezone Chinatown so people quit lying about this one,”. So much for only advocating in “rich white neighborhoods”. Another comment called the resident “[anti-semitic](#)”, which, as a Jew, I find a highly inappropriate use of the term. *I would hope that an organization supposedly supporting “social justice” would know better than to accuse people of color of reverse racism for standing up for their economic security, which, far too often, is used as an intimidation tactic. But instead, the comment got 7 likes, because this is fundamentally what this organization is designed to do. Additionally, the comment “Christopher Marte is a terrible person” got 6 likes.*

So to sum up, um, yeah, I think Open New York is a really inappropriate community partner for a city agency, thank you.

*Further, I’d like to add that despite what DCP is saying about rent stabilized housing now being protected, Major Capital Improvements are still happening in Flushing! I’ve seen with my own eyes, just a couple months ago, rent regulated buildings suddenly full of the typical shoddy “upgrades” and useless expensive chandeliers, and I’ve talked to tenants about them. Tenants have no idea there are new restrictions on MCI, or even that they live in rent-regulated housing, because their rents keep going up! Further, with the end of vacancy decontrol and other related measures, demolition is one of only legal means for evicting tenants, and buildings are being demolished all over Flushing.*

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 11:03:18 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ruth Marantz**

Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

As a lifelong resident of Soho ( my grandparents were raised here ) I have watched as the vibrant communities here have been displaced over and over and over again. When will it stop ? When will the greed and racist policies only protecting the one percent of this city end ? You want to erase the shred of culture we have left downtown so another half empty condo can erase people, the people that actually deserve to stay here. I'm outraged by this plan - I wonder if there's anyone left in our government that actually cares about protecting people and isn't seduced by money. Who will stick up for us ? Ruthie Marantz , 38, born and raised in Soho (granddaughter of Irving Marantz - a Jewish Immigrant who moved here for a once diverse city)



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 8:50:04 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **margo margolis**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

It is ironic that the NYC Department of Planning would want to establish zoning that would endanger a world renown neighborhood that was created organically and has been emulated around the globe as a successful example of urban renewal, adaptive reuse of defunct industrial buildings and a major economic engine of the city. Rather, you should be studying Soho for what makes a truly living, energetic and thriving community. I agree completely with the resolution filed by Community Board 2 that the rezoning fails to achieve affordable housing goals and instead incentivizes office, dormitory and large retail development and will displace existing rent-protected and low-income residents - There are 635 rent stabilized units in danger of displacement. Just as an example, there are 72 rent stabilized units in the square block between Broome and Grand, Crosby and Lafayette Street. With increased FAR, landlords will be incentivized to demolish buildings in order to build large towers displacing

low- income tenants in the opportunity zones, especially Lafayette, Baxter and Centre Streets. This area is part of Chinatown, largely Asian and displacement would significantly alter the socio/economic impact of the area. In the historic, cast- iron area, landlords would be incentivized to create additional floors, penthouses, harassing tenants through construction. Additionally, it further incentivizes office, dormitory and large retail development. In fact, the Mayor's plan will likely result in a net reduction of affordable housing units -It is impossible to convert buildings that are JLVQA to UG2 as the Certificates of Occupancy are incompatible. The JLVQA fits a manufacturing floorplate that does not work for UG2. Instead create JLVQ and make this a more inclusive code. -The conversion fee should be dropped completely. It is punitive particularly to legally conforming seniors who are aging in place and who went through considerable hardship to legalize their spaces and buildings under current zoning codes. -Support the small businesses that attract so many to this area by keeping retail to under 10,000 sq. ft. The 19th century buildings are not equipped to handle the loading and unloading of merchandise. Our buildings include basement vault spaces, a unique feature of our late nineteenth century buildings that are a feature of our protected landmark status. They preclude the construction of the required loading bays that normally accompany larger retail deliveries. -Increase in FAR from 5 to levels up to 12 is especially problematic. This increase incentivizes demolition of existing buildings in the 6 historic districts that give these neighborhoods their defining character. Increased development pressure will lead to both residential and commercial displacement and the loss of historic and cultural aspects of this area. -

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 8:20:24 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **margo margolis**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Please vote against the proposal to rezone SoHo, NoHo and Chinatown. I am in complete agreement with the resolution resolution filed by Community Board 2 that the rezoning fails to achieve affordable housing goals and instead incentivizes office, dormitory and large retail development and will displace existing rent-protected and low-income residents. - There are 635 rent stabilized units in danger of displacement. With increased FAR, landlords will be incentivized to demolish buildings in order to build large towers displacing low- income tenants in the opportunity zones, especially Lafayette, Baxter and Centre Streets. This area is part of Chinatown, largely Asian and displacement would significantly alter the socio/economic impact of the area. This is racial discrimination!! In the historic, cast- iron area, landlords would be incentivized to create additional floors, penthouses, harassing tenants through construction. Additionally, it further incentivizes office, dormitory and large retail



development as a way to avoid MIH. In fact, the Mayor's plan will likely result in a net reduction of affordable housing units. --It is impossible to convert buildings that are JLVQA to UG2 as the Certificates of Occupancy are incompatible and it is impossible to convert unless the building is completely vacant. The JLVQA fits a manufacturing floorplate that does not work for UG2. Instead, keep the JLVQ designation but make it a broader more inclusive designation by creating this new code: JLVQ. -The conversion fee should be dropped completely. It is punitive particularly to legally conforming seniors who are aging in place and who went through considerable hardship to legalize their spaces and buildings under current zoning codes. This seems particularly vindictive and unfair to those who have built this neighborhood and maintained the historic facades and associated environs. -Support the small businesses that attract so many to this area by keeping retail to under 10,000 sq. ft. The 19th century buildings are not equipped to handle the loading and unloading of merchandise. Our buildings include basement vault spaces, a unique feature of our late nineteenth century buildings that are a feature of our protected landmark status. They preclude the construction of the required loading bays that normally accompany larger retail deliveries. -Consider a zone text amendment that would allow retail and housing as of right but keep the current size restrictions in place. -While the Abstract Expressionists painters of the 1950s generated the ascendancy of American Art from European dominance, it is the artists of the 1970s and 1980s that firmly established New York as the center of the Art World. The financial resources that these changes have brought to the city are enormous and incalculable and SoHo was and is in large part responsible for that economic vitality. Now more than ever, post-pandemic, it is essential for the city to maintain what is unique and authentic and SoHo is exactly that.. It is studied and emulated world-wide as an example of successful adaptive re-use. That is one of the many, many reasons for the opposition to the proposal for the up zoning presented by the DCP. Destroying the historic character of SoHo would demolish not just buildings but also one of the key economic drivers of the city.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 1:16:34 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Thomas Marshall**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

This is a great plan to encourage infill and sensible new development in the Soho and Noho neighborhoods. This would be a positive influx of new people to this neighborhood and a severely underdeveloped core part of the city. Opponents of this plan would rather have surface parking lots than new people moving into this neighborhood.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 9:46:55 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Gaston Marticorena**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

How do you expect these low income people to survive and one of the most expensive ZIP Codes in Manhattan i.e. going to restaurants in the neighborhood food shopping etc.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 4:11:20 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **KIMBERLY MARTINI**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

As a Loft Law tenant, there is no outline or plan to protect my home with this proposal Also, the most vulnerable in Chinatown have not been given a voice in this plan due to overwhelming language barriers. Please reject and rethink this plan!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 6:28:36 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Patrick McDarrah**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am unavailable at 10am tomorrow because I work so I wanted to offer opposition to this plan as proposed. I am all for affordable housing and encourage specific development of new, and the protection of existing units. This plan encourages market development of whatever they want with casual lip service to affordable housing. If NYU is any example, developers will ask forgiveness when they underdeliver rather than ask permission to shaft the people first. For starters, the City of New York needs to hold NYU to its 1960's commitment to develop the area below WSP. How did it go from 1/3 of units in the area Moses gave them, <https://www.pcf-p.com/projects/university-plaza-new-york-university/> to rejoicing that they didn't renege on their commitment? <https://observer.com/2012/07/village-vanguard-nyu-agrees-to-keep-505-laguardia-affordable/> Sad. Activists and politicians come and go, but these companies and institutions play a long game. Hold NYU accountable and DO NOT GIVE

AWAY SOHO AND NOHO to a new generation of profiteers.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 10:33:12 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Dianne Mendez**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I am a board member of a small co-op.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I oppose this plan - no guarantee of truly affordable housing; no consideration of the deleterious impact of greater density on traffic, water/waste management, air quality, etc; the punitive \$100 psf penalty imposed on long term residents regardless of sale price. This is a gift to developers and a disaster for an already overcrowded, flood-prone, air polluted neighborhood. You must go back to the considerations voiced by residents in the years of hearings. This plan does not achieve its purported goals! Vote NO!!!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 5:30:23 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Linda Mevorach**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

After today's testimony with out numbered opposition to the ill-conceived Soho/Noho/Chinatown upzoning plan is obviously not a NIMBY issue. Most of us are for diversity and affordable housing. But not for a plan that would fail in its stated goals and damage an historic neighborhood and vibrant community that created the unique destination spot that brings in enormous amount of revenue to our beloved city. Please we must go back to the drawing board, first a moratorium on racist slander, not a foundation for compromise. Please recognize Soho East is Chinatown. Thank you.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 6:48:43 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Renée Monrose**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **SoHo artist/resident coop shareholder**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am an artist and have lived and worked on Broadway since 1987. I fully support the goal of affordable housing in SoHo but **VEHEMENTLY OPPOSE** the proposed Soho-NoHo-Chinatown Plan. It is slapdash, ill-conceived and will have the opposite effect of its stated goals of creating affordable housing and economic and racial diversity. There are innumerable core problems with this plan, but as a coop owner who lives on the Broadway corridor, I will focus on two issues that would affect me most directly. JWLQA conversion to Residential is **UNACHIEVABLE**: DCP has obviously paid no attention to Alexandr Neratoff's expert testimony in which he explains that a change from JWLQA to UG2 would require a change in Certificate of Occupancy. The code requirements for UG2 residential spaces are incompatible with most of the buildings and manufacturing floor plates in SoHo, making that kind of conversion next to impossible to achieve without enormous expense and possibly the gutting

the entire building. This is the case in my building which is composed of 8 mostly middle class shareholders. We have few windows and only one proper fire egress. We are granted this exception because our building has sprinklers which fit its current code designation. This would not be allowed under UG2. Changing in the entire system would be prohibitively expensive. Because of the locations of our windows, we cannot create proper residential apartments and there is nothing we can do about that. Our elevator would not meet UG2 code either. To convert, we would have to gut the building and go bankrupt in the process. After all that, forget about affording the “punitive” (Sylvia Li’s own word) conversion tax. 2.

**OVERSIZE RETAIL:** SoHo does NOT need more oversized retail. What we need is incentives for small and medium size stores that sustain a community. When the pandemic hit, SoHo was moribund while Brooklyn, with its variety of small and medium-sized shops that were not run by international conglomerates thrived. Our streets and infrastructure cannot accommodate the expanded delivery requirements of oversized retail. I live next door to Uniqlo and can testify to the disruptive clamor from hours of late night deliveries. The vaulted side-walks preclude the construction of the loading bays required for oversized deliveries. At present, oversized retail occupies only 1% of potential spaces — and even that little causes a host of problems. Without the ability to adapt spaces to include loading bays, the upzoning would harm all other stakeholders and make residential living a nightmare. IN

**CONCLUSION:** In spite of DCP’s slick presentation to the Commission, a close reading of the plan, which many of us have done, shows how sloppily put together it is. It needs to be sent back to the drawing board so that SoHo, NoHo and Chinatown can have real affordable housing without completely destroying everything that is valuable about these cultural and historic destinations; without destroying the artist community that, yes, DCP, still exists.  
Sincerely, Renée Monroe

**From:** [Annabelle Meunier \(DCP\)](#)  
**To:** [Sarit Platkin \(DCP\)](#); [Rachel Antelmi \(DCP\)](#)  
**Subject:** RE: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 10:12:00 AM

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Thanks, both, but this is pretty odd; I have been receiving the S/N comments as well but it looks like this one was sent to Queens? Very confusing.

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**From:** Sarit Platkin (DCP) <[SPLATKIN@planning.nyc.gov](mailto:SPLATKIN@planning.nyc.gov)>  
**Sent:** Wednesday, September 1, 2021 10:07 AM  
**To:** Rachel Antelmi (DCP) <[RAntelmi@planning.nyc.gov](mailto:RAntelmi@planning.nyc.gov)>; Annabelle Meunier (DCP) <[AMEUNIER@planning.nyc.gov](mailto:AMEUNIER@planning.nyc.gov)>  
**Subject:** Re: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan

Yes, was surprised by that! Thanks for looping in Annabelle!

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**From:** "Rachel Antelmi (DCP)" <[RAntelmi@planning.nyc.gov](mailto:RAntelmi@planning.nyc.gov)>  
**Date:** Wednesday, September 1, 2021 at 10:06 AM  
**To:** "Sarit Platkin (DCP)" <[SPLATKIN@planning.nyc.gov](mailto:SPLATKIN@planning.nyc.gov)>, Annabelle Meunier <[AMEUNIER@planning.nyc.gov](mailto:AMEUNIER@planning.nyc.gov)>  
**Subject:** Re: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan

Hi Sarit - The Soho/Noho comments should go to Annabelle. Not sure how I ended up on the recipient list!

**RACHEL ANTELM**

SENIOR PROJECT MANAGER

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

**NYC DEPT. OF CITY PLANNING**

120 BROADWAY, 31<sup>ST</sup> FLOOR • NEW YORK, NY 10271

[rantelmi@planning.nyc.gov](mailto:rantelmi@planning.nyc.gov)

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**From:** Public Hearing Comments (Do not reply) <[PublicComments\\_DL@planning.nyc.gov](mailto:PublicComments_DL@planning.nyc.gov)>  
**Sent:** Wednesday, September 1, 2021 9:59 AM  
**To:** Sarit Platkin (DCP) <[SPLATKIN@planning.nyc.gov](mailto:SPLATKIN@planning.nyc.gov)>; Rachel Antelmi (DCP)

<[RAntelmi@planning.nyc.gov](mailto:RAntelmi@planning.nyc.gov)>; QueensComments\_DL <[QueensComments\\_DL@planning.nyc.gov](mailto:QueensComments_DL@planning.nyc.gov)>

**Subject:** [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan

Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Connie Murray**

Zip: **11106**

I represent:

· **Myself**

Details for "I Represent": **I'm a housing advocate and former SoHo resident**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

**Additional Comments:**

As a former SoHo resident and lifelong New Yorker, I implore City Planning to reject this proposal which will not create any viable affordable housing and will displace the generation who built that area into the globally adored tourist destination it is today. No one other than the developers and their transient lobbyists support this unpopular plan: NYC deserves better than to have its history destroyed by greedy real estate developers. Thank you for your time and consideration, I look forward to testifying at the hearing tomorrow morning and have attached additional comments, Connie Murray

**From:** [Annabelle Meunier \(DCP\)](#)  
**To:** [Annabelle Meunier \(DCP\)](#)  
**Subject:** FW: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 11:09:32 AM

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**From:** Public Hearing Comments (Do not reply) <[PublicComments\\_DL@planning.nyc.gov](mailto:PublicComments_DL@planning.nyc.gov)>

**Sent:** Wednesday, September 1, 2021 9:59 AM

**To:**

**Subject:** [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan

Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Connie Murray**

Zip: **11106**

I represent:

· **Myself**

Details for "I Represent": **I'm a housing advocate and former SoHo resident**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **Yes**

**Additional Comments:**

As a former SoHo resident and lifelong New Yorker, I implore City Planning to reject this proposal which will not create any viable affordable housing and will displace the generation who built that area into the globally adored tourist destination it is today. No one other than the developers and their transient lobbyists support this unpopular plan: NYC deserves better than to have its history destroyed by greedy real estate developers. Thank you for your time and consideration, I look forward to testifying at the hearing tomorrow morning and have attached additional comments,  
Connie Murray

