



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
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Gigi Li, Board Chair

Susan Stetzer, District Manager

November 30, 2015

Carl Weisbrod
Director, Department of City Planning
22 Reade Street – 2N
New York, NY 10007

Dear Director Weisbrod,

At its November 2015 monthly meeting, Community Board 3 passed the following resolution:

VOTE: Community Board 3 denies approval of the citywide text amendment, Mandatory Inclusionary Housing N 160051 ZRY

WHEREAS Community Board 3 supports mandatory inclusionary housing as a concept; and

WHEREAS City Planning proposes a text amendment for Mandatory Inclusionary Housing N 160051 ZRY which is a plan that would require through zoning actions a share of new housing to be permanently affordable; and

WHEREAS CB 3 has had insufficient time to fully review and assess this proposal; and

WHEREAS, although the proposal is a city-wide initiative, CB 3 is a unique community with a deep need for low income affordable housing; and

WHEREAS CB 3 would like to see a higher percentage of affordable housing if it is provided offsite; and

WHEREAS the affordable housing should contain a reasonable mix of unit sizes to accommodate different household sizes including families (at least 40% of non-market-rate units should be two bedrooms or larger); and

WHEREAS the community has been working with the Chinatown Working Group for seven years to develop a community-based rezoning that requests 45% to 50% affordable housing for any new development; so

THEREFORE BE IT RESOLVED Community Board 3 denies approval of the citywide text amendment, Mandatory Inclusionary Zoning N 160051 ZRY UNLESS

- 50% of the units and square footage are permanently affordable at an average AMI of 40%
- A higher percentage of affordable housing is required if that affordable housing is provided offsite
- at least 40% of non-market-rate units are two bedrooms or larger.

Please contact the community board office with any questions.

Sincerely,



Gigi Li, Chair
Community Board 3



MyPhuong Chung, Chair
Land Use, Zoning, Public and Private Housing Committee

Cc: Andrew Lombardi, Office of Manhattan Borough President Gale Brewer
Erica Baptiste, Office of Manhattan Borough President Gale Brewer
Sheila Rodriguez, Office of New York City Council Member Rosie Mendez
Vincent Fang, Office of New York City Council Member Margaret Chin
Joel Kolkmann, New York City Department of City Planning
Edith Hsu Chen, New York City Department of City Planning
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Dear Director Weisbrod,

At its November 2015 monthly meeting, Community Board 3 passed the following resolution:

VOTE: Community Board 3 Denies approval for the citywide text amendment, Zoning for Quality and Affordability N 160049 ZRY

WHEREAS Community Board 3 has considered the text amendment for Zoning for Quality and Affordability N 160049 ZRY which has a goal of addressing affordability in senior housing and care facilities, providing inclusionary housing buildings and changes rules regarding streetscape, courtyards and other elements and improving ground floor retail; and

WHEREAS CB3 passed a resolution in July 2015 opposing Zoning for Quality and Affordability (quoted below); and

WHEREAS there have been no substantive changes in the proposal since that July 2015 resolution; so

THEREFORE BE IT RESOLVED Community Board 3 denies the text amendment for Zoning for Quality and Affordability N 160049.

VOTE: Resolution regarding Quality and Affordable Housing Proposal, July 2015

WHEREAS CB 3 highly values the need for the creation of affordable housing in our community, quality design in new construction, and the preservation of neighborhood character in new development, and

WHEREAS the Department of City Planning has put forward the 'Zoning for Quality and Affordability' proposal, a complex plan which would change many aspects of the regulations governing development in our neighborhood, and which purports to improve quality in design and increase the production of affordable and senior housing, while maintaining neighborhood character, and

WHEREAS the proposal takes a "one-size-fits-all" approach of changing regulations, especially height limits, in contextual zones across the city, without regard to specific neighborhood conditions or character, and

