

Borough President Recommendation

City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
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INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Applications: C 180073 MMM C 180204 ZMM C 180208 HAM N 180205 ZRM C 180206 PPM C 180207 PQM

Docket Description:

C 180073 MMM

IN THE MATTER OF an application submitted by The New York City Economic Development Corporation pursuant to Section 197-c and 199 of the New York City and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

1. The elimination, discontinuance and closing of Exterior Street between West 202nd Street and West 208th Street;
2. The elimination, discontinuance and closing of Academy Street between the U.S. Pierhead and Bulkhead Line and West 201st Street;
3. The elimination, discontinuance, and closing of West 201st Street and West 208th Street between the U.S. Pierhead and Bulkhead Line and Ninth Avenue; and
4. The elimination, discontinuance, and closing of a volume of a portion of West 203rd Street between Ninth Avenue and U.S. Pierhead and Bulkhead Line;
5. The adjustment of grades and block dimensions necessitated thereby;

Including authorization for any acquisition or disposition of real property related thereto in Community District 12, Borough of Manhattan, in accordance with Map No. 30254 dated January 11, 2018 and signed by the Borough President

Borough of Manhattan, Community District 12.
(See Continued)

COMMUNITY BOARD NO: 12

BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached

John A. Brewer

April 26, 2018

BOROUGH PRESIDENT

DATE

C 180073 MMM, N 180204 ZMM, N 180205 ZRM, C 180206 PPM, and C 180207 PQM C 180208 HAM – Inwood Rezoning Proposal

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C 180204 ZMM

IN THE MATTER OF an application submitted by the New York City Department of Economic Development pursuant to Section 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map of the City of New York, Section Nos. 1b, 1d, 3a, and 3c:

Changing all or portions of existing M1-1, M2-1, M3-1, C8-3, C8-4, and R7-2 districts within the proposed 59-block rezoning area to M1-4, M1-5, M2-4, C4-4D, C4-5D, C6-2, R7A, R7D, R8, R8A, R9A district; change portions of existing C1-3 and C1-4 overlays to C2-4 overlays and establish new C2-4 overlays; and map the Special Inwood District (SID)

N 180205 ZRM

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to proposed Article XIV, Chapter 2 (Special Inwood District) and Appendix F to apply the Mandatory Inclusionary Housing program to the rezoning area where zoning changes are promoting new housing, and to establish the Waterfront Action Plan within Inwood, Community District, Borough of Manhattan.

C 180207 PQM

IN THE MATTER OF an application pursuant to Section 197-c of the New York City Charter, submitted by the Department of Citywide Administrative Services, to acquire approximately 18,000 square feet of space located at 4780 Broadway (Block 2233, Lot 13 and part of Lot 20) for use as a library; to acquire property along the Harlem River (Block 2197, Lot 47) to enlarge an existing City-owned property (Block 2197, Lot 75) to establish street and waterfront frontage; and by the Department of Citywide Administrative Services and the Department of Parks and Recreation, for the acquisition of property located along the Harlem River (Block 2183, Part of Lot 1; Block 2184, Part of Lot 1) for use public open space and waterfront access, Borough of Manhattan, Community District 12.

C 140185 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 302 to 314 West 127th Street (Block 2981, Lots 36, 37, 38, 39, 40, and 41) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property as an Urban Development Action Area to a developer to be selected by HPD;

to facilitate development of affordable housing and community facility space in Borough of Manhattan, Community District 12.



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Gale A. Brewer, Borough President

April 25, 2018

Recommendation on ULURP Application No. C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM

The Inwood Rezoning Proposal by New York City Economic Development Corporation

SUMMARY OF RECOMMENDATION

It is beyond dispute that the prospect of the city's rezoning proposal has generated enormous concerns and fears among Inwood residents. Residents, many of whom are at income levels below the city's average and many of whom are immigrants, are concerned that this rezoning proposal will at worst cause, and at best hasten, circumstances that will lead to the loss of their homes, the loss of small businesses that sustain them and their families, and the loss of a thriving, diverse community

These concerns are not irrational. Inwood has the highest concentration of rent regulated apartments in Manhattan with over 60 percent of apartments subject to rent regulation. It has a "downtown strip," identified as the Commercial "U," reminiscent of a neighborhood's main street. And, unlike in other parts of the city where development is already rapidly underway, Inwood is gentrifying more slowly through the attrition of affordable housing and the influx of newer residents searching for more affordable Manhattan rents. These circumstances make resistance to, and skepticism about, a rezoning plan completely rational and make it critical that any rezoning plan must contribute significantly more to the solution of these problems than to their exacerbation. However, the trends of the loss of affordable housing and severe rental pressures on tenants and small local businesses are accelerating. In addition, approximately 30 percent of stabilized rental units in Inwood are subject to preferential rents which means that at any lease renewal time, the residents of these apartments could be subject to large -- and in many cases unaffordable -- rent increases.

The administration's proposal for the rezoning of Inwood would: (1) Rezone the Sherman Creek section of Inwood generally east of Tenth Avenue between West 202nd and West 207th Street to permit the conversion of manufacturing uses to medium and high density residential uses; (2) Rezone the area named the Commercial "U" subdistrict, Inwood's "Main Street" consisting of many one and two story commercial buildings, to allow commercial and residential buildings with medium density mixed residential and commercial buildings and designate it a Mandatory Inclusionary Housing Area (MIHA); (3) Rezone the Upland Wedge subdistrict to convert from

heavy commercial uses like auto repair shops to high density residential uses; (4) Rezone the area of West 218th Street between Tenth Avenue and the Harlem River and the area between the Harlem River and Ninth Avenue from West 218th Street to West 220th Street, the so-called Tip of Manhattan subdistrict, to permit the conversion of manufacturing uses to high density residential uses; and (5) Contextually zone the “Upland Core” area to preserve the current neighborhood context of mid-rise buildings. All areas receiving significant increases in residential development capacity would be designated MIH Areas with requirements to provide 25 to 30 percent of the residential area for affordable housing. According to the Draft Environmental Impact Statement (DEIS) released in coordination with this Land Use Application, it is projected that approximately 4,000 units of new housing will be constructed in the next 15 years in the rezoning areas and approximately 1,200 of these units would be affordable. In addition, on the Broadway arm of the Commercial “U,” at the site of the current Inwood Library, the proposal would redevelop the library by replacing the existing building with a 14-story building containing a new library, 175 units of affordable housing, and Universal Pre-K classrooms.

While I do support a rezoning of Inwood, I cannot support the rezoning as proposed. The argument for accepting this plan is that if we do nothing and current trends continue, at some point in the not-too-distant future, the huge number of preferential rents will disappear, making these units unaffordable to current residents, rent stabilized apartments will continue to leave stabilization because laws over which the city has no control will continue to permit this, local businesses will continue to face increasing rents as businesses all over the city do and will eventually be replaced, and all this will occur without the construction of any new permanent affordable housing. This is quite possibly what will happen. But no one can expect a neighborhood to accept a rezoning that raises the specter of displacement in the short and medium term, because it is not nearly as bad as what is likely to happen in the longer term. Rezoning needs to happen in Inwood but the current plan, as proposed, needs to be sufficiently revamped so that it is clear that there are significant "pluses" for the neighborhood in the shorter and medium term to make it -- on the whole -- a worthwhile undertaking.

While no plan can ensure displacement doesn't occur, a plan must be created that arrives at equitable solutions. For an equitable solution to be achieved here, the balance of this plan must swing significantly more toward the goals of the community than the current proposal. To that end, the city must work to craft a plan that: (1) Creates significantly more new affordable housing with more of it accessible to the average current Inwood resident; (2) Identifies and funds programs to allow current tenants to remain in their homes; (3) Provides help for small local businesses to remain in the community; and (4) Provides opportunities for new local businesses, employment, and cultural resources to maintain Inwood's diversity and local character.