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 13, 2021 11:56:57 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Devi Nampiarampil**  
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent": **Myself**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I am asking you to deny the City's proposal to re-zone SoHo, NoHo, and Chinatown. The taxpayers commissioned a "Value Engineering Study," to determine the risks, benefits and alternatives to the current plan, which was purportedly to manage flooding in those areas. However, the City released a heavily redacted report. The alternatives to the current plan could not be understood. In the interest of transparency, New Yorkers should be able to consider the alternatives before proceeding with a plan that costs over \$1 billion dollars. At a time when New Yorkers are more concerned than ever about climate change, at a time when New Yorkers suffer from asthma, allergies and respiratory disorders at alarming rates, the City plans to cut down hundreds of trees in the East River Park. Meanwhile, New Yorkers have no idea what the alternatives are. The plan does not guarantee any units of

affordable housing. Nor does it guarantee dedicated space for pet owners to walk free with their pets. And it is unclear how floods like Hurricane Ida would be managed during the construction period itself. For these reasons, I urge you to deny the City's proposal until we have a clearer, more transparent plan. Sincerely, Dr. Devi Nampiarampil, MD



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 13, 2021 11:56:57 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Devi Nampiarampil**  
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent": **Myself**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I am asking you to deny the City's proposal to re-zone SoHo, NoHo, and Chinatown. The taxpayers commissioned a "Value Engineering Study," to determine the risks, benefits and alternatives to the current plan, which was purportedly to manage flooding in those areas. However, the City released a heavily redacted report. The alternatives to the current plan could not be understood. In the interest of transparency, New Yorkers should be able to consider the alternatives before proceeding with a plan that costs over \$1 billion dollars. At a time when New Yorkers are more concerned than ever about climate change, at a time when New Yorkers suffer from asthma, allergies and respiratory disorders at alarming rates, the City plans to cut down hundreds of trees in the East River Park. Meanwhile, New Yorkers have no idea what the alternatives are. The plan does not guarantee any units of

affordable housing. Nor does it guarantee dedicated space for pet owners to walk free with their pets. And it is unclear how floods like Hurricane Ida would be managed during the construction period itself. For these reasons, I urge you to deny the City's proposal until we have a clearer, more transparent plan. Sincerely, Dr. Devi Nampiaparampil, MD

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:48:53 PM  
**Attachments:** [CPC SoHo-NoHo Testimony- Draft 2 - 08-30-21.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Alexandr Neratoff**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I was a stand-in member of the Advisory Board in the Envision Process representing NY Loft Tenants but these comments are based on my experience as an architect living and workin in SoHo for 41 years.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Please see attached.

Draft 2- August 30, 2021

**The SoHo-NoHo Re-Zoning Proposal – A high-density Office, high-end Retail and high-volume Entertainment area disguised as an Affordable Housing proposal.**

What is unique about SoHo-NoHo, besides its initial artist-only use, is the neighborhood's **mixed-use** nature, from the macro level (building-by-building) down to the micro level, where each space could be used simultaneously for living and working without separation. This concept invented in SoHo-NoHo was the first such example in the US to be recognized by a Zoning Resolution, counteracting the prevalent 20<sup>th</sup> century planning theory that separated uses – living, working, commerce, industry – into exclusive zones. This still vibrant concept was much admired and copied all over the world, and is a principal basis of the neighborhood's continued attraction, especially appropriate as Covid accelerated the trend to mix living and working on a unit-by-unit and neighborhood-wide basis.

The "stakeholders" and the CPC discussed for months how to preserve SoHo-NoHo's specialness while fixing its problems, expanding the "artist" exclusivity to "makers" of all types, and finding ways to introduce affordable housing opportunities into an area with few underdeveloped sites and even fewer vacant ones. The proposal revealed by CPC was a complete change of direction: it incentivizes office development by allowing an equally-increased FAR for office or residential use while burdening the residential choice with an MIH penalty, assuring a pro-office choice for most vacant or underdeveloped sites. It also seeks to preserve large office (former factory) buildings by prohibiting their conversion to residential use. The essence of SoHo-NoHo, the artists' lofts (JLQWAs), would remain only as an anachronistic use doomed to elimination by aging and buy-outs. It's as if the CPC decided to consciously exterminate everything unique about SoHo-NoHo, and to aggressively return this neighborhood to conventionality. To make it into another office and entertainment area driven by the available hub-like rapid transit access, following a discredited 1920's CIAM model of central business districts connected by subway to lower-density outer boroughs, squandering an opportunity to build on the forward-looking 24-hr. energy-efficient mixed-use model invented here 50 years ago.

City Hall has been driving the re-zoning proposal for SoHo-NoHo claiming it will create hundreds of new affordable housing units in a neighborhood that has been described in the media as universally wealthy and white. The City Planning Commission also set out to resolve the sales and financing problems for JLWQA owners, one of the problems attributed to anachronistic 50-year-old Zoning Laws (written when SoHo-NoHo was a mix of factories and pioneering artists) that clearly needed to be addressed. Regrettably, most claims made to justify this re-zoning proposal turned out to be false: few if any affordable housing units will be created, instead, a flood of new office and retail use will result from a substantial increase in permitted building size, particularly along major thoroughfares, threatening to overcome the "appropriate scale" defense of this historic neighborhood and potentially other historic districts in New York. This surrender to conventional and outdated planning theory will benefit only a limited number of SoHo-NoHo real estate owners and the bean counters at the MTA.

The losers: existing residents, all those who really need affordable housing, and an art community that despite the CPC's deliberate choice not to take a census, was shown to exist in surprisingly substantial numbers and to be (though rent-regulation or old-coop status) an existing affordable housing stock.

The CPC claimed this proposal would accomplish several goals. None will actually be achieved.

### **The Affordable Housing Rationalization will not work**

Very few new affordable housing units will result from this rezoning (and many old ones will be lost). The few available large sites will go commercial: that has already been demonstrated by recent choices developers made to build new commercial buildings in NoHo, a choice that will be made even easier by the 25% or 30% affordable housing requirement. The CPC is relying on a theory that SoHo-NoHo is infinitely marketable and that the extra fees will not deter wealthy buyers. Market realities will put a lid on that and developers know this.

In the peripheral areas, outside the protected historic zones, the CPC proposed to go to ten times lot area, same as West 57<sup>th</sup> Street, double the existing limit: the new market values will surely trigger mass demolition, particularly in the large South-East Zone, actually part of Chinatown, where more existing and actually affordable units will be displaced than new not-so-affordable ones created.

Most sites in SoHo-NoHo are small and most are already developed: none would yield enough new residential space to trigger the threshold for affordable housing. Even in the higher-yield "corridor" sites, it would be easy to avoid hitting that threshold by utilizing a clever commercial/residential mix.

### **JLWQA "Preservation" will instead allow this unique type of mixed-use space to disappear**

Instead of fostering the preservation and development of a creative community that has thrived here for 50 years but has been itself threatened by the escalation of property values, the CPC proposal did not allow the creation of new JLQWAs and actively encourages their elimination by eviction and buy-outs. Instead of fostering vitality, the CPC substitutes that with supporting "art institutions": what a bureaucratic response!

It's truly a joke that a conversion penalty would be imposed on existing Joint Living-Work Quarters for Artists (JLWQA) and that the goal appears to be eliminate this legal special use, letting it die a natural or buy-out fueled death. No new mixed-use space would be allowed to be created by conversion or new construction. This substitution of goals is not what we discussed and a clear choice of the path to banality. It can also increase personal-use eviction risk for some rent-protected loft tenants, and create a risk of complete elimination by demolition for most rent-stabilized tenants.

### **JLWQA conversion to residential is too expensive: sales to non-artists will not become possible**

The proposal claimed it would resolve difficulties financing or selling SoHo-NoHo lofts limited by present law to occupancy by Certified Artists. CPC would allow unrestricted residential use but charge the unit owner \$ 100/SF (\$ 250,000 for a classic 2,500 SF loft) for the "right" to obtain a new C of O for unrestricted residential use at the unit owners' additional cost. This solution will not work. Charging the very people who built this neighborhood a steep fee for not being an artist or to be able to sell to

a non-artist, is a joke. In fact, making residential use into a “premium” use perpetuates the present problem instead of solving it creatively.

1. JLWQA and General Residential spaces are subject to incompatible zoning rules and requirements: converting one into another within a single building, or adding new residential space to the top, is made theoretically possible, but regulatory contradictions undermine their co-existence. The CPC failed to explore the process of changing one into the other: the process may not be possible in many buildings, and require difficult and deliberate work in other, smaller or corner buildings.
2. Getting a new C of O is very expensive and might reveal building-wide problems and require coop or condo upgrades that a unit owner might not want to pay for. Would the coop assume such costs just so a unit owner would qualify for market-rate mortgages? There are better solutions!

New unrestricted residential COs are practical only in vacant or formerly commercial buildings: an option available only to developers. This rationalization for the re-zoning is pointless. The people who have a claim of being hurt by the JLWQA designation will not get anywhere with this proposal.

The CPC’s failure to find adequate ways for new construction to trigger the affordable housing program in sufficient numbers rather undermines the main reason for the proposal. Understanding that the argument for individual unit conversion does not work leaves the DCP proposal groundless.

## **Alternate Solutions**

The CPC’s proposals as well as others discussed during the past few months suffer from the same problem: they all try to fix a diversity of unrelated problems with one comprehensive move. That, as discovered by Zella Jones and Shelly Friedman, for NoHo-Bowery Stakeholders, Inc. can be avoided by addressing each issue separately avoiding comprehensive re-zoning when smaller scale adjustments and definition changes will do. And, turned out, solutions developed for the thorniest problem did not contradict solutions that addressed other issues. They grouped the problems into three “Silos”. This division also gave me a context to work out with more clarity what I had worked on and submitted previously. To make my point, I would examine the issues for existing JLWAA space (**Silo 3**) first.

### **A. Existing JLWQA space and Conversions (Silo 3)**

The coop/condo problem of not being able to sell to a non-artist is one the CPC utterly failed to address because of the expense and unpredictability of the C of O process that would have to be undertaken by the single unit owner wanting to sell but would have to cover the entire building, triggering incompatibilities between JLWQA and UG2 and simply having to update the C of O.

1. This issue’s resolution must not have to trigger a difficult or expensive C of O change – basically, JLWQAs would have to be made almost interchangeable with an unrestricted, non-artist use. This can be done by:
  - a. Altering the zoning definition of artist (possibly restated also at the New York State level), a zoning text change and something that can be done within this new Special District as artists only have a defined function within M1-5A and B.

- b. Altering the zoning definition of JLWQA, to allow it to be created in post-1961 or new space.
2. Existing JLWQAs are legal and there is no reason why they cannot continue to exist or be “made” as before, by conversion (but avoiding the MDL 1,200 SF minimum) or even be allowed to be created “new” in post-1961 floor area, even 100% new construction (see B and C below).
3. There cannot be any requirement for existing JLWQAs to become “Loft Dwellings” (to recall the definitions used in Tribeca a couple of decades ago), even if that option would be made available for newly-created or converted space (see B and C below) and could also be used voluntarily by someone for existing units: a required conversion to Loft Dwellings would trigger a C of O change and a C of O expense we are trying not to burden existing unit owners with. Not having to get a new C of O issued might avoid triggering re-assessment, so that JLWQA’s would remain at a lower tax assessment helping the older residents and the owners of rental IMD and rent-regulated units.

In a bid not to remove a thin layer of extra protection from IMD and rent-regulated units, artist-only restrictions would not be lifted from such an existing JLWQA unit without the occupants’ or tenants’ consent.

4. No existing JLWQA or existing or future (when and if certified by the Loft Board) IMD or other rent-regulated unit not yet covered by a C of O, would trigger a process by which MIH would be required or be subject to MIH if continued use would require a new C of O, in recognition of their de-facto affordable unit status. Here the “A” stands also for affordability!

Newly-converted or newly-built JLWQA units will be subject to locally-adjusted MIH with no threshold exceptions: see B and C below.

## **Conclusions:**

Since the process of resolving these specific problems can be dealt with by minor adjustments, a re-zoning into a non-M zone will not be necessary, nor will it be necessary to introduce UG-2 into this district, allowing it to avoid city-wide MIH regulations in order to be subject to a local MIH version.

By allowing an “artist” not to be restricted as to what she/he did (paint, sing, direct plays, invent widgets, sell stocks, does not matter), the area would also accommodate Makers (21<sup>st</sup> century’s Manufacturers) but not allow claims of zoning infractions because of use-related disturbances.

Outdated industrial preservation rules can be stricken, retail rules fixed, even building size adjusted without completely re-zoning the area or introducing conventional residential use. Updating the Mixed-Use rules would promote energy-efficiency and end use separations that promote commuting and single-use buildings and neighborhoods.

## **B. New Conversions of (any size but mainly) Larger Buildings (Silo 2)**

Since the process of resolving problems specific to existing JLWAs can be dealt with by minor zoning text adjustments, along the same lines, the ability of creating new conversions to JLWQAs and/or Loft Dwellings can also be accomplished without re-zoning SoHo-NoHo into a non-M zone and without introducing UG-2 into this district.

Conversion of large buildings can involve the creation of mixed buildings where offices, JLWQAs and Loft Dwellings can be mixed or sandwiched in any geometry, applying JLWQA's Zoning Standards of light and air, rear yards, courts and Art. 7B standards to new space, as long as the strictest safety standards that apply to any of the three uses is extended to all three uses. Block-through buildings in particular can be converted for example to offices or other commercial uses facing one street and JLWQA and Loft Dwellings facing another. Relocated floor area (such as floor area removed when creating required yards and courts to serve lower floors) will be treated as existing space as to Zoning Bulk Regulations, not an enlargement, except for rear-yard depth above the 6<sup>th</sup> floor level that would have to be set back substantially, to either 30 feet or a stepped profile to assure sunlight penetration into the new higher rear yards or courts. Front setbacks would follow urban design or LPC guidelines.

1. The option to call all newly-converted space "Loft Dwellings" (to recall the definitions used in Tribeca a couple of decades ago) will allow the imposition of stricter code and safety standards on such space as well as to give this space a higher tax assessment value (so that existing JLWQA's would remain at a lower tax assessment helping the older residents and the owners of rental IMD and rent-regulated units). The safety standards can be imposed even on new JLWQAs but tax values need a new "name".
2. Maintaining the M-zone and making this a Special District will allow customization of MIH regulations in SoHo-NoHo without having to conform to city-wide standards.

All newly-converted JLWQA or Loft-Dwelling units will be subject to MIH with no threshold exceptions, that would result in the creation of artist-or-maker oriented affordable units or realistically-valued contributions to an art fund if such a unit cannot be installed in the subject building. It would also be possible for developers of new JLWQA or Loft Dwelling units in existing space or smaller projects that could not accommodate an affordable JLWQA unit on site to purchase a space in a new building being built in the Special District (or even this or an adjacent Community Board) to insert their Affordable Unit into. Also see C below.

Affordable Units built within this Special District must be "curated" JLWQAs with more or less severe restrictions in return to being affordable. The "curatorial" process will be by a reinvented certification by DCA, or some other agency for the Maker category for Affordable Maker units should those be found desirable. Also see C below.

3. Preservation of existing office space or the creation of new office space within pre-1961 (or simply existing) space will not have any "local-adjusted" MIH consequences. However, the creation of new office space will be subject to the same local MIH standards as new residential space, by creation of Affordable JLWQA space within the subject building or elsewhere in the Special District or by payment into a fund to be used to reward creators of affordable new space in excess of the MIH percentage in new construction within the Special District (or beyond the Community Board).
4. Finally, any retail over 10,000 SF and retail over 5,000 SF in any building with a less than 10,000 SF footprint would be subject to the 25-30% factor as well, by payment into a fund to be used to reward creators of affordable new space in excess of the MIH percentage in new construction within the Special District (or perhaps, beyond the Community Board – to be revisited).



### C. New Development of Vacant or Under-Developed Properties (Silo 1)

Since the process of resolving problems specific to existing JLWQAs or conversions of existing buildings were seen as not requiring a re-zoning into a non-M zone, the same can be said about new construction. It is not necessary to introduce UG-2 into this district. New JLWQA or Loft Dwelling space can be built following the same bulk regulations applicable to conversions (to promote density without upsetting urban context and geometry), and following the locally-adjusted MIH regulations as discussed in the previous section.

