



## Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166<sup>th</sup> St. Room 6-A, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Website: [www.nyc.gov/mcb12](http://www.nyc.gov/mcb12)

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

March 23, 2018

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

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

Dear Chairperson Lago:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Whereas: There are several sites, areas, and structures within CD12 which are worthy of preservation and which, without attention, will become endangered due to neglect and disrepair; and
- Whereas: There are a variety of ecologically sensitive areas at the shoreline along the eastern edge and the Tip of Manhattan including not only Sherman Creek but also the North Cove (above 207<sup>th</sup> Street), itself a reclaimed dump that is now a fragile natural bird habitat and wildlife sanctuary. Also, the eastern area of Inwood is within a flood zone identified by the New York City Panel on Climate Change; and
- Whereas: The existing residential zoning in the Upland Core is R7-2, a medium density zoning district with an allowable FAR of 3.44 to a maximum of 4 under Quality Housing. Unless Quality Housing is used, R7-2 has no maximum building height limits. Apart from the Dyckman Houses, the building type envisioned by R7-2 zoning is dissimilar to the built fabric of the Upland Core. Indeed, the existing built environment pre-dates the current 1961 zoning. EDC proposes to rezone this area to predominantly R7A, as requested by many community residents. R7A allows building height and density similar to the existing housing stock. In general, R7A is an appropriate contextual zoning district for the Upland Core, but further review and dialogue is required to ensure that rezoning in the Upland Core is carefully tailored and not a blanket application. For example, R7A would dramatically reduce the ability of Holy Trinity Church Inwood to propose for review and consideration by CB12M and other stakeholders a mixed-use development of residential and community facility uses at the density currently permitted by the R7-2 zoning. Also, there are houses on Payson and Seaman Avenues and on 217<sup>th</sup> and 218<sup>th</sup> Streets for which R7A is in fact not contextual and might be treated differently; and
- Whereas: Rezoning to allow for adaptive reuse of the existing buildings on Dyckman Street west of Broadway for a mix of commercial and community facility uses in addition to new residential development should be considered as it may be a better option than the proposed R7A zoning with MIH. This area is currently zoned C8-3, which is generally for automotive and heavy commercial uses; housing is not permitted. CB12M passed a resolution asking for C8-3 districts within Washington Heights and Inwood to be rezoned. While the Proposed Actions do that, the proposal is for R7A with MIH to encourage new development. However, this area is a sensitive location given its proximity to major landmarks, Fort Tryon Park and the Cloisters, and the importance of maintaining scenic view corridors both of and from the Park. Rezoning to encourage adaptive reuse mitigates against the potential for blocking views. Any rezoning that encourages new development must be carefully considered to ensure that new buildings permitted as-of-right will not obstruct views of the Cloisters or intrude on views from the Park; and
- Whereas: The "Commercial U" currently has C4-4 zoning and R7-2 zoning with commercial overlays. Under the Proposed Actions the existing zoning is replaced with R7D zoning with MIH, R8A zoning with MIH, C4-4D and C4-5 D zoning. While the zoning districts proposed are contextual zoning and impose height limits, further study is needed with respect to appropriateness of the contextual zoning districts selected and the height limits associated therewith. The 11-story maximum building height allowed under R7D with MIH might compromise views of the Cloisters. The 14-story maximum building height allowed under R8A zoning with MIH proposed for the corner of Broadway and 207<sup>th</sup> Street and the C4-4D zoning with MIH proposed for the corner of Broadway and Dyckman Street might compromise or compete with views of the Cloisters. In contrast, any potential new construction near the Dyckman Houses or 207<sup>th</sup> Street and 10<sup>th</sup> Avenue would need to respond to physical conditions and contextual concerns that are not focused on view corridors but rather the elevated train which creates a condition where it makes sense to set buildings back, have non-residential uses on the first two floors and allow the residential units to rise above the level of the elevated tracks; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

Sincerely,



Shahabuddeen A. Ally, Esq.  
Chairperson

cc: Hon. Andrew Cuomo, Governor  
Hon. Bill de Blasio, Mayor  
Hon. Gale Brewer, Manhattan Borough President  
Hon. Scott M. Stringer, Comptroller  
Hon. Letitia James, Public Advocate  
Hon. Charles E. Schumer, US Senator  
Hon. Kirsten Gillibrand, US Senator  
Hon. Adriano Espaillat, Congressman

Hon. Brian Benjamin, State Senator  
Hon. Marisol Alcantara, State Senator  
Hon. Alfred Taylor, Assembly Member  
Hon. Carmen De La Rosa, Assembly Member  
Hon. Ydanis Rodriguez, Council Member  
Hon. Mark Levine, Council Member  
Hon. Edith Hsueh, Director, DCP  
Hon. James Patchet, President, NYC EDC  
Charlie Samboy, NYC EDC