The current plan, as written, does not strike this balance. In order to achieve what we believe is an acceptable balance, it cannot be adopted without significant changes. The changes I recommend will help ensure that there is a balance between new affordable and market rate housing stock, and a real commitment to assisting local small business owners remain in the neighborhood. I recommend the following:

1. The removal, or at a minimum, the phase-in of the rezoning of the Commercial “U” (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS would be required to develop and fund Inwood- specific programs that work directly with small businesses in the Commercial “U” and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city would be responsible for the creation of temporary space for businesses that may be able to return to the Commercial “U” as well as an incubator space for emerging businesses;
2. Include zoning text that would limit store frontages to 40 feet and bank frontages to 25 feet and require a minimum number of stores in zoning lots meeting a threshold of street frontage, similar to what was implemented on the Upper West Side of Manhattan. This would ensure neighborhood retail space to maintain the local character of Inwood’s business community and provide space for relocation or return of displaced local businesses;
3. The use of a city-owned lot currently occupied by the Department of Transportation (DoT) at Sherman Creek between 205th and 206th streets (Block 2186, Lot 9), currently the site of bridge maintenance equipment storage, for a 100 percent affordable housing development which could result in approximately 500 units of permanent affordable housing at income bands reflective of current Inwood residents;
4. The use of city-owned land located at Block 2197, Lot 75 currently occupied by Charter Communications for its service vehicles in the Tip of Manhattan subdistrict, for a 100 percent affordable housing development which could result in approximately another 500 units of affordable housing at income bands reflective of Inwood residents;
5. A serious effort by the city to assist developers seeking to acquire properties and build 100 percent affordable developments at levels of affordability reflective of current Inwood residents like the one proposed along Broadway at 218th street;
6. A serious effort by the city to review every soft site in the rezoning area and its vicinity including those on the list circulated by Congressperson Espaillat and the federally-owned site at 5051 Broadway;
7. The use of Option One, which requires 25 percent of all residential floor area to be dedicated to residents with incomes averaging 60 percent AMI in combination with the Deep Affordability option of the MIH program which requires 20 percent of the residential floor area to be dedicated to housing for residents with incomes averaging 40 percent AMI, making significantly more units affordable to the current average Inwood resident;
8. In addition to funding the Right to Counsel program and inclusion of Inwood in the Certificate of No Harassment Program, substantial funding in the fiscal year 2019 city budget for Inwood-targeted programs including additional legal services to ensure that every rent stabilized tenant with a harassment, eviction or preferential rent legal problem has access to counsel and a tenant organizing and affirmative litigation program to find and address issues with stabilized apartments with unlawfully registered rents.
9. The selection of a “brick and mortar,” centrally-located, and fully-accessible location for an interim library which will be open the same hours as the current library, provide all core services and be able to provide a significant portion of the programs and services

- currently provided, so that the Inwood Library Project and its 175 units of permanently affordable housing (for all practical purposes) can proceed;
10. Provision of expense and capital funding for Dyckman Houses, whose residents will be impacted by the rezoning;
 11. Good faith efforts by the city to include the car wash site adjacent to the Inwood Library into the project so that more affordable housing may be created;
 12. Implementation of the plan I have fought for to relocate the warehouse businesses to the newly proposed M1-4 district in Sherman Creek and best efforts by the city to assist Flair Beverages in finding suitable space in northern Manhattan;
 13. Best efforts by EDC and SBS to relocate the automotive repair businesses to a concentrated area in Inwood or the immediately surrounding areas as is being done with the wholesale businesses and, in the absence of this, the city must give serious consideration to including language in the special district text that would allow automotive repair businesses below residential development wherever practicable;
 14. The study and application of more tailored contextual zoning districts in certain areas that will be contextually rezoned where the proposed R7A zoning designation is not the most appropriate;
 15. Special District text permitting the transfer of community facility development rights from sites located in the Tip of Manhattan Subarea B2 to Subarea B1 to be used for cultural or arts-related spaces, with the grantee of such floor area to be required to improve and maintain the grantor site pursuant to the Waterfront Action Plan.
 16. Preservation and commemoration of significant historic sites in Inwood including Native American Burial and artefact sites and African slave burial sites; and
 17. Provision of art and cultural performance space and artistic workspace to support Inwood's thriving artistic community.

Revamping the proposal along these lines would approximately double the amount of projected permanent affordable housing in the plan, significantly address the attrition of rent stabilized apartments and displacement of current residents, and provide significant opportunity for local businesses to remain in the neighborhood. Without such changes the plan provides inadequate benefits to the current residents and businesses of Inwood. These changes would move the plan significantly toward the goals expressed by the hundreds, if not thousands, of residents and business owners my office has heard from over the last two years.

PROPOSED ACTIONS

The New York City Economic Development Corporation (NYCEDC), 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) is proposing a series of land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor's Housing New York: Five-Borough, Ten-year Plan ("Housing New York") and to begin to implement the Inwood NYC Action Plan. The proposed land use actions include zoning map amendments, zoning text amendments to create the Special Inwood District (SID), a proposed Waterfront Action Plan (WAP), establishment of a Mandatory Inclusionary Housing Area (MIHA), City

Map changes, site acquisition and disposition by the City of New York, and an Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval (collectively, “Proposed Actions”).

Generally, any changes to the zoning map should be evaluated for consistency and accuracy, and given the land use implications, appropriateness for the growth, improvement and development of the neighborhood and borough. In evaluating the text amendments, this office must consider whether an amendment is appropriate and beneficial to the community and consistent with the goals of the MIH program.

The Inwood Rezoning Proposal must also be evaluated based on the comments made by community members over the past two years and at our public hearing held on April 10, 2018. The period leading up to the filing of the instant Land Use Applications as well as the public notice and comment period since, has elicited a set of requests and demands that this office has synthesized for the purpose of my recommendation. Of those requests and demands, the following is a list of the most significant: permanent affordable housing, the preservation of existing affordable units, respect for the existing neighborhood character including its cultural landmarks, improvements to the pedestrian experience, public access to the waterfront, the creation of community and cultural space, the creation of new commercial space to support job creation and improvements to current transit nodes and infrastructure.

GOALS OF THE INWOOD REZONING PROPOSAL

Collectively, the actions that make up the Rezoning Plan purport to reflect EDC’s goal to achieve the following land use objectives:

- a) to create a lively and attractive built environment that will provide amenities and services for the use and enjoyment of area residents, workers, and visitors;
- b) to encourage well-designed development that complements and enhances the built character of the neighborhood;
- c) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied income;
- d) to maintain and establish physical and visual public access to and along the waterfront;
- e) to promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the city;
- f) to take advantage of the waterfront along the Harlem River, Sherman Creek, and the North Cove and create a public open space network;
- g) to focus higher-density development in appropriate locations along wide, mixed-use corridors with good access to transit;
- h) to provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; and
- i) to promote the most desirable use of land and development in accordance with the District Plan for the Inwood waterfront, and thus conserve and enhance the value of land and buildings, and thereby protect the city’s tax revenues.

BACKGROUND

Inwood

The neighborhood of Inwood, as defined by EDC, is the northernmost portion of the island of Manhattan, encompassing the area north of Dyckman Street. It makes up the northern half of CD12 which is bounded by the Harlem River on the east and on the north, the Hudson River on the west, and West 155th Street on the south. Additionally, Inwood includes Inwood Hill Park, Isham Park, and Harlem River Park. As of 2015, Inwood had a population of approximately 42,676 residents with a median income of \$42,260, 16 percent less than the citywide median income. The area is characterized by multi-family residential and mixed residential/commercial properties (low to mid-rise multi-family walk-up and elevator buildings), and some light manufacturing, wholesale, and auto-related businesses.

Previous Inwood Neighborhood Planning Studies

Since 2003 there have been several studies conducted by Community Board (CB) 12, DCP, EDC, and various city agencies geared toward defining land use and zoning priorities in Inwood including the Harlem River waterfront. In 2003, several city agencies joined together to conduct a year-long study regarding planning and development in Sherman Creek. As a result, the Sherman Creek Study was published in 2004 and EDC in collaboration with NYC Parks worked to implement the study's recommendations regarding waterfront access, parks, and recreation. CB 12's neighborhood planning and land use study was conducted from 2005 to 2007. A ground work for land use and planning priorities was developed for the entire community district. Finally, the Sherman Creek Waterfront Esplanade Master Plan was published in 2011.

Sherman Creek Study

In 2003, a DCP-led team of city agencies conducted a year-long study of a portion of Inwood between Dyckman Street to the south, West 207th Street to the north, and Broadway and the Harlem River to the west and east respectively. The goal was to determine any challenges to and opportunities for development. A report was generated that contained several recommendations related to residential and commercial development, traffic and pedestrian safety, and public access to the waterfront.