I would favor the option to call all newly-created space (except the MIH-created Affordable JLWQAs) “Loft Dwellings” (to recall the definitions used in Tribeca a couple of decades ago), to be able to impose stricter code and safety standards on newly-created space, including the requirement for rear yard depth or setbacks for residential space. This new space would then have a higher tax assessment value, so that the JLWQA’s would remain at a lower tax assessment helping the older coop residents and the owners of rental IMD and rent-regulated units. Different tax values may need different names to record two levels of assessment.

All newly-built JLWQA and Loft Dwellings units will be subject to MIH with no threshold exceptions, that would result in the creation of artist-or-maker oriented affordable units or realistically-valued contributions to an art fund if such a unit cannot be installed in the subject building. It would also be possible for developers of new JLWQA or Loft Dwelling units in existing space or in smaller projects that could not easily accommodate an affordable JLWQA unit on site to purchase a space in a new building being built in the Special District (or even this or an adjacent Community Board) to insert their Affordable Unit into.

Once again, Affordable Units built within this Special District must be “curated” JLWQAs with more or less severe restrictions in return to being affordable. This would be accomplished by a reinvented approval process by DCA, or a new one by some other agency for the Maker category for Affordable Maker units should those be found desirable.

To actually create affordable housing, one would add the 25%-30% MIH factor to all **new** construction, of any uses and even enlargements, without a triggering threshold, removing the “office” exemption for all newly-created space. The choice of going office or residential will no longer be biased by an MIH burden on the residential choice. The off-site construction process will have to be re-thought: the present program is so complex no one had ever used it. Since SoHo-NoHo has so little undeveloped space, beneficiary zones should include all of CB 1, 2, and 3, without a penalty for building off-site. Protections for existing affordable housing (particularly in Chinatown) should be built in, and an appreciable discount in SF area can be given in return for deeper affordability: the latter is what’s needed, not rents set by middle-class income standards.

### Conclusions

Besides a limited amount of “infill” residential construction and enlargement on small sites all fitting in below the affordable housing threshold, and development pressures leading to evictions and buy-outs of existing tenants, the real result of CPC’s proposed up-zoning as presented would be the open floodgates of new commercial construction. The dramatic increase in office building size was a

complete surprise to the community. Its imposition into and next to one of the world's most renowned historic districts would leave Landmarks as the only agency to determine "appropriateness" and only for sites inside the district.

That this was the real goal of the rezoning proposal is made evident by the choice of rationalizations used by the CPC. The very first argumentation page (#7) of the 5/17/21 CPC presentation was about the "exceptional transit access", but a local increase of housing would not materially increase the use of public transportation: new residents would mostly travel to jobs in downtown Manhattan reachable by walking or by bike. Transportation infrastructure, particularly regional hubs, serve concentrations of 9 – 5 jobs, providing a destination to which residents of outer boroughs could efficiently travel to, and a draw for off-peak use by retail shoppers, tourists and restaurant patrons.

Another clue is Slide #19, emphasizing job density (#3 in NY) and retail sales (#2 in NY). The proposal reserves large buildings for 100% office use (Sound familiar? 50 years ago, the CPC tried to preserve manufacturing uses in exactly the same way): no affordable housing will thus be generated.

The third clue: which uses are proposed to benefit from a huge increase in permitted building size without any \$ 100/SF conversion fees or 25-30% affordable housing requirement? Offices and retail.

These results reveal the real basis for the SoHo-NoHo's re-zoning: it's not really about the outgoing mayor's parting gift to owners of commercial real estate in this area as some have charged, it points to City Hall's proposed re-positioning of SoHo-NoHo as a high-tech office and high-end retail area taking full advantage of the area's saturation with major mass transit lines and hubs (that would have been wasted if the area would develop into high-density housing, as offices and large-scale retail and restaurants produce far higher density per land area than housing thus a more effective use of city and transit resources, and generate a far larger income stream for the city in terms of real estate taxes, sales taxes and various payroll and commercial taxes than residential uses). This is the same principle used to plan massive FAR increases around transit hubs like Grand Central and Penn Station, and a regrettable reversion to a 20<sup>th</sup> century planning theory advocating high density office and shopping cores surrounded by bedroom communities reached by centralized mass transit.

Thank you for allowing me to share my thoughts.



Alexandr Neratoff  
Architect and Certified Artist  
Living and Working in a JLWQA space in SoHo since 1980.

## Footnotes

1. A Zoning-permitted change from a JLWQA to a UG 2 General Residence individual space requires a change in that building's C of O. JLWQA is a manufacturing district use, UG 17D, exclusive to SoHo-NoHo (M1-5A and 5B) and to the old Tribeca LMM Special District (where it was allowed to coexist with the now-discontinued "special" residential use "Loft Dwellings" demonstrating how co-existence can be made to work). UG2 is a residential use permitted in R and some C districts. Making SoHo-NoHo into a M/R mixed district (using the Williamsburg, Dumbo and Gowanus models) would allow both uses to coexist in the same district, but does not address the nature of their relationship and especially not the process of changing one into the other.
2. The paper part of a new C of O process will easily rise to \$ 100,000 and then, a new C of O for a building whose last C of O was issued in the 1980's or 1990's will require updates to systems grandfathered into the last 20+ year old C of O inspection/compliance cycle, but will now have to be brought up to 2021 standards. Add to that energy code compliance, sprinkler, elevator code updates, and documenting (and physically correcting) changes made in each loft-apartment over the past 30 – 40 years (many of them illegal, so they may have to be demolished). In some cases, the other units would be exempted if an "amended" C of O is applied only for the unit in question, but all the building-wide issues would still have to be dealt with. Will a coop want to expose itself (and a unit owner agree to pay for) all the costs associated with a new C of O just to qualify for a market-rate mortgage (the main advantage of compliance)? There are better solutions than this!
3. This being said, UG2 residential spaces are subject to Zoning Resolution, Multiple Dwelling Law and Building Code laws, rules and regs that are specific to UG2, including matters of light and air, distance to windows, exits, density, non-residential uses, fire and safety rules, that are different, usually more demanding, and actually, incompatible with JLWQA rules as they would apply within the same building but mandate a differently-configured building envelope. JLWQA rules were written to facilitate the inexpensive residential re-use of obsolete vacant industrial buildings in the 1970's, and traded safety and quality of life for cost made possible by the JLWQAs low occupancy density and reliance on sprinkler coverage. There is no easy way to convert just one or two spaces in a formerly JLWQA building to UG2: not at all, in many buildings, and only with considerable difficulty and deliberate work in other, mostly smaller or corner buildings.
4. Building envelopes: residential buildings are limited by the MDL to 30 feet deep coverage from windows so they generally are 70 feet deep (on a typical 100-foot-deep lot), limited by a Zoning-required 30-foot-deep rear yard. This issue will come up each time a JLWQA building is enlarged, fueled by the new up-zoning: penthouses under 33% of roof area are not independent spaces thus are not considered "new" floor area. Anything more than a penthouse would be "new construction" thus would have to be UG2 residential, since JLWQA can only exist in pre-1961 space, and I see nothing in the new zoning proposal that changes that (despite my urging that this happen during the Envision phase). One more incompatibility problem that is not addressed in the CPC proposal.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 6, 2021 2:54:50 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Don Oehl**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

As a 20 year resident of Soho and taxpayer of NY and NYC, I oppose the upzoning of SoHo and Noho neighborhoods. I believe there is ample space available for commercial and retail without rezoning. As far as affordable housing, there is currently enough existing empty real estate in the city to support any amount of housing shortage in other boroughs and neighborhoods throughout the city without disturbing one of the cities oldest and treasured neighborhoods. Please do not allow the mayor and developers to fill their pockets by taking away one of the cities remaining "special" neighborhoods. CAN WE HAVE MORE JANE JACOBS LESS ROBERT MOSES, PLEASE!!!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 3:38:21 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ryan Oskin**  
Zip: **11238**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I urge the city to stand with Community Board 2 in their recent rejection of the Soho/Noho Neighborhood plan. This plan does not create enough affordable housing and will displace current residents in these neighborhoods as well as other neighborhoods like Chinatown that border this area. Increasing the commercial FAR will not help affordable housing in this area and there is no need for more office space in this area. Please consider turning down this current plan until it is re-adjusted to truly support the overwhelming affordable housing needs of New York City.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 11:19:39 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ann Pettibone**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I am absolutely opposed to this upzong plan for NoHo/SoHo. It would further destroy the vibe in the very precious, particular neighborhoods (SoHo and Chinatown), adding more insanely expensive, oversized development for people who don't even live here. Neighborhood character must be preserved. Save rent regulated/loft law affordable housing. Already overwhelmed by NYU presence. NO MORE EXPANSION. NO MORE!! NO MORE!!! NO MORE!!!!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Sunday, September 12, 2021 9:14:33 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Joanna Pousette-Dart**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **Building owner-533 Broome st.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

this is a terrible ill conceived plan that would further deteriorate an important and unique architectural gem( the soho and noho districts) which are known worldwide and visited by tourists year round. The plan would destroy the vestiges of New Yorkness which makes the downtown neighborhoods unique and vital and pro ports to do this in the name of affordable housing. In fact it's a gift to developers. The small number of affordable units provided is not enough to outweigh the irreparable damage it would do. In addition there is no plan to deal with the increased traffic it would bring to the utterly catastrophic traffic problems that already exist in the area.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 5:20:59 PM  
**Attachments:** [SOHO NOHO testimony.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Carol Puttre-Czyz**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project?

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I waited 5 hours to testify to no avail. See attached



My name is Carol Puttre-Czyz and I'm a member of Bowery Alliance of Neighbors, Village Preservation, on the board of the E 5<sup>th</sup> St Block Assoc. and on the Community Council of the 9<sup>th</sup> Police Precinct. However, I speak for myself on this issue for as goes SoHo and NoHo there goes the East Village.

I almost didn't come today because quite frankly I think the decision of voting in favor of the SoHo/ NoHo rezoning issue has already been made and this is just a dog and pony show to placate the hundreds and perhaps thousands of NYC residents who vehemently disagree and would be negatively affected by that decision.

I did a little research. Seven of the NYC Planning Commissioners are appointed by the Mayor. I would assume they (the majority), opposing testimony aside, would be voting for the plan which favors REBNY, big real estate and developers who are huge supporters of Mr. deBlasio

How can you look in the mirror or sleep at night knowing that you would be responsible for over 600 rent regulated tenants losing their homes when their buildings are demolished? Contrary to what the first commissioner who spoke claimed, the 2019 "strengthened" rent stabilization rulings do not protect them. If their building is demolished – good luck. Have a nice life. You may as well move to Florida.

In addition, which no one mentioned, the new rent stabilization rules do not allow landlords to de-regulate apartments to market rate. They must remain rent stabilized.

Furthermore, the argument of creating affordable housing is laughable. You would be destroying existing affordable housing for a weak promise of providing new affordable housing. And affordable for who? Certainly not me. I'm retired and live on Social Security.

And I'm not forgetting the impact this change would make on the history, culture and street-scape of SoHo/ NoHo as well as impacting the survival of the current artistic community.

Wake up! Have a heart! Listen to the voices of the residents - not REBNY "plants" – "Hi! I'm Gary. I live on the Upper West Side. We need more diversity in SoHo/NoHo". Really?

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 10:44:15 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Carolyn Ratcliffe**  
Zip: **10009**

I represent:

- **Myself**

Details for "I Represent": **I represent myself as a longtime neighborhood resident..**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

As a long time resident of the East Village I do not think that the proposed up zoning will not meet the needs of ordinary low and middle income New Yorkers, but instead Will remove rent stabilized tenants and create more unaffordable luxury housing for foreign real estate investors

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 10:07:59 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Monica Rittersporn**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Dear City Planning Commissioner's, I am appalled at the lack of foresight in the current administration's plan to undo SoHo. Soho with its land marked status is a world treasure and NYC architectural masterpiece. Nothing in this plan adds what you say it does. The timing and the details of the proposal Are devious and disingenuous. I as a lifelong citizen of NYC object!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 6:49:07 PM  
**Attachments:** [Pritzker Award Housing Solutions.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Phyllis Rosenblatt**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I urge you to stop the city's reckless plan to rezone Soho, Noho, and Chinatown. As has been proven over and over by every single community group in these areas, the plan will not achieve the stated goals for growth within these landmarked areas. As it is formulated currently, it will, in fact destroy these areas. If the most urgent need is for housing for equity for lower income citizens, then make that the focus of the plan. Relying on private developers is clearly not the answer and the laws as written will permit lawless overbuilding that will threaten the very people the administration claims to want to help provide housing for. Especially in Chinatown and among over income dwellers actually herein the regions. All persons in the communities involved want equity in housing. They do not want exclusive whites-only gentrified housing. Yet the plan stands to clearly reinforce the expenses and whiteness of the region as it is

formed. PLEASE DO NOT GO THROUGH WITH THE PLAN AS IT S CURRENTLY FORMULATED. Rethink it and listen to what the communities suggest since their ideas are not out of sympathy to the city's goals just the planned means to them. So much more vacant real estate has been created by the pandemic that adding to it seems nuts. There is a glut of empty space in the immediate and surrounding areas such as west of the entry to the Holland Tunnel and along Canal St. \_\_\_\_\_ These are only some of the reasons for reconsideration of the plan:

- Because COVID has changed where and how people work and their potential office needs. Working from home may become more dominant for a large number of people
- Because the consequences of this pandemic over the next 10 years is not knowable at this time but a necessary element in evaluation of the proposal projections - it cannot be made up as fiction to be used for any realist plan.
- Because 12 communities' have offered a clear statistically backed alternative plan which the city's proposed plan has repeatedly ignored without reason
- Because laissez-faire retail without procedures or scaled restrictions will choke the area to death. Small footprint retail is scale appropriate for these landmarked regions.
- Because no green space, schools, communities service centers, health centers have been proposed in the DCP plan
- Because MIH is not a real way to create anything affordable for the people this administration claims it wants to attract
- Because the communities being affected are repeatedly disrespected and disregarded in the planning. The plan has not altered its talking points for several rounds.
- Because the communities are seen as obstacles to real estate goals and are not active partners as citizens in this entire process
- Because DCP lacks understanding of what allows for a creative community
- Because this plan has clearly questionable interest in design, and has not looked at the work of other countries that solve their housing growth in a more creative and humane way (See the second submission; NYTimes article)
- Because, as planned the proposal will create increased conformity and flatten tourist interest to mindless commerce alone without solving the housing shortage one bit.
- Because charging \$100 per square foot conversion fee from JLVGQA to residential use is arbitrary and abusive as well as unjust.
- Because the up-zoning of these historic, landmarked areas is done with a mind to cash in on regions built by artists who still live and work here, and who welcome more housing in the region. The current plan is reckless, with a fictional idea of what will happen financially with upzoning and blind to consequences inadequate housing development and the other elements necessary to make any plan work: for green spaces, schools, senior centers, preschool centers and other community needs beyond shopping. And beyond warehousing space with foreign investors.

DO NOT GO THROUGH WITH THIS PROPOSAL. SCRAP IT AND ST

*Article for a feasible idea.* NYTIMES March 16, 2021

### **Affordable Housing Earns French Couple the Pritzker Prize**

After more than 30 years of designing affordable new spaces out of existing structures, Anne Lacaton and Jean-Philippe Vassal have won architecture's highest honor.

The architects Anne Lacaton and Jean-Philippe Vassal believe that every structure can be repurposed, reinvented, reinvigorated. Above, 53 low-rise apartment units in Saint-Nazaire, France.

By Robin Pogrebin

March 16, 2021

Anne Lacaton and Jean-Philippe Vassal have never demolished a building in order to construct a new one.

The French architects, who are based in the Paris suburb of Montreuil, believe that every structure can be repurposed, reinvented, reinvigorated. Now, after 34 years of putting that approach into practice, they have won their field's highest honor: the Pritzker Prize.