WHEREAS the contextual zoning districts and their height limits in CB 3 were arrived at after years of work, careful examination of local conditions, and considerable compromise to balance the concerns of

all affected parties, limiting development potential and height for new development in some areas while raising it in others, and

WHEREAS the current contextual zoning height limits for our neighborhoods already allow Development which is generally of a greater height than what is typical of the neighborhood, and

WHEREAS the proposed changes would unnecessarily increase the allowable height of new development in our R7-A and R7-A-equivalent zones for purely market rate housing, and increase it considerably for inclusionary developments (80% market rate, 20% affordable), and

WHEREAS the proposed changes would also increase the allowable height of new development in our other contextual zoning districts by smaller but nevertheless significant amounts, and

WHEREAS the proposed changes would also increase the allowable height of new Quality Housing developments in non-contextual zones significantly, and

WHEREAS the rationale for the proposed changes in height limits for market rate housing is that it would make for better, higher quality new developments and allow market rate developers to always access the full allowable FAR, and

WHEREAS CB 3 does not see how such changes would result in better quality new developments, and does not agree that zoning should be changed to ensure that every developer is able to utilize the maximum possible FAR in every single development, and

WHEREAS the rationale for the proposed changes in height limits for inclusionary developments is that the current height limits discourage more developers from opting into the inclusionary program, and these changes would result in the creation of more affordable housing units, and

WHEREAS there is little evidence to indicate that height limits alone determine whether some developers chose to opt into the inclusionary program and produce affordable units, but rather financing, bureaucratic hurdles, and economies of scale, which this proposal does not address, are main determinants, and

WHEREAS the proposed changes do not make participation in the inclusionary program mandatory, and do not increase the required amount of affordable housing above the current 20%, and

WHEREAS CB 3 sees no benefit in increasing the allowable height of purely market rate developments, and

WHEREAS CB 3 sees no direct evidence that changing the height limits will result in an increase in the production of affordable housing in our neighborhoods, and believes that even if it did, the proposed increases in allowable height are extremely generous for developments which would only include 20% affordable housing, and

WHEREAS if increasing height limits does incentivize the creation of affordable housing, then it would seem that granting some of that height increase for purely market rate housing actually *decreases* that incentive, by making some of that benefit available without having to provide any affordable housing, and

WHEREAS the proposed changes in allowable height for senior affordable housing only requires that a (sometimes quite small) percentage of the developments in which they are located are actually senior

affordable housing, while the remainder can be general market rate housing, and still benefit from the full proposed height increase, and

WHEREAS CB 3 believes that maintaining the scale of new development in our neighborhood is a critical goal, and that the proposed changes would significantly damage those efforts while offering comparatively little or no public benefit in return, so

THEREFORE BE IT RESOLVED that CB 3 urges that all height increases for purely market rate housing in contextual zones and for Quality Housing in non-contextual zones be eliminated from the plan, and

THEREFORE BE IT FURTHER RESOLVED that CB 3 urges that the proposed height increases for affordable housing in contextual zones and for Quality Housing developments in non-contextual zones a) be contingent upon concrete statistical evidence which shows that such changes would actually increase the amount of affordable housing produced, b) should be the minimum amount necessary to produce such affordable housing, and c) should only be applicable for developments which include more than 20% affordable housing, which is a relatively minimal public benefit for such a dramatic proposed giveaway of additional height and for loss of sky, light and air, and

THEREFORE BE IT FURTHER RESOLVED that CB 3 urges that the proposed height increases for senior housing should also a) be contingent upon evidence which shows that such changes would actually increase the amount of affordable senior housing produced, b) should be the minimum amount necessary to produce such housing, and c) should only be made available to developments which are 100% senior affordable housing or senior affordable housing-related, not for developments which are as little as 10% senior affordable housing, as would currently be allowed under the proposal.

Please contact the community board office with any questions.

Sincerely,



Gigi Li, Chair
Community Board 3



MyPhuong Chung, Chair
Land Use, Zoning, Public and Private Housing Committee

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