Work by EDC in collaboration with NYC Parks was then conducted to implement some of the study's recommendations. As a result, clean-up efforts of the upland area south of the Sherman Creek inlet were performed, a pedestrian trail next to P.S. 5 was made, a local elementary school was created, and five street-end open spaces at the Harlem River were created at West 202nd, West 203rd, West 204th, West 205th, and West 206th streets.

Neighborhood Planning and Land Use Study

Between 2005 and 2007 a land use and planning study was conducted by CB12 with the assistance of the City College Architecture Center (CCAC), an outreach and technical assistance program of the School of Architecture, Urban Design and Landscape Architecture at The city College of New York, working in collaboration with Urban Planner Rex Curry of ReidCurry Consulting. The purpose of the study was to aid in identifying priorities and in establishing consensus around a set of criteria for evaluating proposed and future development.

The study does not represent a comprehensive plan for CB12. Instead, it provided CB12, other community leaders and residents with background information and criteria for making action-plans of their own. The stated goal of the study was for stakeholders to weigh the potential impacts of proposed actions within the context of the district overall and against broader trends and policies. The results of the study became the foundation upon which future planning studies would be built.

Sherman Creek Waterfront Esplanade Master Plan

The Sherman Creek Waterfront Esplanade Master Plan was an EDC initiative launched in 2009. Its intended goal was to identify a shared vision for the Sherman Creek waterfront. The initiative spanned two years and consisted of a number of small meetings with community members and elected officials in addition to larger public forums. The result was a conceptual design for the esplanade and an implementation strategy.

Inwood NYC Action Plan

The Inwood NYC Action Plan emerged as a result of the mayor's call to conduct fifteen neighborhood studies citywide for the purpose of identifying neighborhoods that offered opportunities for new affordable housing. According to EDC, Inwood was selected as one of the first studies because of the previous planning work that was referred to above as well as numerous requests from the community board and elected officials to study the area for opportunities to create new affordable housing and improved access to the waterfront.

After two years of community engagement, the Inwood NYC Action Plan and the Inwood Rezoning Proposal were issued. Just over a year ago I, along with Councilmember Ydanis Rodriguez, sent a letter to EDC requesting that the scope of the rezoning be expanded to include the area west of Tenth Avenue so that a contextual zoning framework could be created. As a result, the city decided to expand the rezoning to its current extent which spans from the Harlem River to the east, the Sherman Creek inlet, Thayer Street, Riverside Drive, and Dyckman Street to the south, Payson Avenue, Seaman Avenue, Broadway and Indian Road to the west, Broadway Bridge and West 218th Street to the north.

AREA CONTEXT

The Project Area encompasses the northernmost portion of the island of Manhattan, encompassing the area north of Dyckman Street in Manhattan Community District 12. The rezoning area encompasses 62 blocks bounded by the Harlem River, Broadway Bridge and West 218th Street to the north, Dyckman Street to the south, the Harlem River to the east, and Payson Avenue, Seaman Avenue, Broadway and Indian Road to the west. The predominant land use in the Project Area is residential with a New York City Housing Authority (NYCHA) development and multi-family walk-up and elevator buildings. There are also a number of mixed commercial and residential developments, commercial and office spaces, public facilities and institutions including: The New York Public Library, CUNY in the Heights, Dyckman Farmhouse, New York Presbyterian Allen Hospital, and Columbia University Baker Field Athletic Complex. The area is well served by mass transit with the No. 1 train stations at Dyckman Street, West 207th Street, and West 215th Street. There is also A subway line train stops at Dyckman and 207th streets. There are also several bus lines present in the neighborhood including the: Bx 12 Select Bus Service, Bx7, Bx20, and M100. Outside of the Project Area but in close proximity, there are two metro-north train stations. One is located across the Harlem River at University Heights and the other across Spuyten Duyvil Creek at Marble Hill.

The Project Area has five distinct sub-districts which EDC has named the following:

- Tip of Manhattan
- Upland Wedge
- Sherman Creek
- The Commercial U
- The Upland Core

The Tip of Manhattan

The Tip of Manhattan Subdistrict is located north of West 218th Street, east of Broadway. The zoning in this subdistrict is currently a mix of M1-1 (located along West 218th Street between Ninth Avenue and Broadway), M2-1 (located along a portion of the waterfront between Broadway and West 220th Street), and M3-1 (located along the waterfront between West 218th and West 220th streets) zoning districts.

The “M” in the aforementioned zoning districts refers to “manufacturing,” a term used to describe the nuisance-creating uses permitted in such districts. An M1-1 zoning district generally allows single story and two story warehouses, and light industrial use. Wholesale service facilities, self-storage facilities, and hotels are permitted uses in an M1 zoning district. Heavy industrial uses are permitted in this district, however, they must meet the highest performance standards to mitigate the nuisances (ie. noise, pollutants, traffic) associated with these uses. M2-1 districts are a middle ground between the M1 light industrial uses and M3 heavy industrial uses. Performance standards in M2 districts are lower than in M1 districts. As a result, higher levels of noise and vibrations are permitted, smoke is permitted, and industrial activities are not required to be entirely enclosed. M3-1 districts are designated for heavy

industrial uses that generate noise, traffic, and pollutants. Typically, you will find solid waste transfer stations, power plants, and fuel supply depots in these districts. Greater levels of noise, traffic, and other nuisances are permitted in M3 districts and minimum performance standards are required to mitigate nuisances associated with these uses.

The Tip of Manhattan subdistrict is made up entirely of “M” zoning districts. As such, the area is comprised of a mix of parking garages, heavy commercial uses like auto repair and car washes, and institutions like P.S. 18, The Paula Hedbavny School. Of note is the fact that a Metropolitan Transit Authority (MTA) bus depot, a Department of Sanitation of New York (DSNY) garage and an MTA rail yard are located directly south of this subdistrict between West 207th Street and West 218th Street.

This sub-district contains the highest percentage of parking, utility, and public facility uses in the neighborhood. There are no residential uses in the Tip of Manhattan Subdistrict. It is zoned for low density manufacturing which does not permit residential use as-of-right and limits commercial development. Parking uses however are the predominant use in the sub-district. According to EDC, they comprise slightly more than 43 percent of the sub-district’s lots and nearly 50 percent of the lot area. Parking uses are comprised almost entirely of surface accessory parking lots with little to no built floor area.

The second most prevalent use in the subdistrict is transportation and utility. They comprise 30 percent of the lots in the subdistrict and include a waterfront lot owned by the city which is currently being used for vehicle storage.

The Upland Wedge

This sub-district is located along Broadway north of West 215th Street and along the west side of Tenth Avenue between West 207th and West 218th streets. The area is zoned C8-3 and C8-4 which permits heavy commercial and auto-related uses. Residential uses are not permitted, but Community Facility uses are permitted with an FAR of 6.5. Typical uses found in C8 districts are automobile showrooms, repair shops, gas stations, car washes, self-storage facilities, and community facilities.

Despite the Upland Wedge’s C8 zoning designation, the area is characterized by a mix of uses some of which are mixed use buildings containing residential units with auto related businesses or restaurants on the ground floor. The sub-district serves as a transitional area between the light manufacturing and heavy commercial districts, transportation and utility uses to the east of Tenth Avenue and the residential mixed use retail commercial districts to the west of Tenth Avenue.

Residential and mixed commercial/residential buildings make up 23 percent of the zoning lots in the sub-district. Retail uses are concentrated along Broadway. However, low FAR auto-related uses including parking lots and facilities dominate the sub-district. Two such businesses (both are auto repair shops), are located on Broadway amidst several retail commercial establishments. Parking facilities make up 20 percent of the lots in the sub-district and there are two gas stations located within the subdistrict. The No. 1 subway also runs along Tenth Avenue.

The most prominent building in the Upland Wedge sub-district is the Inwood Center at 5030 Broadway. The building occupies the entire city block bounded by West 214th Street to the north, West 213th Street to the south, Broadway to the west, and Tenth Avenue to the east. 5030 Broadway is the site of Manhattan Mini Storage, CUNY in the Heights and additional commercial tenants.