"Through their ideas, approach to the profession and the resulting buildings," the jury said in its citation, "they have proven that a commitment to a restorative architecture that is at once technological, innovative and ecologically responsive can be pursued without nostalgia."

In a joint telephone interview, Lacaton and Vassal said they have long been opposed to taking things down. "If we look at things with fresh eyes, there is always something positive to take from an existing situation," said Anne Lacaton, left, with Jean-Philippe Vassal.

"There are too many demolitions of existing buildings which are not old, which still have a life in front of them, which are not out of use," said Lacaton, 65. "We think that is too big a waste of materials. If we observe carefully, if we look at things with fresh eyes, there is always something positive to take from an existing situation."

Vassal, 67, said they even once constructed a building around a forest — always making sure to integrate the natural landscape and preserve the past. "Never demolish, never cut a tree, never take out a row of flowers," he said. "Take care of the memory of things that were already there, and listen to the people that are living there."

This philosophy is evident in their projects like their 2012 expansion of the Palais de Tokyo in Paris. By burrowing into the basement with raw, minimalist materials, the architects transformed that remnant of the 1937 World's Fair into what is reputed to be the biggest non-collecting contemporary art museum in Europe.

Similarly, in upgrading the 1960s housing project Tour Bois-le-Prêtre on the outskirts of Paris, the architects — collaborating with Frédéric Druot — extended the floor plates to increase the size of rooms, adding balconies and winter gardens.

"Architecture can become more and more about technology, more and more complex, more and more based on regulations, and we try to avoid all of this," Vassal said, adding that the pair prefers "to work with very simple elements — air, sun — that we don't have to pay for."

That housing project was featured in the Museum of Modern Art's 2010 exhibition "Small Scale, Big Change" and won the best architecture award from Dezeen design magazine.

In The New York Times, Michael Kimmelman commended it as "a case study in architectural ingenuity and civic rejuvenation.

"It's a challenge to urban innovators, too," Kimmelman wrote. "Instead of replacing the old tower with an entirely new building, the designers saw what was worthwhile about the existing architecture, and added to it."

Lacaton and Vassal said they emphasize freedom as well as function — leaving spaces undefined, which allows the tenants to be inventive.

Sometimes they are surprised by the new uses that residents come up with. When the architects expected a greenhouse to be filled with plants, for example, the residents instead used it as a living area with armchairs and tables. At the Tour Bois-le-Prêtre in Paris, rooms were extended to create balconies and winter gardens. The architects transformed and expanded 530 apartments in Bordeaux's Grand Parc neighborhood without residents' having to leave their homes.

"When we were thinking it could be a place for nature, it was a place for activity," Vassal said. "This place could have been used 50 percent of the time and in fact is used 90 percent of the time."

Their projects not only prove less expensive and more environmentally sustainable, but they also avoid displacing the residents during construction. In 2017, the architects — with Druot and Christophe Hutin — were able to transform and expand 530 apartments in the Grand Parc neighborhood of Bordeaux without requiring residents to leave their homes.

In their public commissions, Lacaton and Vassal also deliberately leave spaces unstructured, so that the inhabitants can determine the uses themselves. To a massive six-story cultural center for a regional collection of art, FRAC Dunkerque (2013), the architects attached a second hall that mirrored the original, allowing it to be used either as an extension of the existing building or as a separate independent environment...

“It’s a place where the most interesting exhibitions finally happened,” Lacaton said of the addition, “where the visitors are more relaxed and have a different relationship with the artwork.”

At their Nantes School of Architecture (2014) on the banks of the Loire River, the team created flexible areas of various sizes to be delineated over time.

“The extra space in addition to the classroom gives room to many different uses, like a small Ping-Pong field for a week or a large workshop or it becomes a TV studio,” Lacaton said. “We have a kind of rule that when we start the project, our goal would be to design as much extra space as possible.”

“We have a strong belief in people,” she continued. “We have a strong belief that people have the ability to be creative, if given the space to do it.”

Vassal added: “If the people inside feel comfortable, feel happy, have the possibility of being alone or looking at the clouds, it is this moment that creates architecture.”

Designing affordable housing has always been paramount, the architects said, because quality is often sacrificed and the results are substandard. Through the use of simple designs and basic materials, they have challenged the notion that generous space and limited funds are incompatible.

This isn’t about value engineering — reducing certain elements to bring down the cost of the whole — the architects said. Instead, it is about what Lacaton described as “an attitude of careful observation”: investigating a site before rushing to put your mark on it, exploring what might be working before focusing on what should be fixed. A house may look “ugly or boring” to some, Vassal explained. But look inside and you may find “a lady who offers you cake and coffee. Behind these rooms there is life.”

The importance the pair has put on housing was borne out by the pandemic, the architects said. With people forced to spend most of their time at home, “we see how important it is to think of the conditions of everyday life,” Lacaton said.

In some instances, their imprint involves very little intervention. For Léon Aucoc Plaza in 1996, the jury citation said, “their approach was simply to undertake the minimal work of replacing the gravel, treating the lime trees, and slightly modifying the traffic, all to grant renewed potential to what already existed.”

.They two met in Bordeaux at the School of Architecture during the late 1970s, after which they spent five years working in Niger, in the south of the Sahara. “The desert for us was really like a second school,” Vassal said. It was there where they learned what he called a “poetic approach” — how, with elementary materials like wood and fabric, you can create shade. “It was a really important experience,” he said, “and we still have it in mind.” Their practice is small — about 10 people including the two of them. Yet it has completed more than 30 projects throughout Europe and West Africa, including a multipurpose theater in Lille (2013) and a residential and office building in Geneva (2020).

The architects draw inspiration from their surroundings, Lacaton said. “The observation of everyday life, of places already there, of buildings built by others, ancient or modern, meetings, books.

“This limitless accumulation of images, emotions and memories constitute fragments of spaces that we memorize,” she added, “and that we like to assemble, to mix, to adapt and to recompose in order to design and invent each new project.”

Some architects have a clear signature — you can often recognize a building designed by other Pritzker laureates. But Vassal and Lacaton said they do not initially concern themselves with how a project is ultimately going to look. Instead, they said, they design from the inside out, focusing on the purpose or use of a space; confident that the process will yield a materially satisfying result.

“We don’t search for an aesthetic,” Vassal said. “This idea that aesthetics are the result of the process of creation is not something that we have to think at the beginning. We think that beauty always happens at the end.”

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, September 14, 2021 12:19:16 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Allie Ryan**  
Zip: **10009**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **I am an Independent Candidate for City Council District 2 (the Neighborhood Party)**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

As a long term resident, a former practicing artist, and the Neighborhood Party candidate running for City Council District 2, I oppose the SoHo/NoHo Neighborhood Plan. I have witnessed over the past 15 years the number of rent stabilized apartments decrease as market rate apartments increase causing a discord and divide in the people who live in my neighborhood. People who live in real affordable housing, such as NYCHA, rent stabilization, Mitchell-Lama, JLWQA, affordable homeownership, and homesteads are able to live and work here for the long term because of the low cost of living whereas market rate apartments attract short-term renters, typically young professionals and college students who only live in this area for a couple years. The discord shows in quality of life issues that have been well-



documented in the news with rooftop parties, backyard parties, trash, and landlords warehousing empty apartments and storefronts because they do not want to rent below market rates. I like to cite as an example, the Cabrini nursing home in East Village, which cared for 240 low-income elderly patients; in the early 2010s it was sold and gutted to become Bloom 62, a luxury residential building of 81 units that rent with a 2 bedroom apartment currently on the rental market for \$4500 a month plus 2 commercial tenants. The Dept of City Planning has been intentionally quoting pre-Covid19 numbers as reason to pass this plan through. According to the Envision Plan, 7769 residents live in this proposed rezoning area and this plan wants to add new 3200 housing units, and 800 affordable housing. This proposed plan is trying to increase density in an already dense area, which is now questionable in a downturn market with an uncertain future on multiple levels. For example, NYC public school system enrollment has been losing hundreds of thousands of students over the past 18 months which signals that the number of families who lived in NYC pre-Covid have been moving out of NYC. After watching CPC approve the Governors Island Rezoning Plan and the East Side Resiliency Project despite overwhelming public opposition to grossly flawed plans, I want to point out today, Sept. 2, 2021 that the public overwhelmingly voices their opposition to this plan. Please reject the SoHo/NoHo Neighborhood Plan. Put residents who live here first and work to implement the Chinatown Working Group Plan and the SoHo/NoHo Community Alternative Plan. On a separate note, my husband, Chris Ryan, suggested affordable low-income and lower middle class homeownership opportunities as an alternative to Minority Inclusionary Housing. I like to share that Guillain-era (initiated under Council Member Antonio Pagan and carried out by Council Member Margarita Lopez) affordable homeownership has enabled numerous working people to raise families and grow small businesses and be active in East Village and its community over the past 22 years.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Monday, August 23, 2021 2:29:50 PM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Denny Salas**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project?

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

My name is Denny Salas, and I support the rezoning of NoHo/SoHo. For the last decade, these neighborhoods have barely provided any new housing while the city grew by 600,000, according to the recent census. Moreover, a recent report displayed that minority NYC residents were pushed out of Lower Manhattan because of the lack of housing and rising rents due to the lack of housing supply being built in these neighborhoods. The opportunity to build affordable housing will allow working-class families, like mine, who grew up poor, a chance to access better schools achieve their American Dream. The current plan is imperfect because the commercial density allowance is too high, so that must be modified to encourage as much housing as possible. Thank you for your time.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Sunday, September 12, 2021 2:42:33 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Denny Salas**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **in favor**

Have you previously submitted comments on this project?

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

Good Afternoon Commissionaires. My name is Denny Salas, and as a Black and Brown resident of this neighborhood, I've spoken ad nauseam espousing the benefits of providing opportunities for working-class families by building affordable housing, including at yesterday's hearing supporting the 250 Water Street project. Unlike that project, where opposition to the plan has some legitimate concerns, the most boisterous opponents of this rezoning have decided to dust off the tired old playbook we've seen across our country objecting to diversifying a wealthy and overwhelmingly white neighborhood. They first claimed that holding hearings via Zoom - like today - was ageist and discriminated against the disabled because they weren't allowed to attend meetings in person during our current pandemic. When faced with facts that attendance to community board meetings and other public hearings increased, they decided to remove that line of attack. Today, after dissolving many other iterations of grandstanding, they now claim that this rezoning is racist. Ya, sure.

Let's talk about the history of SoHo, where it was the site of the first freed slave colony before their land was later ripped away from them, in another example of disbanding opportunities from Black and Brown people in our city. And is there a single commemoration of that history in SoHo today? No. Again, erasure of the contributions from this community towards the prosperity of this city. And what about prosperity, or the lack thereof provided to the Black and Brown community here? Last year, former mayoral candidate Ray McGuire chaired a study by Citigroup that showed how structural racism and its implications on housing, education, and upward social mobility led to a loss of \$16 trillion dollars towards American GDP over the last 20 years. And, if we could wave a magic wand and fix these inequities, then we can increase our GDP by \$5 trillion over the next five years. Moreover, those figures were validated by a McKinsey study displaying similar results. Well, we may not be able to wave a magic wand, but our city can begin to take the necessary steps to fix the generational equities that have existed by removing structural racist legacies like exclusionary neighborhoods, which SoHo and NoHo are. I urge you, the commissionaires of this group, to ignore the hyperbolic arguments made by these charlatans, and do what is simply the right thing to do, which is to support this rezoning and begin tearing down the unequal access to success. Thank you for your time.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 12:22:01 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Katherine Schoonover**  
Zip: **10014**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am strongly opposed to the DCP's plan to rezone Soho/Noho/Chinatown and urge the adoption of the alternative plan offered by various community groups including Village Preservation. The DCP plan would allow, indeed encourage, the displacement of hundreds of low-income tenants living in currently affordable housing and incentivize the building of extremely tall buildings that would dwarf the current built environment of the areas in question. Further, as has been shown in studies done by Village Preservation, there would be many ways in which developers could build new, enormous buildings without creating a single unit of "affordable" housing, and any theoretically affordable housing that was created would still carry rents that would not be affordable to many. Further, the DCP plan would open the door to big-box stores, undoubtedly at the cost of putting many local small businesses out of business. This is a terrible plan, and it should be dropped in favor of the community

plan.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 1:41:16 PM  
**Attachments:** [Senter Testimony to CPC re Soho Noho Plan.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **John Senter**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

To whom it may concern: Please find my attached PDF document (less than 500 words) in **OPPOSITION** to this plan. -JS-

**John B. Senter**  
**115 East 9<sup>th</sup> Street**  
**New York, NY 10003-5421**

September 3, 2021  
City Planning Commission, City of New York  
Marisa Lago, Chair

Re: DCP Soho/Noho Plan, CD 2, C 210422 ZMM

Dear Chair Lago and Commissioners:

I live about one block from the northern boundary of DCP's proposed Soho/Noho rezoning plan, and one block from Community District 2.

Let me be clear: I WANT more housing that is TRULY affordable, inclusive, and diverse in MY neighborhood; in Soho/Noho; and throughout New York City. DCP's current plan for Soho/Noho will NOT lead to those outcomes and is one reason why I'm **opposed** to it.

I stand with Community Board 2 and numerous community members and respected not-for-profit groups who **oppose** DCP's Soho/Noho plan.

On this matter: Yesterday I watched (via live stream) the entire six-hour CPC public hearing. Prior to that, I had watched several hours of Manhattan Borough President Gale Brewer's public hearing. I read and studied the resolution of opposition by Community Board 2 and the studies and analysis by organizations such as Village Preservation, Cooper Square Committee, and the Municipal Arts Society.

The "Alternative Rezoning Plan" proposed by the community should be given due consideration and study by DCP, NOT be rudely and publicly dismissed by DCP staff.

I strongly agree with Borough President Brewer's testimony that we have to come up with something different than this proposal.

To address effectively the many issues of concern will take some time. Rather than being rammed through by an outgoing administration, I believe it would be fairer for this issue to be decided by the incoming City Council and administration, who can be held accountable for its outcomes.

DCP's plan is much too generous to developers of "luxury" housing and commercial projects; it would promote massive "big box" retail uses. Few spoke in support of DCP's plan yesterday, but even some of them encouraged you to reduce the FAR permitted for commercial uses.

DCP's plan would feed New York University's voracious appetite for expansion, allowing the school opportunities to expand in violation of previous NYU 2031 plan agreements limiting such.



DCP's proposed conversion tax on the sale of artist live/work spaces needs to be eliminated or drastically reduced.

I wish I could be less cynical of DCP and many of its proposals and actions, but each day that seems more impossible.

Chinatown residents will bear significant impacts from this plan; the lack of outreach by DCP to them is egregious and unacceptable. And cavalierly renaming / "rebranding" part of Chinatown to "Soho East" seems to be an arbitrary construct benefitting only DCP and real estate interests.

Scheduling the Soho/Noho public hearing to fall immediately prior to the Labor Day weekend has been construed as an attempt to limit public participation. Many New Yorkers make advance plans to enjoy this time with their families; yet, the public turned out.

DCP's flawed Soho/Noho plan should **NOT** be approved.

Sincerely,  
*John B. Senter*

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 10:09:51 AM  
**Attachments:** [NoHo Rezoning Testimony 2.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **George Sharp**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **SoHo resident for 16 years.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

This plan is fundamentally flawed and does not guarantee low-income housing. The neighborhood is wholeheartedly for affordable housing - but not this plan. The ONLY people who benefit from this plan are the developers who funded the mayor's campaign. It is transparently corrupt and will not benefit the neighborhood or low-income families in ANY way. And the punitive \$100 per square foot tax for COO is outrageous and possibly discriminatory as it only applies to home owners and not businesses. If a person wanted to sell their loft finding certified artists would greatly limit their ability to sell WITHOUT applying for COO. It would hurt SO many of us financially. We are not all multi-millionaires. Further comments attached. Thank you.

I would like to stress that neither we, nor ANY of our friends and neighbors, are against affordable housing. Quite the opposite: we are all for it.

