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Terri Cude, *First Vice Chair*  
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Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

November 20, 2015

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

Dear Mr. Weisbrod:

At its Full Board meeting on November 20, 2015, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

**Mandatory Inclusionary Housing (MIH)** Presentation by the staff of Department of City Planning to review the impact on our district of the proposed city wide zoning text amendment: Mandatory Inclusionary Housing.

### Whereas

1. As a key initiative of Housing New York (Mayor DeBlasio's housing plan), the Department of City Planning is proposing a Mandatory Inclusionary Housing program that would require a share of new housing to be affordable through zoning actions.
2. This proposal is for mandatory and permanent affordable housing to be a part of every application when developers build in an area zoned for MIH.
3. This also includes applications, including rezonings and special permits, that substantially increase floor area above what is allowed by zoning.
4. Under the proposal, the City Planning Commission and City Council would apply one or both of the following requirements to each MIH area:
  - a. 25% of residential floor area must be for affordable housing units for residents with incomes averaging 60% AMI.

- b. 30% of residential floor area must be for affordable housing units for residents with incomes averaging 80% AMI.
5. In addition, the City Planning Commission and City Council could decide to apply an additional, limited “workforce” option (Option C) for markets where moderate- or middle-income development is marginally financially feasible without subsidy, in which case 30% of residential floor area must be for affordable housing units for residents with incomes averaging 120% AMI, but this will not apply to Manhattan Community Districts 1-8.
6. CB2 has been disappointed by the tendency in the Hudson Square Special District for developers to build without inclusionary units even though we were assured at the time of the rezoning that incentives would work to achieve the desired goals of diversity and affordability.
7. MIH would allow an increase to the height limit on Hudson Square narrow streets including for developments that do not provide inclusionary units, thereby allowing more development without necessarily providing more affordable units, and increasing the impacts of the recent Hudson Square Rezoning without review of the Environmental Impact Study.
8. MIH will also require affordable units where residential floor area is substantially increased by special permit or other zoning action in buildings with more than 10 units or more than 12,500 square feet of floor area, with buildings smaller than the thresholds required to contribute to an affordable housing subsidy fund for use within the Community District.

**Therefore, be it resolved that CB2, Man.:**

1. Supports this important initiative as it pertains to residential development in CB2.
2. Requests application of the inclusionary housing requirements to districts where VIH is now in place, especially in high value areas such as Hudson Square where there is no question that the requirements can be achieved without need for subsidies.
3. Is concerned that insufficient information has been provided to assure that the subsidy fund will be administered in a way that adds diversity and affordability in our neighborhoods.
4. Requests availability of the “workforce” option (Option C) if developers provide additional affordable units over a broad range of AMI bands;
5. Would recommend approval of height increases on narrow streets in Hudson Square if they applied only to inclusionary developments, but strongly opposes increases that will allow taller buildings even if no affordable units are provided.

Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair  
Community Board #2, Manhattan



Anita Brandt, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

TB/fa

- c: Hon. Jerrold L. Nadler, Congressman  
Hon. Deborah Glick, Assembly Member  
Hon. Daniel Squadron, NY State Senator  
Hon. Brad Hoylman, NY State Senator  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Margaret Chin, Council Member  
Hon. Corey Johnson, Council Member  
Hon. Rosie Mendez, Council Member  
Sylvia Li, Dept. of City Planning

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November 20, 2015

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

Dear Mr. Weisbrod:

At its Full Board meeting on November 19, 2015, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

**Zoning for Quality and Affordability (ZQA)** Presentation by the staff of Department of City Planning to review the impact of the proposed citywide zoning text amendment: Zoning for Quality and Affordability (ZQA).

### Whereas

1. Zoning for Quality and Affordability (ZQA) is a proposal for a citywide text amendment affecting the height and bulk of buildings in residential zones.
2. In an effort to increase development of inclusionary housing and to improve the design of buildings in contextual zones, ZQA generally allows for taller buildings and more utilization of floor area allowances.
3. ZQA seeks to encourage more affordable senior housing by encouraging unit types that correlate with available programs and by reducing costs to developers (for example, by reducing parking requirements).
4. ZQA will allow permanent height increases to senior housing developments that will not be permanently affordable.
5. Because it is a citywide zoning text change, in-depth analysis of environmental impacts is not required, even though the changes will allow larger developments in areas where current limits were established under ULURP and after detailed negotiations with community boards, borough presidents, and council members.

6. Because the Department of City Planning opted to alter existing zones rather than offer ZQA as an additional option, the “zoning toolbox” available to neighborhoods will be reduced and in many cases restrictions providing for appropriately-scaled development will no longer be available.
7. While CB2 strongly supports the goals of improving housing quality and increasing the acceptance rate by developers of bonuses for inclusionary housing, no evidence has been provided that the solutions offered will effectively address the problem.
8. DCP has offered only anecdotal evidence--essentially complaints from “practitioners”--to justify the proposed height increases of up to 31% for inclusionary developments.
9. Similarly, no study was performed to demonstrate that allowing housing-related uses in rear yard obstructions will increase uptake by developers of opportunities for inclusionary developments.
10. There is no way to know that the result of these changes will not be the same amount of affordable housing, but in taller buildings with no rear yards.
11. New rear yard obstructions are potentially very harmful in built-up areas with mixed building types, and also may increase run-off flow into the sewer system.
12. Zoning provisions preventing sliver infill buildings were put in place after recognition of the significant harm these buildings do to the built environment.
13. CB2 appreciates the attention to detail and clarity of responses provided by DCP during extensive presentations and sessions with the CB2 Land Use Committee and Board leadership.

**Therefore it is resolved that CB2, Man.:**

1. Supports the goal of increasing inclusionary housing, but strongly opposes the proposed text changes because they will result in taller buildings without any environmental review and without any evidence that more inclusionary housing will be developed.
2. Opposes height increases in existing zones until a study is completed that demonstrates that the increases will result in additional inclusionary housing.
3. Would only support the enactment of ZQA’s zoning rule changes if they were additions to the existing zoning text (i.e. text for new zoning districts that do not currently exist) as opposed to replacing the existing districts whole cloth. This would allow the new rules which DCP is putting forward to move forward through ULURP on a case-by-case, community by community basis.
4. Supports efforts to create opportunities for contextual buildings with improved presentation at the street level.
5. Opposes allowances for rear yard obstructions outside commercial zones;
6. Opposes any changes that will allow development of “sliver” buildings.

Vote: Unanimous, with 38 Board members in favor.