Sherman Creek

The Sherman Creek sub-district is located east of Tenth Avenue between Academy Street to the south, and West 208th Street to the north. Sherman Creek contains a mix of manufacturing and residential zoning districts with commercial overlays. M1-1 zoning districts are located generally west of Ninth Avenue. As previously stated, M1-1 zoning districts generally allow one and two-story light industrial buildings like repair shops and wholesale facilities. They also permit a limited subset of community facility uses at a maximum FAR of 2.4. Heavy industrial uses are permitted if they meet the highest performance standards to account for nuisances like noise, noxious matter emissions and odors. The Sherman Creek subdistrict also contains an M3-1 zoning district between West 202nd and West 207th streets. Here, minimum performance standards are required. M3-1 zoning districts permit heavy industrial uses that generate noise and pollutants. As previously stated in the Tip of Manhattan subsection above, M3 zoning districts typically include power plants, solid waste transfer stations, and recycling plants. No residential or community facility uses are permitted.

According to EDC's analysis, no one use represents more than 25 percent of the sub-district's lots. None of the lots are designated open space. The Sherman Creek sub-district includes the highest percentage of warehouse and wholesale uses in the neighborhood. Wholesale uses make up 11 percent of the sub-district's built floor area. The largest and most well-known wholesale business is Flair Beverages, which is located on Ninth Avenue between West 206th Street and West 207th Street. Commercial Office uses are the most prevalent uses in the sub-district. They represent 25 percent of the lots. There is also a cluster of nightlife establishments and eating and drinking establishments located between Ninth and Tenth avenues and West 202nd Street and West 203rd Street. There are also several auto-related businesses located in that section of the sub-district.

The Sherman Creek subdistrict also contains four blocks zoned R7-2, a residential zoning district. R7-2 is a medium density residential zoning district with a maximum FAR of 3.44 for height factor buildings and 4.0 for buildings constructed under Quality Housing standards located on wide streets outside of the Manhattan Core. Buildings constructed pursuant to Quality Housing have a maximum residential FAR of 3.44. C1-3, C1-4, C2-4 commercial overlays are mapped on portions of the R7-2 zoned blocks. Typical retail uses found in the commercial overlays are neighborhood grocery stores, repair shops, barber shops, and a pharmacy.

It is worth mentioning the utility uses in the Sherman Creek area. Two sites have been excluded from the rezoning proposal. First is a site owned by NYC Department of Transportation located

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on the eastern portion of the block located between Ninth Avenue and the Harlem River and between West 205th and West 206th streets. This site is used for vehicle and equipment storage. Con Edison currently occupies the property on the east side of Ninth Avenue between West 203rd and West 204th streets. This site is also used for vehicle and open storage uses.

There are also several street end open spaces owned by the Parks Department fronting the Harlem River from West 202nd through West 206th streets.

Commercial “U”

The Commercial “U” sub-district is located along Dyckman Street between Nagle Avenue and Broadway, Broadway between Thayer and West 207th streets, and West 207th Street between Broadway and Tenth Avenue. The area is zoned R7-2, a medium density residential district with commercial overlays along Broadway between Dyckman Street and West 207th Street and West 207th Street between Broadway and Tenth Avenue. This subset of the Commercial “U” also contains C1-2 and C2-4 commercial overlays which permit ground-floor retail. Typical retail uses in the commercial overlays are neighborhood grocery stores, restaurants, and beauty parlors.

The Dyckman Street subsection of the Commercial “U,” between Nagle Avenue and Broadway is zoned C4-4. C4-4 districts are intended for larger stores and permit residential uses with a maximum FAR of 3.44. Community facility uses are also permitted with an FAR of 6.5.

This sub-district contains the highest percentage of commercial and mixed use residential and commercial buildings in the neighborhood. According to EDC, approximately 56 percent of the lots in the sub-district consist of commercial uses. 30 percent of the sub-district’s lots are comprised of mixed commercial and residential use buildings. The commercial uses prevalent in the Commercial “U” are local retailers, banks, restaurants, grocery stores, pharmacies, clothing stores, and some medical and vision care offices. While the residential uses in the Commercial “U” make up a great portion of the built floor area, residential uses are only located on four out of the 84 lots contained within the sub-district.

There are several public facilities and institutions on the Commercial “U” sub-district. The Inwood Branch of the New York Public Library (NYPL) is located on Broadway between Dyckman and Academy streets. A portion of I.S. 52 is also located on the same block as the Inwood Library, and the W. Haywood Burns School is located on Broadway between Academy and West 204th streets. The Dyckman Farmhouse is located less than one half block northwest of the Haywood Burns School on Broadway between West 204th and West 207th streets.

Upland Core

The Upland Core sub-district consists of all areas west of Tenth Avenue excluding the Upland Wedge and the Commercial “U” sub-districts. It is bounded by Tenth Avenue to the east, Thayer Street and Riverside Drive to the south, Payson and Seamen avenues and Indian Road to the west, and West 218th Street to the north. This subdistrict is predominantly zoned R7-2, a

medium density residential district (See R7-2 residential zoning district explained in Commercial “U” subsection above). The portion of the Upland Core located on the south side of Dyckman Street west of Broadway is zoned C8-3 (See C8-3 commercial zoning district explained in the Upland Wedge subsection above).

The Upland Core contains the most residential uses in the neighborhood. According to EDC, 75 percent of the lots in this sub-district are occupied by residential buildings. An additional 15 percent are mixed use residential and commercial buildings. Along the south side of Dyckman Street west of Broadway are heavy commercial uses. The area includes a bike shop, a light manufacturing use owned by Magic Novelty and a parking facility owned and operated by Edison Properties.

The majority of the residential buildings present in the sub-district are five to eight-story multi-family walk-up buildings. Twenty-two lots in the sub-district are occupied by one- and two-family buildings. This represents one percent of the Upland Core’s building area. Multi-family walk-up and multi-family elevator buildings represent the greater percentage of residential building area than any other land use present.

PROJECT DESCRIPTION / PROPOSED ACTIONS

As previously stated, NYCEDC, together with HPD, DCAS, NYC Parks, and SBS is proposing a series of land use actions to implement a comprehensive rezoning plan to advance the goals of the Mayor’s Housing New York: Five-Borough, Ten-year Plan (“Housing New York”) and to begin to implement the Inwood NYC Action Plan. The proposed land use actions include zoning map amendments, zoning text amendments to create the Special Inwood District (SID), a proposed Waterfront Action Plan (WAP), establishment of a Mandatory Inclusionary Housing Area (MIHA), City Map changes, site acquisition and disposition by the City of New York, and an Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval (collectively, “Proposed Actions”).

The proposed actions include a zoning map amendment that would establish the Special Inwood District, change all or portions of current M1-1, M2-1, M3-1, C8-3, C8-4, and R7-2 districts, and change portions of C1-3 and C1-4 overlays to C2-4 overlays and establish new C2-4 overlays in areas being rezoned for residential uses within the rezoning area. The zoning map amendments would establish R7A, C4-4D, C4-5D, C6-2, R7D R8A, R8, and R9A. These proposed districts as well as one portion of an R7A district would also be established as Mandatory Inclusionary Housing Areas.

In addition to zoning map amendments, zoning text amendments are proposed to establish the Special Inwood District, establish a Mandatory Inclusionary Housing Area which would require a percentage of new housing to be permanently income restricted where new housing capacity would be created, and to establish a Waterfront Action Plan to create a framework for the creation of waterfront open space along the Harlem River. The zoning text amendment establishing the Special Inwood District would also modify the underlying zoning districts,

establishing additional requirements, and allowing for greater variety in the type and shape of development.

The proposed actions also include the disposition of property at the city-owned Block 2185, Lot 36 to facilitate the creation of open space on the waterfront, Block 2197, Lot 75, to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue, and Block 2197, Lot 47 (following its acquisition by the city) located along the Harlem River to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue. Finally, the proposed actions seek the disposition of Block 2233, Lot 13 and part of Lot 20 for the purpose of facilitating new income restricted housing, a new public library and Universal Pre-K classrooms.

Additionally, the proposed actions include the acquisition of Block 2197, Lot 47 to facilitate the creation of property and future development that fronts both the waterfront at the Harlem River and the street at Ninth Avenue, a condominium unit within a future development on Block 2133, Lot 13 and a part of Lot 20 for use as a public library, and portions of Block 2183, Lot 1, and Block 2184, part of Lot 1 to facilitate the creation of future public open space along the waterfront between West 202nd Street and Academy Street.