But there are just too many loopholes in this plan that benefit the wealthy real estate developers who donated to di Blasio's campaign. It is apparent to all that this will actually REDUCE the amount of affordable housing in the area - the fifth-floor walk-ups in China Town will now be of interest to the developers and will further displace low-income families who have lived here for years if not generations.

Additionally, the punitive and arbitrary (and possibly discriminatory) tax of \$100 per sq ft for applying for COO is outrageous. Not everyone who lives in this area is a multi-millionaire - this tax will seriously hurt so many of us. And the fact that this tax is to be levied solely on residents and families and NOT businesses shows exactly where the mayor's loyalty lies.

This tax does NOT protect artists. When an apartment is to be sold, or passed on to a relative, a COO would most likely HAVE to be applied for. While I accept that a charge should be levied to pay for the COO application, \$100 per square foot is outrageous!!! I have heard suggestions of, say, 1% of property value which does seem to be more fair.

The passion with which local residents reject this plan is clearly evident at the meetings that I have attended. In fact, the only people speaking in its favor are brought in by agencies with links to the developers, for example: Open New York. They do not even try to hide this fact - high fiving each other after they speak. Their ONLY interest in the neighborhood is financial.

I find that the accusations of racism from the supporters of this plan to be highly offensive. The residents of this neighborhood are overwhelmingly liberal, tolerant and welcoming. I find it somewhat racist to assume that the only way people of color could live in this area (or ANY area) is in low-income/affordable housing.

We urge you to vote no to this proposal when the time comes. There are other ways that affordable housing can be created WITHOUT destroying the fabric of this historic and much-loved neighborhood. Or ANY neighborhood, for that matter. The mayor's plan is not it. His agenda is so transparent, corrupt and flawed that I doubt anyone on the council would want to be associated with it - or complicit in it.

We all hope that you agree how flawed this plan is and reject it.

**From:** [Nancy Idaka Sheran](#)  
**To:** [21DCP059M\\_DL](#)  
**Cc:** [Nancy Idaka Sheran](#)  
**Subject:** [EXTERNAL] Soho/Noho Rezoning Testimony  
**Date:** Saturday, August 28, 2021 12:39:03 PM

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to [phish@cyber.nyc.gov](mailto:phish@cyber.nyc.gov) as an attachment (Click the More button, then forward as attachment).

CEQR # 21DCP059M

ULURP No. SoHo/NoHo Neighborhood Plan 210422 ZMM, N210423 ZRM

CD No. (Unknown, don't know what this is and could not find one number on the website or DEIS)

My testimony relates to Transportation Section 14-2, particularly this statement no intersection in proximity to the Project Area is expected to experience a net incremental increase of 50 or more trips in any peak hour.

My position: Con

I oppose the Soho/Noho Redistricting plan as written. If I am understanding the plan correctly, there would be several high-density developments along Canal Street at Broadway and west of Broadway.

I think an estimate of 50 additional car trips is not realistic. Was this study done during Covid, when traffic has been light? If so, another traffic study should be done post-pandemic.

Canal Street from the Manhattan Bridge to the Holland Tunnel is already a nightmare of traffic during peak hours. This is an interstate road, and because of the traffic, drivers only use it if they have to, because they are traveling to or from transit deserts or have other reasons why they have to take a car (transporting people or heavy or bulky items, mobility issues, etc.). Holland Tunnel traffic also backs up along the uptown and downtown streets. Congestion pricing will not fix this traffic problem. People mostly drive because they have to.

Soho/Noho is also a destination entertainment, shopping and restaurant area. People drive to Soho/Noho from other boroughs, New Jersey, Connecticut, Long Island, etc. It also concerns me that there is no additional public parking planned in the buildings (if I understand correctly). This may have a negative impact on businesses in the area, as it is becoming more difficult to find public parking.

Many people use personal cars, even in NYC, especially if they have to travel to/from transit deserts. Business owners who have businesses in the area but live outside Manhattan also may be driving into Soho/Noho as they often have to transport heavy or bulky objects. I know they do this in my neighborhood further uptown.

Many people take for-hire vehicles. If new high-density residential buildings go up along Canal, it is likely that many of the residents will be taking for-hire vehicles and they will want to be picked up and dropped off in front of their residences. Even if there is some affordable housing in the new buildings, people use for-hire vehicles and access-a-ride to go places like doctor appointments and family visits to other boroughs.

Nancy Sheran

137 E 36th St

New York, NY 10016

(I am writing as a member of the public who visits Soho/Noho)

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 2:21:02 PM  
**Attachments:** [Susan Shoemaker letter to CPC re Soho Noho 9.2.21.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Shoemaker**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **I am a local resident and homeowner, and also an architect/urban designer who has reviewed the proposal from a professional and technical viewpoint**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Please vote against this proposal. Soho/Noho needs to update its antiquated zoning, and it would be good to have more affordable housing, but this proposal would likely result in gross overbuilding of luxury housing instead, and risks the loss of existing buildings, daylight and views for current residents and the public. The proposed density and heights are excessive. The DEIS is misleading as it only addresses 26 properties, a fraction of the sites that would be affected by the rezoning. The application of MIH is flawed and full of loopholes. At a critical time for climate change, when we should be building carefully and sustainably, this plan is woefully out of date and would not even achieve its own objectives. Please see the attached

letter - we need a fresh start with true community participation. Thank you.

# Susan Shoemaker AIA, LEED AP BD+C

## Architect & Urban Designer

38 Crosby Street #4, New York, NY 10013  
[susan.shoemaker@gmail.com](mailto:susan.shoemaker@gmail.com) 212 925 4059

September 2, 2021

City Planning Commission  
New York, NY

Re: Proposed Soho/Noho Rezoning

City Planning Commission:

I am a 22 year resident of New York City, and a 17 year homeowner and Condominium Board member in Soho. I am writing to oppose the proposed rezoning plan. I have attended several of the City's "Envision Soho/Noho" discussions, and I testified at the June 23, 2021 Public Hearing. As an architect and urban designer, I have read some of the ULURP material, including the DEIS, with a professional understanding of the potential consequences of the proposed rezoning. I support updating Soho's zoning and adding new affordable housing in Soho and Noho, but **the plan under ULURP review is seriously unsound, and needs to be completely reworked:**

**The Draft Environmental Impact Report (DEIS) addresses only a small portion of the potential impact:**

The DEIS addresses the 26 "projected" sites (see Soho map at the end of this letter), but not the 58 sites identified as "potential", or other sites. The proposed zoning would apply to all 56 blocks in the area, with nearly 900 existing buildings. The impacts described in the DEIS are, therefore, unrealistically minimized. The final EIS will not be available in time for the public to review.

**The proposed density is excessive:** Despite Soho's varied building stock, most buildings now comply with the current FAR of 5.0 for commercial buildings. The FAR proposed for new residential buildings is 9.7 for the area in which I live, and up to 12.0 for other major subareas – more than double. This could result in gross overbuilding of the area, potentially over nine million square feet for all of the actual sites affected.

**The proposed heights are excessive:** I live in one of the tallest buildings in Soho, at 142' to the roof. The proposed zoning would allow 205' high buildings along Broadway, and 275' high buildings in other sub-areas. The proposed allowance of multiple infill buildings to similar heights could create unattractive "walls" of development. These heights would be out of proportion and scale with Soho's historic building fabric, and would cast significant shadows, reducing daylight to streets and to existing housing units and roof gardens. The heights proposed by the Soho Broadway Initiative (maximum 125' along Broadway) make more sense.

**The proposed implementation of Mandatory Inclusionary Housing is deeply flawed:** MIH is proposed as requiring only 25% of "affordable" units in any development, with loopholes allowing new residential of up to 25,000 zsf without any affordable housing – under the proposed rules, for a typical 25' x 100' NYC lot, a 14 story building could be built entirely of luxury housing, commercial or community facility. Moreover, the calculation of "affordability" is flawed. The proposed "affordable" housing would not actually be for working class New Yorkers, while the bulk of the new housing – well over 75%, if not all - would be luxury units.

**The proposed zoning allows NYU space, and retail over 10,000 sf:** The community has been united in opposing retail over 10,000 sf, now prohibited by existing zoning. This type of retail is not attractive to local residents, or those tourists who come to enjoy the uniqueness of Soho and Noho – it appeals mostly to those who arrive by car, and who contribute to the heavy traffic, pollution and overcrowding of sidewalks which is already problematic in Soho. The proposed zoning also allows NYU to build Community Facility uses in Soho and Noho, which is not currently permitted per zoning, and excluded from NYU's agreed 2031 plan.



**The net effect of these provisions would make this Soho and Noho so over-attractive for new development that these neighborhoods would quickly be saturated with new luxury residential, NYU facilities and large-scale retail buildings, likely beyond market need, with consequent problems:**

**The proposed zoning would serve as an incentive to demolish existing buildings:** The proposed zoning would make it so economically attractive for development that many smaller sites and buildings would put pressure on the Landmarks Preservation Commission (LPC), which is likely to be inundated with proposals for development, to allow alterations and demolition that would currently be overruled – and likely cause the destruction of existing affordable housing and other uses. In an era of increasing climate change, we should be encouraging building stock to be maintained, not demolished and replaced.

**The proposed density would result in additional traffic, pollution, and city infrastructure demand:** Because the DEIS only quantifies the impact of 26 of the sites affected by the proposed zoning, it seriously underestimates the impact on shared resources. City utilities are aging – see what happened with the impact of Tropical Storm Ida. Upgrades and replacements could entail huge costs to the city, and cause major disruption to traffic and daily life in the neighborhoods. Traffic is already at a near-standstill at peak hours – the DEIS forecasts no rezoning impact; this is not credible with 3000+ new housing units.

**Overdevelopment would threaten Soho's small businesses and restaurants:** We are still living through a pandemic in which we worked hard to keep our local shops and restaurants alive (and we mourn some losses). Soho has an especially diverse international offering. These often operate at break-even, represent a variety of small business owners, employ a diversity of working class staff, are often located on “soft” sites, and can't afford to move if their sites are redeveloped. These shops and restaurants are part of what attracts international tourists to New York City, supporting the city's economy as a whole. Experience has shown that the ground-floor uses in new luxury housing buildings tend to be bland and expensive, and large-scale retail drives out small shops (we have already lost most of our bodegas).

**Open Space, Sustainability, Resilience and Climate Change are overlooked or minimized:** The DEIS states. “The Proposed Actions would result in significant adverse impact to open space due to the added residential demand placed on active and passive open spaces in an area that has limited available open space resources” (again, based only on the “projected” sites, not the “potential” or other impacts). However, no Open Space proposals are included in the plan. While the flooding conditions at the SW of the study area are noted, no mitigation or positive proposals are included. Amazingly, at this time of acute global warming, there is scant mention of sustainability, resilience or climate change.

**We need a new, more transparent process:** For over two years, the city held sessions at which only vague generalities were discussed, with no opportunity to analyze the impacts of proposed density, height, bulk and use changes, as they were not articulated. Then, suddenly this spring, the specifics of the plan were announced just as the seven-month ULURP clock began ticking. Why has so little time been allocated for public review of such a complex proposal? Why were items such as big-box retail and NYU space added at the last minute? Why does the DEIS hint at even more MIH loopholes (see page 2-45)? Why does the LPC not seem to be involved in the proposed rezoning of such a critical historic area? Why has an arbitrary tax been proposed, applying only to a portion of JLWQA units, taxing units which have already experienced difficulty with improvements and financing due to their complex status? Why release a floodgate of new development all at once, instead of a more careful, incremental pace?


**Soho and Noho are national treasures that deserve a more thoughtful and careful plan:** Soho was an early LPC historic district in 1973, and an early National Historic Landmark District in 1978. Soho's architecture is beautiful, remarkable and still unique. Cast-iron buildings with their depth of detail are illuminated by sunlight, and the varied heights of buildings on most streets create attractive skylines, allowing views from one street to another and views of buildings in neighboring districts. Visitors come from all over the world to experience this. It is worth taking the time and energy to see how a measured amount of new affordable housing and retail uses can be added, while respecting this unique character. The current rezoning proposal risks losing this character, only to build massive amounts of luxury housing.

As the National Trust states in a 3/25/21 letter to Mayor DeBlasio and NYC DCP Chair Lago:

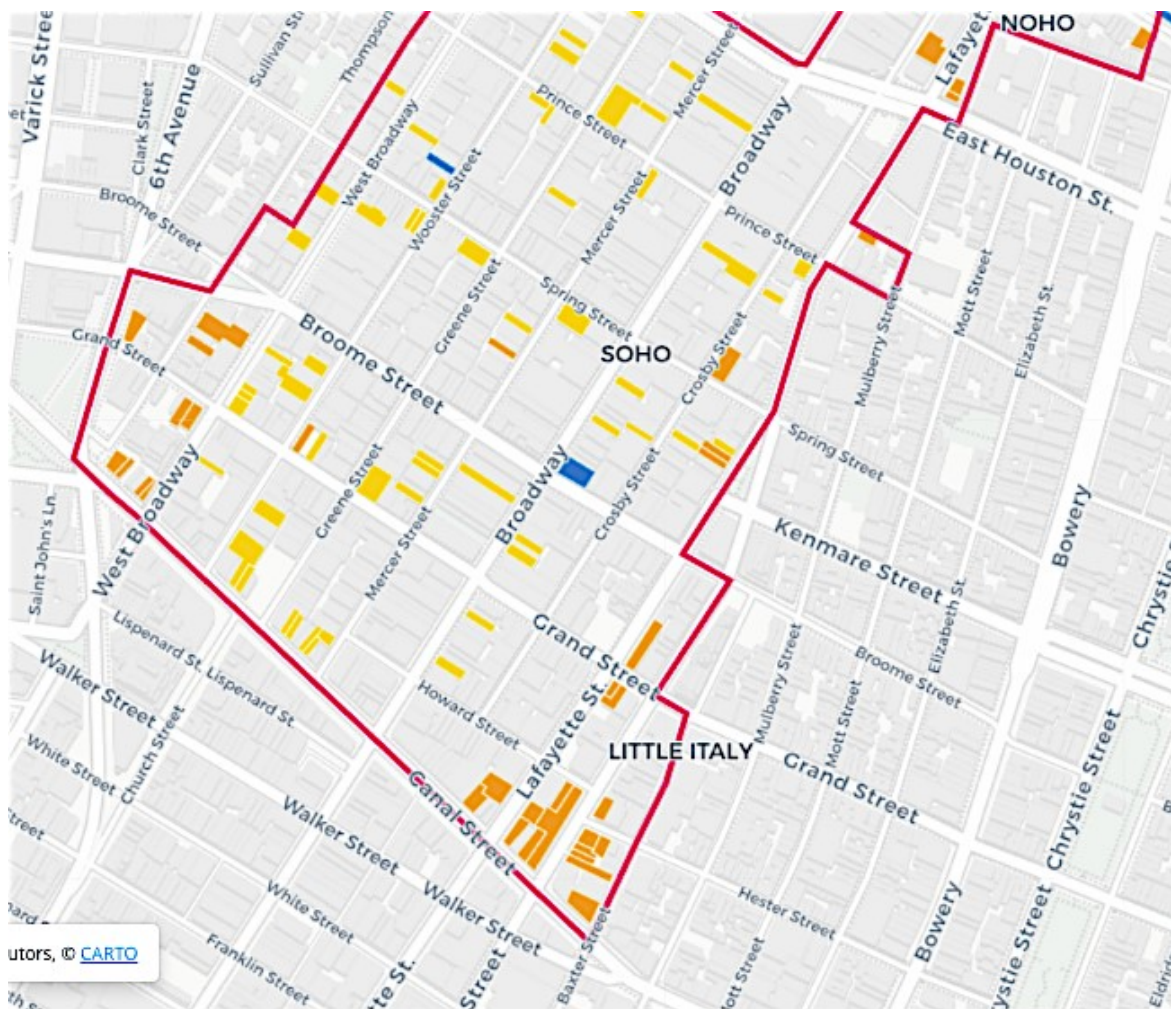
*“The National Trust supports modernizing zoning in this 56-block project area in SoHo and NoHo in ways that will benefit the residents of New York City by creating affordable housing, allowing a wider range of commercial uses, permitting residential use as-of-right, supporting the creative community, and improving the Joint Live Work Quarters for Artists program. **Yet we must voice our opposition to this massive and overarching upzoning proposal that is not calibrated to the existing historic districts and appropriate opportunities for infill development.** As SoHo and NoHo’s steward, New York City also has an obligation to protect the historic character of these neighborhoods, a legacy that benefits this generation and future generations of residents and visitors in New York City.”*

**I urge the City Planning Commission to oppose the proposed rezoning, and to call for a completely new process to start with active community participation in the actual details of any new proposed plan.**

Sincerely,



Susan Shoemaker AIA, LEED BD+C



Projected (orange) and potential (yellow) development sites identified by CPC (source: Municipal Art Society)

Note: the proposed zoning would apply to all sites in the 56 block project area, not only “projected” and “proposed”.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 6:42:27 AM  
**Attachments:** [soho\\_noho\\_plan.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Pawan Singh**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **Self. I am a property owner and resident of Soho**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. I ask you say "NO" to the Mayor's misguided plan.

