

RICHARD EGGERS
CHAIR

VICE-CHAIRS
CLAUDE L WINFIELD, 1ST
MOLLY HOLLISTER, 2ND



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
866 UNITED NATIONS PLAZA, SUITE 308
NEW YORK, NY 10017

DAN MINER
DISTRICT MANAGER

CHARLES BUCHWALD, TREASURER
BEATRICE DISMAN, ASST. TREASURER

KATHY THOMPSON
SECRETARY
AARON HUMPHREY
ASST. SECRETARY

VIA E-MAILL: cweisbrod@planning.nyc.gov

November 19, 2015

Mr. Carl Weisbrod
Chairman
Dept. of City Planning
22 Reade Street
New York, NY 10007

RE: DCP ULURP Applic. N160049ZRY Zoning for Quality and Affordability and Mandatory Inclusionary Housing Text Amendment

Dear Chairman Weisbrod:

At the November 18th Full Board meeting of Community Board 6 the Board adopted the following resolution:

Whereas, the Mayor has proposed a plan entitled Housing New York which is a ten-year plan for the construction of 80,000 new units of affordable housing and the preservation of 120,000 existing units of affordable housing; and

Whereas, the range of initiatives the Mayor has set forth includes two city-wide zoning text amendment proposals known as Zoning for Quality and Affordability (ZQA) and Mandatory Inclusionary Housing (MIH); and

Whereas, the ZQA text amendment will:

- Increase available floor area for developments that include affordable senior housing
- Remove parking requirements for affordable housing developments
- Modify height and setback restrictions in contextual districts;
- Make provisions of permanent affordable housing a requirement for any development involving new construction, enlargement or conversion that requires a rezoning; and

Whereas, the ZQA text amendment allows developers to construct affordable senior citizen apartments as small as 250 square feet for its residents across the City of New York; and

Whereas, the ZQA text amendment increases the density, floor area, height and dwelling unit count of affordable senior housing across the City of New York, which will significantly diminish air, light, open space and living space; and

Whereas, the MIH text amendment offers the following options by way of rezoning or special permits:

1. 25% affordable housing at 60% AMI
2. 30% affordable housing at 80% AMI
3. Option 1 or 2 and 30% affordable housing at average of 120% AMI in Manhattan CB 9-12 only (workforce option); and

Whereas, the MIH text amendment allows real estate developers to propose a building or building segment containing either residential affordable floor area or a supportive housing project, which generates floor area compensation generating sites which contain affordable housing units and allows real estate developers utilizing (“generating sites”) to seek public funding; and

Whereas, the MIH text amendment requires distribution of affordable housing units in new construction affordable housing or substantial rehabilitation affordable housing in a specific, equitable manner; and

Whereas, the MIH text amendment generally states that any affordable housing units other than supportive housing units or affordable independent residences for seniors shall be distributed in a specific, equitable manner; and

Whereas, in Mandatory Inclusionary Housing areas the “affordable housing fund” is a fund administered by HPD, all contributions to which shall be used for development, acquisition, rehabilitation, or preservation of affordable housing, or other affordable housing purposes as set forth in the guidelines; and

Whereas, a development, enlargement, or conversion from non-residential to residential use that increases the number of dwelling units by no more than 25, and increases residential floor area on the zoning lot by less than 25,000 square feet, may satisfy the requirements of this Section by making a contribution to the affordable housing fund. The amount of such contribution shall be related to the cost of constructing an equivalent amount of affordable floor area, as set forth in the guidelines; and

Whereas, the current administration has stated a goal of creating 200,000 units of affordable housing, but has, to date, offered no planning process to study the impacts of this increase in density; and,

Whereas, increasing the permissible height of a building by as much as 40 feet may have an undesirable impact on light and air on the street; and,

Whereas, without studying the impacts of the new bulk provision that would arise from the proposed zoning text amendments, we are dealing with an infinite number of potential issues;

Now, therefore, be it

Resolved, that Community Board Six does not support the text amendments as currently drafted, since they fail to address too many vital steps in planning and process, thus potentially undermining their desired results; and

Resolved, that Community Board Six requests that in all requirements for MIH sites proposed in the text amendment to also apply to “generating sites” to ensure that developers be required to create affordable housing within the community district where the development project is located; and be it further

Resolved, that Community Board Six requests that requirements for MIH sites also apply to “generating sites” to ensure that developments built on the same site or within the same building of the development project share a common lobby, entrances, amenities, and any other common facilities between market rate and affordable units, so that these units remain indistinguishable, one from the other; and be it further

Resolved, that Community Board Six requests that developers should not be eligible to apply for the 421-a program if they are participating in the generating site or MIH site program; and be it further

Resolved, that Community Board Six requests that affordable senior housing and care facilities benefits under Zoning for Quality and Affordability should be made permanent; and be it further

Resolved, that Community Board Six requests the workforce option under Mandatory Inclusionary Housing Sites be available to Community District Six as well as Community Districts 1 through 8; and be it further resolved

Resolved, that Community Board Six requests the workforce option be increased to an AMI average above 130%; and be it further

Resolved, that Community Board Six requests that the hardship relief application become more restrictive and that the agency overseeing the application review process be independent of HPD to ensure accountability and transparency; and be it further

Resolved, that Community Board Six requests that developers be required to relocate tenants currently living in buildings targeted for development into the new development project upon completion at affordable housing rates, without the requirement of adhering to the affordable housing income requirements; and be it further

Resolved, that Community Board Six requests that the text amendment includes specific considerations to set aside affordable housing units within generating sites or MIH sites for current and former members of the armed forces (“Veterans”) and such units should be no less than 2% of the total number of units in the development; and be it further

Resolved, that Community Board Six requests HPD to be transparent as to the allocation of funds from the ‘affordable housing fund’ by developers taking advantage of the less than 25 units/less than 25,000 feet residential floor area requirements; and, be it further

Resolved, that Community Board Six requests that zoning lot mergers include a height limit under ZQA; and, be it further

Resolved, that Community Board Six requests that the rear yard provisions be maintained and not permitted to be reduced under ZQA so that the public and occupants can continue to experience as much open space as possible; and, be it further

Resolved, that Community Board Six requests an additional 90 days to review the proposed changes to the zoning text amendment to fully study the impacts of the proposed revisions in our community district; and, be it further

Resolved, that Community Board Six requests that the City of New York implement a planning process to study the impact of the proposed city-wide goal of 200,000 units of affordable housing to determine how many market-rate units are projected to be produced; where these units are likely to be built; and what their impact will be on school seats, open space, public transit, traffic, and existing infrastructure.

VOTE: 33 in Favor 0 Opposed 3 Abstention 0 Not Entitled

Yours truly,



Dan Miner
District Manager

Cc: Hon. Bill de Blasio
Hon. Gale Brewer
Hon. Melissa Mark-Viverito
Hon. Dan Garodnick
Hon. Ben Kallos
Hon. Rosie Mendez
All 58 Community Boards
Rajesh Nayar
Terrence O'Neal