Finally, the proposed actions would designate city-owned Block 2233, Lot 13 and part of Lot 20 as an Urban Development Action Area and Urban Development Action Area Project, so that approval and disposition will facilitate the development of income restricted housing, a new public library, and Universal Pre-K classrooms.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on March 20, 2018, Manhattan Community Board 12 (CB 12) adopted a negative resolution with suggested modifications related to this application. The vote for the resolution was 37 in favor, none opposed, and 2 abstentions. CB 12 stated that the proposed actions had been presented to various committees of the Community Board throughout 2017 as well as in January, February and March of 2018. On February 22, 2018 CB 12 held a public hearing on the proposed rezoning attended by approximately 500 people.

CB 12 expressed its own and the community's serious concerns with (1) certain aspects of the scale of new development that the proposed rezoning would allow; (2) the potential displacement of low-income and rent regulated residents, as well as small businesses; (3) the proposed levels of affordability of newly constructed affordable housing; (4) the ability of current utility infrastructure to accommodate the proposed new development; and (5) the accuracy and sufficiency of the DEIS.

In conclusion, CB 12 recommended disapproval of the Proposed Actions and recommended a set of extensive and detailed modifications including the following (grouped according to four subject areas):

Affordable Housing:

1. Ensure that the MIH option employed in establishing the Mandatory Inclusionary Housing Area employ the deep affordability AMI bands and that the administration facilitate HPD subsidies for the MIH projects to obtain an additional 15 percent permanently affordable housing;
2. Require all residential development on city-owned land to be 100% affordable to Inwood residents;
3. Separate from this application the site disposition and related actions relating to the library site project for the creation of affordable housing, a new Inwood Library and Universal Pre-K classrooms;

Initiatives to Preserve Affordable Housing:

1. Strengthen rules for tenant protections and provide adequate funding to enforce housing and building requirements and for anti-displacement initiatives;
2. Ensure the zip codes for Washington Heights and Inwood are formally included in the Right to Counsel Program prior to the implementation of any rezoning, increase the eligibility level of the program and provide funding for rent-regulated tenants who are not eligible for the program;
3. Ensure funding for programs to protect tenants from harassment and discrimination including the Certificate of No Harassment Program;
4. Ensure continued funding and support for the Human Rights Administration's Anti-Harassment and Tenant Protection programs;
5. Provide funding to Dyckman Houses for capital improvements and deferred maintenance;
6. Use HPD capital funding programs including the Participation Loan Program and 8A loan program to finance capital improvements in rent stabilized apartments and use resulting new regulatory agreements to ensure longer-term affordability;

Initiatives to Help Small Businesses:

1. Enact anti-harassment programs for small businesses;
2. Enact legislation to enhance the lease negotiating position of small businesses such as the Small Business Jobs Survival Act;
3. Allocate space in new developments on city-owned land or city subsidized developments for current small businesses displaced by the effects of the rezoning;
4. Give small businesses priority for new ground floor retail space;
5. Require a City Planning hearing for the opening of any chain retail store in the rezoning area;
6. Ensure the development of community facilities for youth, fitness, seniors, daycare, arts and culture including media and theater;

C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM

7. Support an incubator space for arts and start-up businesses;
8. Ensure aggressive outreach by SBS to educate and make services available to small businesses;
9. Pursue a technology hub that will provide incubator space and skills training:

Height Limitations:

1. Revise the zoning for the C8-3 area west of Broadway to ensure that building heights do not obstruct view corridors to and from the Cloisters and Fort Tryon and Inwood Parks;
2. Reduce the maximum allowable building heights in the Commercial U to avoid obstruction of view corridors to and from the Cloisters and Fort Tryon Park and to better maintain the existing neighborhood context;
3. Reduce the maximum allowable building height in the Upland Wedge to 10 to 12 stories except for the blocks on Broadway between 215th Street and 218th Street where maximum heights should not exceed eight stories; and
4. Reduce the maximum allowable height at the Tip of Manhattan and Sherman Creek to one that would relate to the scale of the Dyckman Houses (which are 14 stories).

In addition, the resolution called for the fulfillment of a number of conditions in additional areas including:

1. Workforce development: including initiatives to reduce poverty and provide jobs skills through vocational training, education, employer incentives and other programs;
2. Efforts to landmark eligible properties including those related to African and Native American heritage;
3. Undertake significant infrastructure upgrades to utilities, mass transit, streetscape improvements, certain parks/playgrounds and ecologically sensitive areas; and
4. Conduct neighborhood wide transportation, pedestrian, health and safety studies to identify and implement improvements.

BOROUGH PRESIDENT’S HEARING

On Tuesday, April 10, 2018, the Manhattan Borough President conducted a public hearing at IS 218 on the NYC EDC plan to rezone Inwood (Nos. N 180205 ZRM, C 180204 ZMM, C 180206 PPM, C180207 PQM, C180208 HAM). Approximately 450 people attended and approximately 75 people presented testimony. Prior to the public hearing, the Borough President’s Office mailed a brochure to every residential and commercial postal address in Inwood 10034 zip code inviting residents, businesses and property owners to the public hearing (approximately 19,000 pieces in total). The mailer also served as an effective educational piece communicating, in

Spanish and English, information on the ULURP process, including a map of the impacted area with highlights of proposed zoning changes. An extensive social media campaign was conducted and leafleting at neighborhood locations was undertaken. Members of the public were afforded the opportunity to submit written and/or video testimony before, during and after the hearing as well.

The overwhelming majority of those who testified spoke out in opposition to the rezoning plan. Approximately four or five spoke in favor. Most called for wholesale rejection of the plan. Those who testified repeatedly stressed the fear that the plan – by permitting what they believed was a disproportionate number of market rate residences in comparison to affordable units – would only hasten gentrification and displacement of current residents. In addition, many specifically addressed the income levels of the affordable housing that would be produced through the MIH program and expressed concerns that the income levels would be too high to provide a significant amount of housing for the average Inwood family. Small business owners testified that the rezoning could displace them. Several people commented on the deficiency of the DEIS, including the fact that the DEIS claims that there would be no significant residential displacement. Finally, many of the speakers as well as those in the audience, supported the Uptown United platform.

In addition we received a total of 24 video testimonies which were reviewed by staff. Nineteen people expressed general opposition to the Inwood Rezoning and five people expressed general support for the rezoning.

BOROUGH PRESIDENT RECOMMENDATIONS

After careful review, the application in its current form still does not represent a plan that I believe ensures a better future for Inwood and for that reason I cannot support it in its current form.

While the city's proposal shares concerns about the neighborhood's need for permanent affordable housing, the desire to create a lively and attractive built environment while enhancing neighborhood economic diversity, and creating housing for residents of varied incomes, there remain significant areas of concern. Without a more thoughtful approach to implementation of the proposed zoning framework and programs that will precede zoning changes, the residents of Inwood cannot be expected to feel that their fears of displacement will not be realized. In fact, it is my belief that without a more aggressive approach to affordable housing preservation, small business development, and a targeted approach to the implementation of this plan, the city cannot be secure in its belief that residential and small business displacement will not come to pass.

As Borough President, I came into office determined to challenge the top-down planning framework that drove many neighborhood rezoning efforts. I have worked for decision-making models like the East Harlem Neighborhood Plan that approach planning from the bottom-up. The current proposal is the result of a two-year process that involved several community workshops, charettes, and presentations. My staff and I attended every one of these events and EDC should be commended for its efforts in this regard. However, these events do not resemble

the well-coordinated and inclusive process that the residents of East Harlem participated in. As a result, several pieces of this proposal miss the mark of meeting neighborhood needs and addressing residents' legitimate concerns.

I understand that the land use applications constitute just one piece of the neighborhood plan. The Mayor's 10-year housing plan includes a stated commitment to aggressive preservation strategies including legal services, other anti-harassment programs and funding for rehabilitation of existing housing. The allocations of dedicated pools of capital for rezoning areas through the Neighborhood Fund (administered by EDC), the Rezoning Fund (administered by DEP) and the Housing and Acquisition Funds (separate entities, both administered by HPD) and the mayor's statements and housing plan created an expectation that neighborhoods subject to these rezonings like East Harlem, Jerome Avenue, Far Rockaway, and East New York could expect an upfront, targeted and aggressive preservation and capital improvement program in conjunction with any rezoning proposal. The residents of Inwood are now being told that they can expect significant investments in housing preservation and infrastructure. However, the vagueness of these statements does little to instill confidence in this historically underserved community. I will address below where some of these commitments have either been overstated by the city or have been left ambiguous and should be provided in greater detail.