NY City Planning Commission

120 Broadway

New York, NY 10271

Dear Honorable Commissioners,

I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan

To highlight just some of the many additional concerns:

- The proposal yields the potential for over 9,000,000 - nine million - square feet of new structure, equal to three Empire State buildings.
- While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space - nothing.
- Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved.

- Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units - many of them in Chinatown - which the Department of City Planning has excluded from the process.
- The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived.
- The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust.
- By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops.
- The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown.
- This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all.

SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither.

I ask you say "NO" to the Mayor's misguided plan.

Sincerely,

Pawan Singh

29 Howard St, New York, New York 10013

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 6:13:03 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Alison Sky**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Certified Artist of the City of New York**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo and Chinatown. As a Certified Artist of the City of New York [certified initially by Henry Geldzahler], I moved into a loft on Greene Street from Westbeth in 1969 [just after the entire SoHo neighborhood was saved from the disaster demolition planned by Robert Moses]. Although I have benefited from the zoning protections for artist live/work space, the City, unfortunately, did not enforce it's own residential zoning that required that these lofts actually be occupied by artists. Unfortunately, the City did make a misguided attempt at one point to enforce the zoning requirements for the ground floor commercial units by evicting many early small creative shops, bookstores and performance spaces, among others. These were unique and enhanced the life of the community and the visitor experience. It was sad to see them replaced by numerous large and purely commercial cosmetic and

clothing stores, among others. These were not unique and could be found all over the City. They did not contribute to the creative character or life of the neighborhood, or enhance the experience of the visitor to SoHo . We are now at another critical point in our development - and additionally in the midst of a pandemic. Before we have a complete demise of this neighborhood, I urge you to consider that SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing. With vision and thoughtfulness, this can be achieved without a massive developer-driven upzoning that promises neither and obliterates the unique creative and historic character of these neighborhoods. I urge you to say “NO” to the Mayor’s misguided plan. Sincerely, Alison Sky, Certified Artist 60 Greene St, #2A New York, NY 10012



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 12:09:47 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kathy Slawinski**  
Zip: **10010**

I represent:

- **Myself**

Details for "I Represent": **I am also a member of two political clubs--the Village Independent Democrats and the Jim Owles Liberal Democrats**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I am in complete agreement with GVSHIP, CB2, and all other groups and individuals in opposition to this project. It will destroy both neighborhoods and surrounding areas. The city has not been truthful in its statements that it will increase affordable housing, diversity, etc. All previous development has only destroyed affordability and made the city more expensive. This project will bleed over into all neighborhoods eventually and destroy the nature of the city, which is already under siege as an island of immigrants, artists, and creativity.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 8, 2021 8:27:34 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Adam Smith**

Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

There are pre-existing locations and I ven more space in neighborhoods who can afford and sustain a greater population. SoHo and NoHo are already dealing with enough look somewhere else.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 11:48:50 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Amit Solomon**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

I am providing this information as a NoHo resident but also as a PhD econometrician. After much delay, I was able to obtain the study and data DCP used to justify the proposed JLWQA conversion fee of \$100/sqft. This unprecedented fee will result in an assessment of almost half a billion dollars levied on SoHo and NoHo long-time residents, with the proceeds going almost entirely outside of SoHo and NoHo. DCP was not forthcoming with this information – it required a Freedom of Information request, an appeal, and a protest on the appeal. Even then the information was only provided only 5 business days before this hearing. Well, what we found is serious data errors, which make the entire study not just unreliable, but biased: 1. The city included dozens of non-market JLWQA transactions (such as transactions due to divorce or inheritance) in the study, including some with prices of as low as \$90 per square foot. 2. The city included transactions for commercial and retail space in JLWQA sales, including for

basement space. 3. In the comparison groups, named “Regular” and “Loft”, the city included a large number of massive renovated penthouses, and with the majority of the group being condos rather than coops. As they say: garbage in, garbage out. In other words, the inclusion of irrelevant sales of JLWQA units and a large proportion of penthouses and condos in the comparison group invalidates the study. When these errors are corrected, there is no statistically significant difference between JLWQA units and those labeled “Regular” or “Loft”. For all intents and purposes, the price per square foot is the same. Since this study is the only justification DCP provided in support of the fee, the only reasonable course of action is to eliminate the fee in its entirety. I also wanted to point out that no such study was conducted as to the appreciation of development lots for property owners, and there is no fee proposed on what will be a massive appreciation in value.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Monday, August 23, 2021 6:30:13 PM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Amit Solomon**

Zip: **10012**

I represent:

- **Myself**

Details for “I Represent”:

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

Dear Borough President Brewer, Before voting for this rezoning plan, you must ask yourself: Is this plan really about creating affordable housing—or is it about giving a big handout to developers? It’s an important question because the new uses in this plan will certainly crowd-out affordable housing. Uses like: - Retail on the upper floors - Dormitories and classrooms with no requirements for affordable housing - Office buildings with no requirements for affordable housing This plan gives every advantage to developers, absolutely nothing to advance affordable housing. You should also ask yourself: How can the City add 10,000 residents to the area without adding a single public school seat, with no seats available in public elementary schools? Why is the massively upzoned Broadway “corridor” taking up 60% of historical NoHo, when it offers very few development opportunities? Why is DCP “celebrating the arts” by imposing a conversion fee of hundreds of thousands of dollars on

people who already own their homes? Why does DCP refuse to release the study that they cited as justifying this egregious and unprecedented ransom? I sent a freedom of information request and an appeal, yet DCP won't release the study. What are they trying to hide? This ransom, amounting to half a billion dollars, will all go outside of the neighborhood. Developers and land owners will pay no fee. If DCP answers are vague and evasive, like the ones they gave us, then you must vote against the plan.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 9:14:32 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ella Song**

Zip: **11358**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Chinatown needs to be viewed separately from soho and Tribeca, and granted historic district protections. Conflating chinatown with "LES" has caused massive economic violence against asian people, from withholding Covid aid for small business to housing displacement. As a chinese person who grew up here, seeing how the government turned its back on chinatown during covid broke my heart even more than the hate crimes. Chinatown is a triumph of the immigrant poor. The fact that greenwich village qualified for historic protections while chinatown did not is pure racist bias. There needs to be material protections for this neighborhood, its residents, and businesses. This is the real work that needs to be done to stop asian hate. Everything else is hollow.





**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 12:33:25 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Valerie Stanol**  
Zip: **32668**

I represent:

- **Myself**

Details for "I Represent": **Regular visitor to Manhattan.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Historic landmarks should retain their privileges and sanctity forever, not be subject to the changing whims of money-seeking mongers, lest New York be turned into one big glass and concrete landscape. I'm surprised that those in charge of The Merchant's House Museum must deal with challenges to their existence on a regular basis, and on their own dime, no less. Historic landmark status is earned and should be forever respected, whatever that takes on the part of New York's governing offices.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 3:35:08 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jacqueline Stanton**  
Zip: **01420**

I represent:

- **Myself**

Details for "I Represent": **I am an occasional visitor to NYC and love the historical buildings that give the neighborhoods their charm and beauty.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

I am writing to oppose SoHo/NoHo up zoning. New York City needs to preserve the diversity and history of its neighborhoods by keeping affordable housing so artists can have galleries and small businesses such as ethnic restaurants and shops can thrive. This is what draws tourists to NYC, not big Chain stores that are the same all over the country and not high rise apartments for the rich. Please save the historical buildings with beautiful storefronts that add charm and have NYC stories to tell.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 5:16:38 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Stoltz**

Zip: **10013**

I represent:

- **Myself**

Details for “I Represent”: **an artist, loft tenant, and senior, SoHo resident**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

Stoltz-Revised testimony (9-02-2021) An artist loft tenant and senior, I have lived in SoHo for 42 years. I moved to my loft with a wave of young multi-disciplinary artists in 1979. We shared rebuilding the interior, the rent, and working together creatively. We became the artists of the 80s - the 90s, the East Village club scene, new genres requiring collaboration (I worked in puppet animation). In SoHo and within my loft, a new generation of feminist and diverse art communities developed. Artists continue to thrive in SoHo and give back to NYC. The Loft Law – an ongoing process- gave us stability- time and space to create and meet, and the security of a legalized loft with (JLWQA) live-work studios. Like many artists, in addition to my work, I spent much of my life working in diverse and underserved populations of young adults and children in schools, hospitals, and communities. My SoHo loft provided safe workshop space such as for an animation studio for young teenage Latino girls. This plan

maliciously undermines laws protecting hundreds of rent-regulated tenants, loft tenants within the re-zoning area, and seniors, many of us aging in place. As vulnerable seniors, we are targets because of the city's new allowances for overwhelming construction and demolition made possible by granting new FAR to property owners. This plan puts us directly in the harassment zone. I've been there before. Targeted because I was a woman leaseholder by a landlord owning 40 buildings. We had ten days "to cure." I was young with all the energy to fight – it becomes your life. Today I have archives of organizations, an estate of my painter partner/spouse, and my art to distribute. Covid-19 has interrupted this process, as has the impending doom of the Up-zoning process. Development rights are being given free to speculators; it's been a one-sided process. The community and its residents have been promised nothing in return for this significant expansion—not a senior center, not an inch of green space — no help with harassment or potential displacement. DCP offered a helpline – a joke in such an emergency. The \$100 per square foot conversion fee from JLVQA to residential use is unprecedented and unfairly displaces fixed and lower-income seniors, especially vulnerable in co-op buildings. In answer to a question by CB2, the DCP said that even a cash-poor resident moving to assisted living would have to pay this fee. What is the plan for displaced residents? Does this include more homelessness? This plan, as is, envisions a mediocre, homogenized SoHo-NoHo (Chinatown) of giant luxury towers and big box stores. The first up zoning of an NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence. The plan slowly decimates NYC's world-renowned artist and cast-iron district – a national and international tourist destination. DCP created a blueprint, a model for destruction and displacement to historic neighborhoods across New York City. NYC is better than that. SoHo and NoHo, and Chinatown must evolve creatively and sustainably. We could add younger artists with the loft law. Share and integrate the creative community with new residents through community centers and the alternative community plan and leave our residents and the historic district intact. We need affordable housing and a path forward for JLVQA. With vision, thoughtfulness, and community collaboration, we can achieve a new plan without massive developer-driven up-zoning. Please say "NO" to the Mayor's DCP's sloppy and dangerous plan. Sincerely, Susan Stoltz 495 Broome Street New York, NY 10013

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 10:37:36 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Stoltz**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **loft tenant, senior, artist**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as written is not thought through-- filled with loopholes and does not reflect what the DCP has promised in person. There is no guarantee that a single unit of affordable housing will be built. The plan fails to achieve the City's stated goals for diversification and equity. This plan maliciously undermines laws protecting hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. To highlight just some concerns: • The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. • While these development-rights are being

given free to speculators, it's been a one-sided process. The community and its residents have been promised nothing in return for this major expansion—no extra sanitation or police services, a senior center, not an inch of green space — nothing. • The plan fails to guarantee that even one unit of critically needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. • Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. • The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. It unfairly will displace fixed and lower income seniors especially vulnerable in co-op buildings. • The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. • By lifting all restrictions on oversized retail stores, as well as huge eating and drinking establishments, the plan will unleash a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. • The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create an out of proportion wall of massive towers taking over blocks in NoHo, SoHo and Chinatown. • This sloppy and dangerous plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence. It creates a model for destruction and displacement that could be used as a blueprint across New York City. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven up-zoning that promises neither. I ask you say "NO" to the Mayor's misguided plan. Sincerely, Susan Stoltz  
495 Broome Street NYC NY 10013

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 5:01:32 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **sheila strong**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Don't ruin my neighborhood with big box stores and big glass condos. Leave soho as it is. Interesting streets and fabulous shopping. My kids grew up here. We like it the way it is.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 3:28:05 PM  
**Attachments:** [Planning Comm Testimony 09.01.21.pdf](#)

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **David Thall**  
Zip: **10012**

I represent:

- **Myself**
- **A local community group or organization**
- **An elected official**

Details for "I Represent": **I am the elected Board president of my Condominium**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

Please refer to the submitted PDF



**NY City Planning Commission**

120 Broadway

New York, NY 10271

**Re: Opposition to SoHo/NoHo/Chinatown Upzoning Plan**

Dear Honorable Commissioners,

I've been the Condo Board president of my building in SoHo for 21 years. And been a property owner and lived here for 31 years.

I'm writing to you as the elected representative of my building on Mercer Street.

We appreciate that others are writing to you detailing the flaws in the Up-zoning plan. A plan that eliminates regulations to ostensibly create affordable housing. A plan full of loop-holes that will do the opposite – and instead add massive luxury high-rises inappropriate for the neighborhood, and turn SoHo into a high-density, overbuilt, overcrowded mess.

Rather than echo those arguments, the most valuable thing we can offer you are our firsthand observations – and the adverse consequences the proposed Plan will have on us as individual property owners.

**A FINANCIAL SNAPSHOT OF MY BUILDING:**

It's a well-maintained landmarked building.

We are half owners who live here, and half renters. Plus two street level commercial units. So we're a good residential/commercial cross-section.

Some of our rents are almost HALF of what they were just 3 years ago. Of my building's 11 units – 3 are currently VACANT. Including the two street level commercial units – for almost two years.

Our real estate taxes have more than quadrupled in the last 10 years. Our building insurance premium has more than doubled, and is projected to increase another 20-25% later this year.

Our property VALUES... however, are way DOWN.

The point is, SoHo has been in an economic downturn for years with

empty storefronts on every block - PRE-pandemic.

### **HOW THE UPZONING PLAN WOULD PERSONALLY EFFECT ME:**

I'm retired, and live in my condo. I don't rent it - so I get no income from it.

In my case, my annual real estate bill has increased so much, it is literally almost the same amount I get in social security each year.

In other words, I now give ALL my social security to the City just to live in the same home I've lived and worked in for 31 years.

### **THE UPZONING PLAN CREATES AN UNPRECEDENTED NEW "CONVERSION" TAX TARGETING US:**

The proposed \$100 per sq foot "Conversion" tax for Soho/NoHo residential AIR property owners, which we are, will hit me with a new **\$165,000** tax bill. My loft is 1,650 sq ft – the smallest in my building.

That is literally **7 1/2 times** more than my current annual real estate taxes - in one bite. Let that sink in.

In other words, the city already takes my social security, but now wants my IRA. A new tax ostensibly for an "Arts fund" no one here asked for. With no neighborhood oversight, or financial sustainability plan.

### **THE RESULT**

The "conversion" tax will bankrupt some middle-class owners.

This new tax targets individual residential property owners – and is designed to drive us out. Achieving what outside real estate speculator's always wanted – to turn SoHo into an unregulated, high-rent, high-profit neighborhood, where only real estate investors can afford to own property. Under the mayor's poorly designed plan, 'affordable housing' in SoHo is an oxymoron. SoHo rents MUST be high to pay the higher overhead.

### **BOTTOMLINE**

Affordable housing is a New York City problem, not a SoHo/NoHo problem. It should not be used as an excuse to hand over our neighborhood to real estate groups and big box stores pushing for massive deregulation.

## **OUR REQUEST**

We respectfully request that you say “NO” to the mayor’s misguided plan. And support the Community Board 2 vote, 36-1 in overwhelming opposition to it.

Thank you.

Sincerely,

**David Thall**

Board President

77 Mercer Street Condominium

New NY 10012

david@davidthall.net

646-745-5188



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 12:13:28 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kirsten Theodos**

Zip: **10003**

I represent:

- **Myself**

Details for "I Represent": **Home**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I am opposed to this plan bc just like every other de Blasio neighborhood rezoning it is racist and doesn't produce enough affordable housing which is the stated goal of the plan. So who is really behind this push? Surprise, surprise: Big Real Estate. Especially the Gottesman family real estate dynasty behind Edison Properties, whose firm sits on REBNY's Board of Governors. Two of Edison's large parking lots sit in the proposed upzoning, making it the ultimate beneficiary. Citizens Housing & Planning Council's (CHPC), which includes an executive from Edison on its board, published a piece supporting the upzoning. Among the many other REBNY notables on CHPC's board is the legal & pay2play lobbying firm of Kramer Levin, who is ran a print and TV media blitz in support of the upzoning. They've advised the land use process needs to be underway to ensure it's done by the time de Blasio leaves office, presumably because anti-real estate sentiment in the city is only getting louder.

We can connect the dots to see why this was suddenly resurrected during a global pandemic: time is running out for Edison Properties to develop their lots under a favorable regime, not because of “anti-police protests sparked by the killing of George Floyd” as Deputy Mayor Vicki Been shamefully said. This is just another big real estate giveaway courtesy of the de Blasio administration.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 9:15:41 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Barbara Tolley**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I am a renter at 172-74 Spring for over 20 years**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

The proposed plan has not provisions for climate change, green building, or planning for Covid like pandemics. It is a creature of 50 years ago, designed to enrich the pockets of companies like Related. Nothing looks to the future. Soho needs a good reasoning plan, one that fosters small businesses and encourages residents of all types, not just artists. Please rethink the zoning plan for SohoNoho.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 3:40:48 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **scott treimal**  
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

i will be out of town on Sep 2. this plan ignores the high density caused by the location of NYU housing and the location of NYU classrooms and other university programs. i fear for the remaining character of this neighborhood, my residence for 38 years.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 12:39:50 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Dayle Vander Sande**  
Zip: **10025**

I represent:

- **Myself**

Details for “I Represent”: **Myself and as a 22-year volunteer at the Merchant's House Museum, though I am not acting as a rep of the Museum here.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I STRONGLY OPPOSE THE SOHO/NOHO NEIGHBORHOOD PLAN NOTE THE WORD “NEIGHBORHOOD” IN THE TITLE OF THE PLAN! This neighborhood has historical significance of a lost New York City as well as a thriving arts culture and deep community identity, and the proposed changes in favor of developers over its residents and small business owners are counter to the fabric of one of Manhattan’s most characteristic regions. It is obvious that big money is the only consideration for approving this plan promoting box chain stores and NYU expansion to the detriment of affordable housing, which would necessitate displacing many longterm tenants and small businesses that give the area its charm—the very thing that brings tourists to the area. Consider that tourism is one of the only remaining economic engines left in Manhattan! Please, please, please vote against this plan with a heart



in favor of a Manhattan neighborhood that still retains its unique character. This is your charge—to PRESERVE—not to destroy what makes New York great.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 4:14:01 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Paul Vidich**

Zip: **10012**

I represent:

- **Myself**

Details for “I Represent”: **I represent the artist residents and other neighbors of the cooperative building in which I am a resident at 122 Spring St.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Comments by Paul Vidich – City Council – Sept 3, 2021 Given in Opposition to the Department of City Planning’s Final Scope of Work, Specifically the Tax on Conversion of Joint Living Work Residences to Standard Residential Status I am Paul Vidich, a long-time Soho resident since 1977. I am against the DCP’s Soho/Noho upzoning. My specific comments are directed in opposition to the so-called ‘voluntary one-time contribution’ required of JLWR owners to convert their loft space to a standard residential unit. I have four objections. First, the ‘contribution’ is voluntary in name only. It is a tax that current owners will be forced to pay or absorb on sale. A buyer of a joint space will never simply assume this liability, but rather the seller will be forced to pay the tax before a sale, or reduce the selling price by the amount of the tax. It is a punitive tax. Second, this tax is inequitable. Coops zoned

as joint living work residences are similar to the new condo and rental units that have been built in the neighborhood. Both new units and joint spaces pay the same level of real estate taxes and their taxes are based on comparable standard residential units. The so-called 'voluntary contribution' is a double tax. Third, the tax is arbitrary. There is no justification given for it. Erik Botsford, with the NY Dept. of City Planning, when asked how the fee was computed, basically conceded the amount was arbitrarily arrived at. And, the proposed 'voluntary contribution' applies to all joint spaces in Soho-NoHo regardless of the legal status of their occupants. 1. It applies to certified artists living legally in owned coop units. 2. It applies to landlords who lease joint spaces to renters. 3. It applies to anyone who moved into Soho-NoHo before 1987, who has been grandfathered and lives legally. 4. It applies to residents who occupy their units with a "loft letter," but arguably reside in violation of existing zoning. Fourth, this tax is intended to support the arts in lower Manhattan. There is a sad irony if this becomes law. The very artists who saved this neighborhood from demotion in the early 1960s, to broaden access to the Holland tunnel, are now being asked to pay to support arts in lower Manhattan. Between 2400 and 3000 people will be affected, resulting in a transfer of wealth from them to the city of between \$200 - \$300 million dollars I am one of those people. I have lived in Soho since 1977. My neighbors, who are artists in my building, are among those effected. We championed Soho in the 1970s. Our lofts are our principal assets. This is a cruel and unfair fate worthy of a Charles Dickens novel. Thank You. Paul Vidich  
paulvidich@aol.com, 122 Spring Street. NY NY 10012

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Saturday, September 11, 2021 2:42:09 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Kathleen Webster**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **My family**

**My Comments:**

Vote: I am **other**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

I live in Community Board 2. I have been strong proponent of opening up my Little Italy neighborhood to invite, encourage, welcome and support the reality of neighbors in need of truly affordable housing to live here. It is impossible currently to afford to live here if you are low-income seniors and young adults unless you got here 4 decades ago or are wealthy. Racial segregation, particularly for those of African descent is a reality here. We lost many small businesses and tenants when gentrification took over. I've written Opinion pieces in local news sites (CityLimits and The LoDown) on behalf of using City-owned land to be repurposed for truly affordable housing instead of the decades use as a private for-profit luxury artifacts market place turned 'community garden' when it was promised for truly affordable housing. The push back is ongoing, legal and enormous. I've watched these hearings and heard the same tone and reasons to subvert the chance for the Soho/Noho neighborhood to welcome

diversity of class and race. We've had decades to come up with a plan. Time is up. We can't continue to permit the impacts of policies that spit in the face of Fair Housing Law to decide how our city responds to pressures from neighbors who have 'agency' and resources. We are in a housing crisis. We are one city. Our city and our reputation needs to be better than this. That said, I agree with the two Council Members, the Borough President and the Cooper Square Committee recommendations to provide binding legal protections for the affordable housing that does exist, and binding requirements for developers to build truly affordable housing. I understand that all new housing helps alleviate pressures on housing shortages. I wish you God's speed in getting this and other projects done.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Monday, September 13, 2021 3:38:58 PM  
**Attachments:** [NoHo Testimony 09 2021 Wilcke CEQR 21DCP059M 95.pdf](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

**Submitted by:**

Name: **Jeanne Wilcke**

Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Co-Chair NoHo Neighborhood Association & Member of the Envision SoHo/NoHo Advisory Committee**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Yes**

**Additional Comments:**

See attached Written Testimony which supplements the time-limited abbreviated Oral Testimony I gave during the Sept. 02, 2021 City Planning Commission Hearing.

**Testimony at City Planning Hearing  
September 02, 2021**

**Rezoning / Upzoning SoHo, NoHo, and parts of Chinatown  
CEQR No. 21DCP059M**

September 10, 2021

To: City Planning Commissioners  
From: Jeanne Wilcke  
NoHo Neighborhood Association  
Member of the Envision SoHo/NoHo Advisory Committee

**SUMMARY**

**The City determined that the lack of Open Space will have a "Significant Adverse Impact" due to the proposed rezoning / upzoning. Yet little in solutions are given or mitigation proposed. The City must be proactive and has a moral responsibility to address open and green space solutions in an area that has an extremely low open space ratio by the City's own criteria.**

The following is my written testimony which supplements the time-limited abbreviated testimony given during the September 02, 2021 City Planning Commission Hearing.

Hi, I am Jeanne Wilcke, a member of the SoHo/NoHo Advisory Committee and NoHo Neighborhood Association. Also a resident and business owner in NoHo for many decades with long-term experience in distressed real estate.

A picture tells a thousand words. And today's pictures of last night's massive stormwater flooding tell a story of not only a great amount of distressed real estate - but also distressed people.

**AFFORDABLE HOUSING**

I support Affordable Housing as a noble goal, but oppose the rezoning as it stands as insufficient and in no way does it accomplish its goal. One only has to peer into the zoning language to see this and I encourage the Commissioners to do the deep dive.

**My main comments will now address Open and Green Space and related Climate Issues.**

**LACK OF OPEN & GREEN SPACE**

The City states the lack of Open Space will have a "Significant Adverse Impact."  
Yet little in solutions are given or mitigation proposed.

**The area has a low ratio of Open Space per resident** at .08 acres per 1000 residents versus the City's current goal of 2.5 acres, and will further decrease under this plan. Compound this by the proposed substantial increases in height and density.

**Due to the low Open Space ratio and with little mitigation proposed:**

**Significant and essential Open and Green Space must be added to this rezoning / upzoning.  
The Urban Heat Effect must be addressed in this rezoning / upzoning.**

### **POLLUTANTS**

**NYC's own reports show this area in the "red zone" for 4 out of 5 pollutant statistics.**

NYC's reports give predictors for why the levels are at extremely high levels including:

- Traffic density & truck and bus traffic - traffic congestion and idling
- Lack of tree cover (SoHo & NoHo being among the lowest in NYC's calculations of green & open space ratios per person)
- Physical & chemical processes that affect reactions with leaves, air cooling, humidity.
- Building emissions & daytime population density

**The intensely congested routes to and from the East River Bridges and the Holland Tunnel plow through and surround Chinatown and SoHo and parts of NoHo, adding significant pollutants.**

### **FLOOD MAPS**

With coastal and stormwater flooding, NYC is using flood maps that are yesterday's news.

I would like to note that I wrote the previous sentence earlier yesterday, before storm IDA hit.

- This is no longer yesterday's news - this is today's news!

The areas most at risk are where high density is proposed along the southern part of district and Canal, an area well known to be prone to stormwater flooding for decades.

High density building in this area negatively will affect future property values, insurance costs, and safety.

**Reality check: Canal Street WAS a canal. Spring Street is named for the spring that lays beneath it.**

### **SCIENTIFIC CLIMATE STUDIES NOT PROACTIVELY ADDRESSED**

The American Society of Engineers last year increased NYC projections of wind gusts from 80 mph to 110, almost 40%.

**Have these and other recent scientific studies been incorporated into the rezoning / upzoning?**

**Whether CEQR requires or not, scientific studies on climatic shifts must be proactively addressed.**

### **DATA COLLECTION**

An old story decades ago was how air monitors near Canal St. never worked for some reason. Well the real reason they did not work: The monitors would have shown NYC was not meeting Federal air standards and Federal funding would be at risk. Therefore it was common knowledge why the monitor near Canal St. was listed as not working.

That brings us to the data collection in your studies for the matter at hand:

Data appears to be part past data / part data collected during the pandemic / and extrapolations.

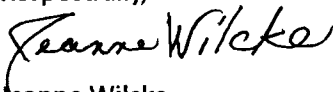
**Really? Relying on data collected during a pandemic ?? How can this plan stand on its data accuracy?**

### **IN CONCLUSION**

The City can state that the legal and technical obligations meet its burden of proof for a rezoning / upzoning.

Yet there is a moral responsibility for our government to be proactive in addressing **Open and Green Space solutions and Climate Issues, which are only nominally and in name only addressed in this rezoning / upzoning.**

Respectfully,

  
Jeanne Wilcke



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Sunday, September 12, 2021 11:15:01 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Joanna Wilkinson**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Resident of Soho**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

We need to preserve Soho Noho and Chinatown and it's local businesses and residents.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 11:53:25 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Zack Winestine**  
Zip: **10014**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

Dear Commissioners: Please oppose the Soho upzoning. Far from creating more affordable housing, this plan would enrich developers at the expense of longtime residents and small businesses. This plan would reduce neighborhood diversity, while encouraging the construction of giant commercial buildings, hotels, and luxury condos. I urge you to vote "no" on this developer-driven monstrosity. Sincerely, Zack Winestine

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 7:52:18 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Zelda Wirtschafter**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

This is clearly nothing but another giveaway to luxury condo and office real estate developers. The numerous loopholes built into this plan will not increase either economic or racial/ethnic diversity, but will incentivize the demolition of the existing rent controlled and stabilized housing we have now, leading to the displacement of hundreds of low and middle income seniors and working families. I urge you to scrap this plan and give serious consideration to the community endorsed plan CB2 and other community organizations have proposed.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, August 31, 2021 12:21:22 PM  
**Attachments:** [2021.docx](#)

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Wittenberg**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **Resident and CB2 Board Member**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

My comments are in the document submitted

I am a certified artist and a long time Soho resident.

In fact, I am a working artist/ doing a major film project which is why I can not attend this hearing.

I have also been a CB2 board member for 10 years – on the Land Use Committee and the Soho/Noho Working Group. In the past, I was Co- Chair of the Affordable Housing Working Group.

Our community came out in large numbers to attend the numerous public sessions during the Envision Soho/Noho process and developed a Community Base Plan.

The city did not listen and steam rolled this flawed, developer driven rezoning plan that will displace long time financially challenged residents, undermine historic districts, encourage demolition of small buildings and pave the way for more luxury housing, office buildings and big box stores. Zero affordable housing is guaranteed.

This plan has no support from the community. We have been dismissed as relics, magical thinkers and insincere in our views.

Not only do I think it will be extremely difficult in the future to motivate my neighbors and constituents to show up to meetings again after they have been dismissed and ignored, but I question how I can continue serving on the Community Board. My task is to represent my neighbors, to give them voice. We have 100% failed because the city shut us down and did exactly what the money people want. Our elected officials failed us as well. They folded to the pressures from the real estate developers and other power brokers.

This is a dark day in NYC.

Susan Wittenberg  
110 Greene Street  
Suite 10F  
NY, NY 10012

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 10:31:31 PM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Ronnie Wolf**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

This plan is bad. The proposed Art Fund, aka conversion tax is punitive and unjust. Not charging all illegal commercial owners to become legal is WHP SHOULD Be TAXED! Displacement of rent controlled and regulated tenants is unconscionable. DCP has it all wrong. Look at the Community Alternative Plan to guarantee the affordable housing is built and the neighborhoods's appeal remains in vogue!