I begin my analysis with what should come before, and continue throughout and beyond the period of any rezoning – the preservation effort. Then, a discussion of proposals for the development of new affordable housing is laid out, followed by a discussion of the need for additional support for the small business community. And, finally, we address other programmatic and infrastructure efforts to strengthen the Inwood Community.

Affordable Housing

Housing Preservation Plan

As we stated in our recommendation on the East Harlem rezoning, if we are concerned about affordable housing for current residents, then protecting the existing housing stock is essential. Approximately 60 to 70 percent of Inwood residents live in rent regulated housing. This number approaches 80 percent if NYCHA residents are included. This proposal needs to lead with a robust preservation strategy because new construction alone is insufficient.

Programs and funding must be in place, sufficient to provide legal and organizing resources necessary to defend tenants in danger of being displaced from regulated housing. The city must, for this plan to be acceptable, commit a minimum of \$7,500,000.00 per year to the legal protection of current regulated low income tenants.

There is no question that Inwood, which has one of the highest percentages of regulated units in New York City, has been under pressure from rising rents even without the pressure of market rate new development. Rents within Community District 12, of which Inwood is a part, rose by 38 percent over the last decade compared to the 24 percent increase city-wide. Ironically, this may be due to the general understanding that Washington Heights and Inwood contain some of the last affordable housing in Manhattan. This odd "market force" has created great incentives

for owners to seek rent increases through whatever means they can – legitimate or otherwise. The city’s commitment to protect existing affordable housing while creating new is put to the test here: The city must take the steps and make the substantial financial commitment to protect the affordable housing – and the existing tenancies.

Relying, improperly I believe, on the CEQR handbook, the DEIS contains no analysis of the potential impact of the rezoning on Inwood residents living in regulated (rent controlled and rent stabilized) housing. As a result of this failure in the DEIS, the Proposal is devoid of measures that will be necessary to protect these tenants as the Proposal, and development thereunder, proceeds. The strategies proposed in the Proposal are vague, weak and not wholly appropriate or likely to be effective in truly protecting tenants and preventing owners from taking whatever actions they can to force tenants from their homes. The Proposal sets forth three strategies to protect tenants:

First, the Proposal sets forth a strategy to “take action” against harassing landlords. We believe, and years of experience has shown, that landlords incentivized to oust tenants by skyrocketing potential rents will only be dis-incentivized to do so by severe and effective legal consequences. While we believe the implementation of the Certification of No Harassment system may deter owners who seek to empty entire buildings, displacement that occurs on an apartment-by-apartment basis, or by deprivation of services, or through illegal rent increases, or individual baseless court proceedings can really only be addressed through expert legal representation combined with effective organizing assistance.

The Proposal’s second strategy is to provide tenants with information regarding their rights. This is also a laudable goal that will not do nearly enough to protect the actual legal rights of tenants whose homes will be put at risk as a result of the rezoning plan. Tenants in rent regulated apartments have many rights that, without expert counsel, they are nearly powerless to enforce. For many years, advocates have demonstrated to the city that tenants, especially low income tenants, need representation to truly access their legal rights. The city, by enacting the Right to Counsel Law for low income tenants has finally recognized this fact. It is unacceptable that this Proposal reverts to the city’s position of years ago-- that low income tenants in danger of eviction, whether through improper actions of the owner, or court proceedings, should be entitled to merely some brief advice to help protect their homes. In addition, in many instances, advocates must work on behalf of tenants to obtain services from the city, or compel necessary action by agencies. It is wholly inadequate to provide only “assistance” from the city itself in place of legal assistance.

The third strategy promised in the Proposal to protect existing affordable housing is too vague and speculative to rely on. It is not clear how the Proposal will “Ensure rent-stabilized tenants are not being charged unlawful rents...” without legal representation. The New York State agency that administers the Rent Stabilization Law is not a party to the plan and it is not clear that they can or will take extraordinary steps within the rezoning area regarding audits and/or investigation of illegal rents.

Further complicating the picture in the rezoning area and compelling additional guarantees of legal assistance is the prevalence of preferential rents. Studies have shown that approximately

3,000 rent stabilized apartments in Inwood have “preferential” rents. This represents one of the highest percentages of such rents in the city. A preferential rent is a rent agreed upon between the landlord and tenant in a rent stabilized apartment that is lower than the rent registered by the owner with DHCR. Rents in stabilized apartments may only be increased pursuant to specific legal amounts: lease renewal percentages, vacancy increases, building-wide MCI increases and Individual Apartment Improvement increases added to the vacancy and lease increases taken between tenancies. Owners are required to register rents annually, specifying *inter alia* the name of the tenant, the dates of the tenancy, and explanation for increases from the prior year’s registered rent. This amount is referred to as the “Legal Registered Rent.” A preferential rent is one lower than the legal registered rent, which is noted in the lease. Unfortunately, since the 2003 change in the Rent Stabilization Law, an owner can revoke the preferential rent at any lease renewal. So the over 3,000 households in the Inwood area who are in apartments with preferential rents are in danger of seeing their rents skyrocket, possibly even above the limit of rent stabilization, within one or two years, depending on the term of their current lease. There is no question that ongoing gentrification and the increase in “market rate” housing that will occur as a result of the planned rezoning will intensify the benefits an owner will realize by removal of a preferential rent. So these tenants face almost certain loss of their current affordable rents.

Tenants facing revocation of preferential leases need expert legal assistance. In a substantial percentage of cases the Legal Registered Rent is in fact not legal, having been increased above allowable legal percentages. While the law provides only a four year “look back” period within which a registered rent must be challenged, in certain circumstances, with expert legal representation, this limitation can be overcome.

As noted above, rents in Inwood have been rising precipitously in recent years. Funding must be available to non-profit community organizations to provide intense outreach and information to tenants before they face direct loss of their home through rent increase or legal proceedings. It is important that the information and outreach be provided by independent entities and not city agencies. In addition, the city must create funding for experienced housing organizers. Strong, supported tenant associations are crucial to defending tenants from harassment, neglect, baseless proceedings and all other methods by which owners would seek to replace current tenants with a cohort that can pay substantially higher rents, and provide greater profits.

Based on the number of households we believe to be at risk, the number of attorneys, supervisors, organizers and outreach workers necessary to prevent displacement, we believe a commitment of at least \$1,000 per eligible household to fund local legal service providers is the minimum appropriate amount to allocate. Calculating that approximately 50 percent of Inwood households have incomes at or below 200 percent of the 2018 Federal poverty level (and would otherwise be eligible for legal representation when facing eviction proceedings), the city should commit at least \$7,500,000 per year to be allocated to local non-profits for the provision of attorneys, supervisors, organizers, community meeting space and outreach.

Development of New Affordable Housing:

It is clear that there is a need for permanently affordable housing in excess of that which will be provided by the city's MIH requirements. In addition, as we have repeatedly heard, the median income of a family in Inwood is approximately \$42,000 per year making MIH options that average 60 percent of AMI too high for the average families. The plan needs to demonstrate significant amounts of additional permanently affordable housing geared to income levels more in keeping with current Inwood residents. In fact, the city should set a target that significantly more than 50 percent of the total dwelling units developed be made affordable with a minimum of 20 percent at an average of 40 percent AMI.

Our best chance of seriously improving the proposal's ability to address the needs for additional and lower-AMI, permanently affordable housing is through the development of publicly owned sites. There is a Department of Transportation (DOT) facility between 9th Avenue and Sherman Creek and 205th Street and 206th Street where bridge maintenance equipment is kept. This lot is approximately 64,000 square feet and could accommodate anywhere from 500 to 700 units of affordable housing. It has not been included in the rezoning due to its necessity to DOT bridge maintenance work. While we recognize the pressure on city agencies occupying land for the storage of essential equipment, the city must get more creative so that large swaths of land in communities desperate for affordable housing are not off limits – especially when rezoning will only add to the pressure to relocate or rearrange these current uses. The city must make every effort to use this lot for 100 percent permanently affordable housing whether by incorporating equipment/vehicle storage into any development or relocating the DOT equipment or some combination. EDC has proposed incorporating specialty and over-sized police vehicles into proposed affordable housing elsewhere in Manhattan.

The Inwood rezoning plan calls for the acquisition by the city of properties at the Tip of Manhattan composed of lots unusually divided with the city owning the back end (Sherman Creek frontage) of the lots and Charter Communications owning the front end (street frontage) of the lots. The city must acquire as much of these lots as it can for use for 100 percent permanently affordable housing. If the city were to obtain 100,000 square feet of lot size it could build an additional 500 units of affordable housing. These two properties alone could almost double the projection for permanently affordable housing from approximately 1400 units to approximately 2500 units. Projects on public sites must be 100 percent affordable and the affordability of any non-MIH units should be made lasting through "practical permanence," including the use, where possible, of mechanisms where the city either retains interest in the property or the property reverts back to the city. In addition, the city should employ every means to maximize the opportunity for lower levels of affordability on public sites where we have more control.

I have recently met with individuals seeking support in their endeavor to create a 100 percent affordable development on Broadway near the intersection of Broadway and West 218th Street. In projects like this, where the developer is committed to working with the city to produce income restricted housing that is reflective of the community, some increases in density are appropriate. The lots in question are uniquely situated behind residential buildings that stand at a higher elevation. Despite containing the same number of floors, those buildings are

approximately four stories taller than the five story building located adjacent to the proposed development site. Therefore, because of the commitment to developing affordable housing, and the physical characteristics of the landscape, an upzoning that would permit a building with 100% affordable housing may be more appropriate. I urge the city to work aggressively to facilitate such developments and think through developing a zoning framework that is more targeted and intentional rather than the blanket zoning districts proposed in many areas of this rezoning proposal.

In facilitating affordable housing developing, the city should work toward the acquisition of additional lots for 100 percent affordable housing developments. At 5051 Broadway (Block 2243, Lot 255) there is a federally owned parking lot (Department of Justice) which the city should work to acquire. In this vein, the city should leave no stone unturned in its search for development sites for 100 percent affordable projects. It should undertake a review of all of the soft sites circulated in a list by Congressman Espaillat in the Inwood/Washington Heights area.

The city should commit to target these sites, for mission-driven developers and community land trust partners who share our goal of creating housing inclusive of all families, regardless of total income. HPD must work with these developers to provide adequate subsidies.

Finally we urge the City Council to ensure that all new affordable housing created pursuant to the MIH requirements employs Option one. Option one provides that 25 percent of the residential floor area be affordable to income bands, the weighted average of which do not exceed 60 percent of AMI. This will ensure units at the lower ends of the affordability scale. Option One should be combined with the deep affordability option to achieve greater levels of affordability. This, together with lower levels of affordability achieved in developments of city-owned sites will go far toward ensuring affordability for current residents.

Inwood Library Project

As previously explained, one of the proposed actions involves the disposition of city owned land at Block 2233, Lot 13, the site of the Inwood Branch of the Public Library. Last month HPD announced that the land will be disposed of to a development team composed of the Community League of the Heights (CLOTH), Ranger Properties, Alembic, and the Children's Village. That team's winning bid calls for the construction of a 14-story building with 175 affordable apartments and a new three-level library branch.

The residential portion of the project will be 100 percent affordable – what I have always called for when developing on city-owned land. The affordability will be made up of the 25 percent permanently affordable required MIH housing and 75 percent of the housing will be done through HPD's Extremely-Low-and-Low-Income Affordability (ELLA) Program. According to HPD, this program provides for a majority of units being available to a combination of formerly homeless individuals and AMI bands ranging from 30 to 60 percent of AMI. In accordance with my oft-repeated mantra that non-MIH affordable units on city property must achieve “practical permanence,” HPD has informed us that the city will maintain an interest in the land which will come back to the city after 99 years. Thus, the city will be in a strong position to ensure continued affordability of all of the units. This is precisely the kind of innovative thinking we

need to use everywhere when developing city-owned land and I urge the city to use similar mechanisms and programs in the projects we are tasking them to undertake at the Spectrum site and the DOT bridge maintenance site.

Critically, the proposed action also includes the acquisition of approximately 18,000 square feet within the future development as well as a portion of Block 2233, Lot 20 for use as a library. When completed, this space will be larger than the current Inwood Library. This space will be a condominium and ownership will remain with the city which is also important.

I support these proposed actions. In my opinion, this is a great example of how the city can best use the land it owns. However, my support is based largely on three things: (1) that the city has creatively thought of a mechanism to secure a future interest in the property and therefore has a tool to maintain practical permanence of the affordable housing; (2) that the project is 100 percent affordable and that the number of affordable units significantly advances the community's needs; and (3) that the depth of affordability reflects the income of Inwood residents.

My only regret is that more affordable units are not being developed at this site. My office has met with the individuals who recently took ownership of the car wash site adjacent to the Inwood Library. They are not part of the development team that submitted the winning bid but I would urge the city to consider incorporating that site into the development so that more affordable units and greater amenities for Inwood residents can be created. 175 affordable units is a good start, but more is needed and creative solutions must be sought.

My support for the library project is conditioned on one thing – but it is critical; that an interim brick and mortar library be located for the duration of the undertaking of the project. The Proposal estimates that construction of the new library will cover a period of three years. That estimate is likely overly optimistic. The city must recognize the vital role that the existing library and its programs play in the life of Inwood residents – especially the youngest, oldest and poorest residents. The neighborhood simply cannot be left for years without the important programs and services currently provided. These services include ESL programs, citizenship assistance, programs to train and encourage caregivers to read to children, various after-school programs, films and cultural programs popular with seniors. Additionally, the library serves as a safe and healthy space for children and seniors who need warmth in winter, cooling in summer and free internet access and access to computers.

For all the above reasons, support for the Library plan is conditioned on the establishment of a brick and mortar temporary location which will provide at least the most important of the services currently provided: First, the city must identify the location of the temporary space as soon as possible, so that the community's worst fears can be assuaged. The location must be near that of the current library, but centrally located near the largest Inwood school campuses. The location must be accessible. The location must be open seven days a week, with the same hours as the current facility. In addition to the core library services of book circulation, the temporary library must have adequate wifi and computers. Most importantly, the temporary library must have sufficient space for at least a portion of the programs and services currently

provided and must have adequate, comfortable facilities for pre-school reading, after-school programs and homework space and be welcoming to seniors.

While I agree with CB12 that it would have been preferable had the library project application not been moved together with the Inwood rezoning, I would not wish to see this project put on hold when the Administration has worked hard to address so many of the pitfalls associated with affordable housing developments on city-owned land, again subject to their announcing an interim, appropriate library site in the community.

Dyckman Houses

The Dyckman Houses is not included in the rezoning area but is located between the Commercial U subdistrict and the Sherman Creek area. The approximately 2,300 residents of this NYCHA complex consisting of seven 14 story buildings will be impacted by the rezoning. As with all the residents of Inwood, NYCHA residents will experience the stress to the neighborhood's infrastructure of additional residents and the effects of the upward pressures on commercial rents. As we stated in East Harlem, the housing preservation component of a neighborhood rezoning must include the preservation of housing for NYCHA residents in the community.

After reaching out to the head of the Dyckman Houses Tenant's Association and reviewing the participatory budget items for Council District 10, I believe it is important that the city provide funding to Dyckman Houses. The complex is in need of new windows, boilers and lighting. Obviously, such basic needs must be provided for regardless of the status of any rezoning.

However, expense funding should also be provided for Police Service Area 6 to patrol and provide security for residents. Capital funding should be provided to: (1) Address flooding and drainage problems including in the community center and basements of buildings where we understand flooding and waste water problems occur; (2) Renovate the senior center and community center (including ADA access) and make improvements to the kitchen of the children's nursery; and (3) Renovate playgrounds and open spaces at certain buildings.

Preservation of Local Small Businesses

The Commercial U

The area along Dyckman Street, Broadway, and West 207th Street, the so-called Commercial "U," functions as Inwood's "Main Street." The importance of Main Street in immigrant communities cannot be overstated. This is the economic and social center for residents. It is where many first generation immigrants obtain their first opportunities for employment, or where entrepreneurial seeds are sown and initial steps toward upward social mobility are taken. It is also the place where they begin their cultural education, where they learn the language, and become part of the life of their community. Main Street in an immigrant community, especially

in New York City, is often the bridge between where one came from and where he or she is headed. The Commercial “U” in Inwood has served and is currently serving as that bridge for many of its residents.