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Wednesday, August 25, 2021 12:41:47 AM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Antony Wong**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **Resident at 208 Centre Street, located in the Chinatown opportunity zone labeled as Soho East by City Planning.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Since 1985, for the past 36 years, I have lived at my present address on Centre Street and called my neighborhood Chinatown. If this proposal were to be passed, my home would suddenly become Soho East next year according to City Planning. During the 2019 envisioning process, there was inadequate outreach for input from the Chinatown section of the the study area where non-English speaking residents live. The one impromptu Chinese language workshop that was held in late April 2019, of which I requested for from the City Councilmember's office, only had one attendee, my mother, of whom attended on my behalf as I was out of town. With 43% of Soho/Noho's "affordable housing" solution seemingly being foisted on top of Chinatown's shoulders, shouldn't the residents of the neighborhood actually know or have a say in what is happening to their home? It should also be noted that

within the Chinatown (Soho East) opportunity zone, the renderings by City Planning of possible buildings with affordable housing are actually owned by two major entities - one a parking lot by Edison Properties, and the other a family that owns at least five (3 and 2) existing contiguous commercial properties. Since there is no guaranteed affordable housing under the proposed rezoning, the increase in FAR would only provide incentives for these two entities to construct either more needless commercial space, or luxury housing, thus defeating the entire supposed goal of the City's plan. Please commissioners, vote no on this rezoning plan. I live in Chinatown, not Soho East. The City should come back with a new plan that separately tackles the issue of correcting the zoning within the Soho/Noho pertaining to artists, and the city-wide affordable housing crisis. And when discussing these news plans, it should involve the entire community, not just those who comprehend English.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 1:39:47 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Wright**  
Zip: **07016**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Please do not allow for the upzoning of this area. It will destroy the charm and character that this neighborhood is known for . Their is enough construction downtown and midtown. This area is not meant for Big box stores and highrises. The old buildings here are treasures and should be treated as such.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 4:11:38 PM  
**Attachments:** [2 CPC"s Hearing.doc](#)

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Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Susan Yung**  
Zip: **10002**

I represent:

- **A local community group or organization**

Details for "I Represent": **As a community artist, I participate in various Chinatown organizations and supporting cultural arts of Lower East Side that often crosses over into Soho & Noho.**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

**Additional Comments:**

The Mayor's Plan fails to protect against displacement, particularly for residents in Chinatown, seniors aging-in-place and tenants who are rent stabilized, rent controlled or protected under New York State Loft Law.

**Artists and small retailers** transformed a dying industrial district into a highly distinctive, architecturally significant, world-renowned neighborhood.

The creation of an Arts Fund is ill conceived because it fails to acknowledge or memorialize the contributions of artists to adapting, reusing and rebuilding SoHo and NoHo and instead would simply create a non-city source for arts funding to distribute beyond the SoHo, NoHo and Chinatown proposed rezoning area which would not reflect the loss of spaces for the creation of art in SoHo and NoHo. In 1973, the Landmarks Preservation Commission (LPC) stated that “the [SoHo-Cast Iron Historic] district demonstrates one way in which the core of an old city can be given new life without the destruction of its cultural heritage.”

The Mayor's Plan fails to adequately address harm that could occur to current rent regulated tenants residing in rent-stabilized loft law/former Interim Multiple Dwelling (IMD) JLWQA units or those currently protected by the loft law; DCP has acknowledged that they are not experts on loft law units<sup>17</sup> and have not initiated any conversations with our local state elected officials on the impacts on these tenants.

The Mayor's Plan will fail to achieve a more socioeconomically and racially diverse neighborhood in part because MIH relies on large-scale luxury development with low numbers of affordable units.

The city's public meetings, none of which were held in-person, failed to include members of the Chinatown community, where almost half of the projected new development will be built.

The Mayor's Plan fails to protect against displacement, particularly for residents in Chinatown, seniors aging-in-place and tenants who are rent stabilized, rent controlled or protected under New York State Loft Law.

**No Chinatown Outreach.** The city has failed to reach out to the many residents who will be displaced and have been left in the dark by the mayor and DCP. The city continues to marginalize the residents of Chinatown by utterly failing to directly outreach to residents of Chinatown even though 43% of the new housing development is projected in Chinatown. For example, the City only hosted one meeting on April 30, 2019 for the Chinatown community and only one person attended. More recently, on July 15, 2021, a member of a family with significant property holdings in Chinatown and multiple contiguous in the SoHo East designated opportunity zone was quoted in a major local Chinese Daily newspaper Sing Tao Daily stating that they only recently became aware of the proposed rezoning

The rezoning will incentivize the replacement of existing architecture with new, out-of-scale luxury residential structures with a minimal number of affordable units or with commercial or dormitory uses. Mandatory Inclusionary Housing (MIH) (i) allows building enlargements with no affordable housing required, (ii) creates new luxury housing with no affordable housing on site if the developer pays into a housing opportunity fund to build it elsewhere, (iii) permits exemptions based on deep lot size and small building footprints and (iv) most importantly, fails

to create affordable housing for those most in need in our community<sup>2</sup> – at income levels that fall below 40% Area Median Income<sup>3</sup> (AMI).

The rezoning via MIH will incentivize the replacement of existing architecture with new, out-of-scale luxury residential structures with a minimal number of affordable units or with commercial or dormitory uses ...

... (iv) most importantly, fails to mitigate the significant adverse impacts on open space, shadows, historic and cultural resources, transportation and construction noted in the Draft Environmental Impact Statement<sup>1</sup> (DEIS)

The addition of residential use will allow dormitories of up to 6.5 FAR, which were previously not permitted and, given the limited development sites and proximity to a number of universities, will create another use that competes against affordable housing.

The Mayor's Plan will likely result in a net reduction of the number of affordable housing units. It incentivizes the demolition of existing low-rise buildings and the displacement of rent-stabilized tenants in at least 635 rent-regulated units and Page 3 likely much more in at least 185 buildings. 6 These units are disproportionately located in the rezoning areas with the highest proposed upzonings – the 12 FAR zones – and are therefore especially threatened by the plan. Particularly at risk are residents in Chinatown (located in the SoHo East designated opportunity zone, where one property owner has multiple contiguous properties that will benefit from higher commercial FAR) and senior citizens aging-in-place, especially those tenants in smaller JLWQA and rent-stabilized buildings, which are prime targets for demolition. f

The Mayor's Plan ignores Envision SoHo/NoHo's recommendations to "consider a potential expansion of live-work definition that reflects current and future trends" nor does it "encourage and support artist/maker/cultural worker occupancies." This would evolve this unique and emulated use to include a broader spectrum of certified artists or makers.

The Mayor's Plan fails to adequately address harm that could occur to current rent regulated tenants residing in rent-stabilized loft law/former Interim Multiple Dwelling (IMD) JLWQA units or those currently protected by the loft law; DCP has acknowledged that they are not experts on loft law units<sup>17</sup> and have not initiated any conversations with our local state elected officials on the impacts on these tenants.

The creation of an Arts Fund is ill conceived because it fails to acknowledge or memorialize the contributions of artists to adapting, reusing and rebuilding SoHo and NoHo and instead would simply create a non-city source for arts funding to distribute beyond the SoHo, NoHo and Chinatown proposed rezoning area which would not reflect the loss of spaces for the creation of art in SoHo and NoHo. In 1973, the Landmarks Preservation Commission (LPC) stated that "the [SoHo-Cast Iron Historic] district demonstrates one way in which the core of an old city can be given new life without the destruction of its cultural heritage."

The Mayor's Plan projects residential use to increase<sup>13</sup> but does not address quality of life concerns for current and future residents. Any future rezoning plan should (i) require a special permit for any commercial rooftop or outdoor eating and drinking, club, meeting hall, event space, accessory to retail or catering uses and (ii) prohibit eating and drinking uses and high-impact retail uses above the 2nd floor. To date, voluntary city programs, including those promoted by our area's Business Improvement Districts, have not Page 4 successfully addressed quality-of-life concerns for the residential community and should not be expected to mitigate those known impacts in the future

**Plan Ignores Existing Population of Artists.** Despite large numbers of Certified Artists who participated in the Envision SoHo/NoHo process and continue to utilize JMWQA units for the production of art, DCP vastly underestimates the number of working artists in SoHo and NoHo and abruptly forms its own conclusions through incorrect interpretations of the state's Department of Cultural Affairs (DCLA) data (there is no requirement that all artists must go through certification) and a yawning lack of interest in the underlying reasons for the drop in applications over the decades (a regimen of nonenforcement and a lengthy certification process). Joins with tenant groups, preservationists and many highly respected organizations in SoHo, NoHo and Chinatown and across the city (see Appendix A) in opposing the Mayor's Plan that clearly financially benefits property owners and does not take into account the negative long-term effects.

**Manhattan Community Board 2** joins with tenant groups, preservationists and many highly respected organizations in SoHo, NoHo and Chinatown and across the city (see Appendix A) in opposing the Mayor's Plan that clearly financially benefits property owners and does not take into account the negative long-term effects.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Saturday, September 11, 2021 8:52:16 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Haoqing Geng**  
Zip: **11101**

I represent:

- **Myself**

Details for “I Represent”:

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable

housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you: Say "NO" to the Mayor's misguided plan. Sincerely, Haoqing Geng

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 9, 2021 2:47:53 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **N K**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of them seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. Furthermore, this plan risks destroying and dissolving the rich history, culture, and character that make this neighborhood vibrant and unique. To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State



buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units — many of them in Chinatown — which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you — BEG you: Please say "NO" to the Mayor's misguided plan. Sincerely, N.K., SoHo resident

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Sunday, September 12, 2021 6:51:23 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Helen Lee**

Zip: **10013**

I represent:

- **Myself**

Details for "I Represent": **Community resident**

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

Dear Honorable Commissioners, As a long term resident between the intersection of Chinatown, Soho, and Noho, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 9, 2021 5:54:35 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Roger Manning**  
Zip: **10013**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 City Planning Commissioners, I support the December 2020 "Community Alternative Zoning Plan for SoHo/NoHo": <https://media.villagepreservation.org/wp-content/uploads/2021/04/14223752/SoHo-NoHo-revised-Community-Alternative-Zoning-Plan.pdf> I urge you to deny the City's rushed and ill-advised plan to re-zone SoHo, NoHo, and Chinatown. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. It also ignores the irreplaceable architectural character and feel of the district. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both

can be achieved without a massive developer-driven upzoning that promises neither. Roger Manning Broome Street resident since 1983

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - SoHo NoHo Neighborhood Plan  
**Date:** Sunday, August 29, 2021 9:59:37 AM

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**Re. Project: C 210422 ZMM - SoHo NoHo Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **SoHo NoHo Neighborhood Plan**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Yukie Ohta**  
Zip: **10012-3274**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police

services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units — many of them in Chinatown — which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you say "NO" to the Mayor's misguided plan. Sincerely, Yukie Ohta

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 8, 2021 2:10:35 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Nick R**  
Zip: **10013**

I represent:

- **Myself**

Details for “I Represent”: **NY City Planning Commission 120 Broadway New York, NY 10271** Dear Honorable Commissioners, I urge you to deny the City’s rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City’s stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city’s new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City’s stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small

**businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you: Say "NO" to the Mayor's misguided plan. Sincerely, Nick**

### **My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**Yes**

### **Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes



massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLVQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you: Say "NO" to the Mayor's misguided plan.

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Thursday, September 2, 2021 5:41:11 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **John Rockwell**  
Zip: **10012**

I represent:

- **Myself**

Details for “I Represent”:

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**No**

**Additional Comments:**

I urge you to deny the City’s rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown (not Soho East). The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City’s stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area. Why are development-rights being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space — nothing. The proposed poorly conceived \$100 per square-foot conversion fee from JLVQA to residential use is unprecedented and unjust. Most of us already live in affordable housing, with vision that can be achieved without a massive developer-driven upzoning that promises neither. I ask you say “NO” to the Mayor’s misguided plan.



**From:** [Evren Ulker-Kacar \(DCP-Consultant\)](#)  
**To:** [Annabelle Meunier \(DCP\)](#)  
**Cc:** [Sylvia Li \(DCP\)](#)  
**Subject:** FW: Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Tuesday, September 7, 2021 5:11:37 PM

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FYI.

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**From:** Public Hearing Comments (Do not reply) <PublicComments\_DL@planning.nyc.gov>  
**Sent:** Tuesday, September 7, 2021 12:29 PM  
**To:** Stephen Johnson (DCP) <SJOHNSO@planning.nyc.gov>; Evren Ulker-Kacar (DCP-Consultant) <EULKER@planning.nyc.gov>; ManhattanComments\_DL <ManhattanComments\_DL@planning.nyc.gov>  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan

Re. Project: **C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Noorah Taqi**  
Zip: **10013**

I represent:

· **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project: **No**

**Additional Comments:**

NY City Planning Commission 120 Broadway New York, NY 10271 Dear Honorable Commissioners, I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan To highlight just some of the many additional concerns: The proposal yields the potential for over 9,000,000 – nine million – square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational or green space – nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. I ask you: Say "NO" to the Mayor's misguided plan. Sincerely, Noorah Taqi

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Wednesday, September 1, 2021 1:42:30 PM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Annette Weintraub**  
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

**Additional Comments:**

I have been a long-time, middle-income resident of NoHo since 1974. This is a poorly conceived plan that will forever discredit the idea of 'affordable housing' in this city in the future. I urge you to deny the City's rushed and reckless plan to re-zone SoHo, NoHo, and Chinatown. The plan as presented does not guarantee that a single unit of affordable housing will be built, and therefore it fails to achieve the City's stated goals for diversification and equity. The plan puts at risk hundreds of rent regulated tenants within the re-zoning area, many of us seniors aging in place, all made more vulnerable by the city's new allowances for overwhelming construction and demolition made possible by the granting of new FAR to property owners. The Plan The proposal yields the potential for over 9,000,000 – nine million — square feet of new structure, equal to three Empire State buildings. While these development-rights are being given free to speculators, the community is not even promised a new school, more sanitation or police services, a community center, not an inch of recreational

or green space — nothing. Because of loopholes, the plan fails to guarantee that even one unit of critically-needed affordable housing will be built. The City's stated goal to create economic and racial diversity will not be achieved. Instead, the gentrification plan will likely reduce the net number of affordable units by spurring the demolition of at least 185 low-rise buildings with approximately 635 known rent-regulated units – many of them in Chinatown – which the Department of City Planning has excluded from the process. The proposed mechanism for converting current joint living-work quarters for artists (JLWQA) to residential use is onerous, complex, and poorly conceived. The \$100 per square-foot conversion fee from JLWQA to residential use is unprecedented and unjust. By lifting all restrictions on oversized retail stores, as well as those now in place for controlling huge eating and drinking establishments, the plan will witness a tsunami of big-box stores, oversized restaurants, and enormous bars and clubs. This will destroy the character of the neighborhood and the quality of life for residents. Moreover, it will help push out small businesses and specialty shops. The plan proposes massive increases in the allowable height and density of buildings, by the granting of floor-to-area ratio (FAR). This will create a wall of massive towers stretching from Mercer Street to Broadway and on through to Crosby Street. A similar wall of towers is planned along Lafayette Street, taking over blocks in NoHo, SoHo and Chinatown. This plan calls for the first up-zoning of a NYC historic district in the sixty-six years of the Landmarks Preservation Commission's existence, and thereby will break protections put in place for the benefit of all. SoHo and NoHo must evolve in a creative and sustainable way. We need affordable housing and a path forward for continuation of JLWQA. With vision and thoughtfulness, both can be achieved without a massive developer-driven upzoning that promises neither. PLEASE say "NO" to the Mayor's misguided plan

**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 8:21:40 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jo-Ann Arosemena**  
Zip: **11218**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Im opposed to this plan because it does not guarantee the protection of the beautiful historic district, it does not protect loft law tenants and it will displace and disrupt the communities of the area without providing real and affordable options for those communities.



**From:** [Public Hearing Comments \(Do not reply\)](#)  
**To:** [Sylvia Li \(DCP\)](#); [Annabelle Meunier \(DCP\)](#); [ManhattanComments\\_DL](#)  
**Subject:** Comments re: C 210422 ZMM - Soho Noho Neighborhood Plan  
**Date:** Friday, September 3, 2021 8:21:40 AM

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**Re. Project: C 210422 ZMM - Soho Noho Neighborhood Plan**

- Application Number: **C 210422 ZMM**
- Project: **Soho Noho Neighborhood Plan**
- Public Hearing Date: **09/02/2021**
- Borough: **Manhattan**
- Community District: **2**

**Submitted by:**

Name: **Jo-Ann Arosemena**  
Zip: **11218**

I represent:

- **Myself**

Details for "I Represent":

**My Comments:**

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**  
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:  
**No**

**Additional Comments:**

Im opposed to this plan because it does not guarantee the protection of the beautiful historic district, it does not protect loft law tenants and it will displace and disrupt the communities of the area without providing real and affordable options for those communities.