The Commercial “U” subdistrict is both literally and figuratively at the heart of the neighborhood. You cannot travel through Inwood without coming into contact with it. It is rich with an industrious and entrepreneurial spirit; there is a robust organic local culture indigenous to this neighborhood, and it follows in the tradition of local business strips in ethnic enclaves throughout the city where various immigrant groups carved their way to the American dream. And, as an immigrant Main Street so often does, it announces who lives in the area. Many signs read in Spanish. Restaurants line the streets with aromas of traditional Dominican dishes or new twists on old recipes.

Serious and valid concerns have been raised that these businesses, largely immigrant-owned and employing many local residents, will disappear from the community as development pressures drive rents further up and as their buildings are redeveloped. The Inwood Rezoning Plan places the current retail sector of the neighborhood in jeopardy of direct and indirect displacement because many of the businesses are located in single story buildings. Nearly half of the 309 businesses (147) are located on soft sites (1-story or 2-story buildings). This places nearly half of the “Commercial U” labor force (617 to 800 employees) in jeopardy of unemployment.

Here, as in the case of the analysis of residential displacement, the Draft Environmental Impact Statement and its findings related to small business displacement are inadequate. The preliminary assessment found there were no significant adverse impacts due to direct business displacement. This conclusion, however, is based on the deficiency in its analysis, specifically, the data it relies upon. For example, under the Reasonable Worst Case Development Scenario, only 26 businesses located on 12 of the 33 identified projected development sites will be displaced. A walk through of Dyckman Street, Broadway, and West 207th Street reveals a very different set of facts. The facts are that 147 businesses are located on soft sites in this section of the proposed Special Inwood District alone. The loss of employment as these sites undergo redevelopment cannot be classified as insignificant. It is especially significant in Inwood because these businesses employ residents who also reside in the neighborhood. The CEQR Manual refers to business displacement in terms of a neighborhood’s commercial needs, but in this case as in other similarly situated immigrant communities, the commercial center is also a significant source of employment opportunities. We must also make efforts to address the effect that the rezoning could have on the city’s and state’s efforts to promote minority owned businesses.

It is important to preserve the “Main Street” quality of the local retail in Inwood and especially in the Commercial U. The businesses that may be able to relocate should be given time to develop options. The rezoning of the Commercial U, with the exception of the area on Broadway beginning with Block 223, Lot 13, should either be removed from the proposal or, if left in should be phased in after retail has been developed in the other rezoned areas of Inwood. During this phase-in period, the city must redouble its efforts to work directly with each of these businesses to do three things:

First, EDC and SBS must assist as many of them as possible in finding new homes in the neighborhood. This could involve working directly with developers of new retail spaces in Sherman Creek and the Upland areas to ensure the availability of appropriate neighborhood retail space. In addition, SBS must make relocation grants and business loans available to those businesses which can relocate but require additional assistance.

Second, EDC and SBS must ensure that if redevelopment begins along the Commercial U, new developments contain neighborhood retail spaces and that developers are encouraged and/or incentivized to provide such spaces to displaced businesses that wish to return. The A text submitted by EDC which limits bank frontage and maximizes retail space in the Commercial U is a promising start for local retail in the community but does not go far enough. As a councilmember representing the Upper West Side, I worked with the Department of City Planning on a zoning special district to preserve our small storefronts by limiting a property owner's ability to combine small retail spaces into large frontages suited to big box stores. The zoning text requires a minimum of two non-residential establishments for every 50 feet of street frontage for all zoning lots with a lot width of 50 feet or more along Amsterdam and Columbus avenues. There is also a maximum width of 40 feet for all store frontage and 25 feet for bank store frontage. Something similar to this must be made part of the entire Inwood rezoning both to assist displaced local businesses in finding new appropriate spaces as well as to ensure continuation of the diverse and local, organic retail businesses in Inwood.

Third, EDC and SBS must ensure that temporary space is found for businesses that may be able to temporarily relocate. In addition, the space should serve as an incubator space for new and emerging small businesses looking to operate in Inwood.

In order to ensure that small businesses be given every opportunity to remain in the neighborhood and to preserve the "Main Street" quality of the Commercial U, any rezoning of the Commercial "U" – with the exception of that portion located on Broadway between Block 2233, Lot 13 and West 207th Streets, should not become effective until 50 percent of the DEIS projected commercial square footage of neighborhood retail space has been created in new developments in the surrounding rezoned areas and programs are in place to provide targeted financial and relocation assistance to those businesses that can relocate. If possible, the text amendment to map the area as an MIHA, should become effective immediately in anticipation of the phase-in of the rezoning. And, to ensure appropriate local retail spaces are available after redevelopment and to maintain the character of the Commercial U, storefront frontage limitations similar to those on the Upper West Side should be made a part of the proposal.

MI-4 districts to facilitate wholesale business relocation

EDC recently filed an amendment to its instant land use application. The purpose was to address some of the concerns that have been expressed over the past several months and to further some of the city's goals in rezoning the neighborhood. The amendment to the application consists of five zoning map changes and six zoning text changes. I will only cover those changes that I find most relevant for the purposes of my recommendation. I would like to commend EDC for being responsive and submitting these changes but in some instances I feel they do not go far enough to address the concerns they are intended to assuage. This includes the amendments involved in

the mapping of an M1-4 district on portions of Blocks 2198 and 2199 within the Sherman Creek Subdistrict. This is intended to facilitate the relocation of several wholesale businesses located in Sherman Creek that have been in operation there for decades. When I first learned of the plan to rezone Inwood one of my primary concerns was the loss of businesses, especially the wholesale businesses in Sherman Creek.

Last year I met with representatives of these businesses and I expressed my concern about their displacement. Fortunately, my urging has resulted in a plan for these businesses to relocate to a site owned by their current landlord and fellow wholesale distributor. My one remaining concern involves the relocation of Flair Beverages, Inc. The owner of Flair Beverages is also the owner and landlord of the space it currently occupies. I have been told that it requires more space than what is available in Blocks 2198 and 2199. My concern is two-fold: 1) Flair, being owner occupied, continues to operate at its current location and the potential for affordable housing is lost and 2) Flair moves out of the borough of Manhattan taking away a great source of economic activity and employment. I do not want either of these two things to occur so I am asking all parties to arrive at a solution that keeps Flair in the neighborhood of Inwood and opens up opportunities for more affordable housing development.

Automotive Repair Industry

The DEIS fails to appropriately and adequately identify as a significant impact the displacement of an industry from an area. The rezoning plan as proposed will cause the auto repair uses to become non-conforming in the Sherman Creek, Upland Wedge, and the Tip of Manhattan Subdistricts. My staff has spoken with every one of the business owners, and to say that their displacement over time causes no significant impact ignores the positive effect they have had on making Inwood the vibrant neighborhood it is today. Many of the auto repair shops in Inwood have been in business for decades. Over time Inwood became a regional destination for car repairs and the last remaining auto repair district in Manhattan.

The auto repair shops also make up a significant piece of Inwood's economic ecosystem. Between 50 to 70 employees work at these auto repair shops and they are paid better wages than other local businesses pay. They also positively impact the surrounding local businesses. Customers travel from other parts of the city to get their cars serviced and repaired. Before the customers leave, many will shop at local stores, eat at local restaurants, or purchase gas from one of the local gas stations. To say the displacement of this industry is not a significant impact demonstrates the weakness in the CEQR Manual and exemplifies the need for a revision of its methodology.

In our many trips to the various neighborhoods making up the rezoning, we have tried to identify a location where these businesses could be concentrated. We were heartened at the efforts underway that we have pushed for since learning of the rezoning, to relocate the wholesale businesses. We would urge EDC and SBS to devote time and resources to looking for a similar solution for the automotive businesses. In the absence of such a solution we ask them to consider locations where it would be possible to allow automotive repair uses on the floors beneath residential use. Similar special use regulations were employed to allow automotive repair uses below residential uses in a subarea of the Special Clinton District (ZR Section 96-34(b)).

Contextual Zoning Districts That Are More Appropriate

In response to a letter I co-wrote with my colleague Councilmember Ydanis Rodriguez last year, EDC expanded the scope of the rezoning area to contextually zone the area west of Tenth Avenue. While I commend them for remaining open to recommendations and being responsive to community concerns, I am not fully satisfied by the final result. R7A zoning is not appropriate for every portion of the area. While it is appropriate for much of the neighborhood, portions of the community like parts of Park West Terrace and Payson Avenue, areas that are home to two and three story buildings, should receive a zoning district that is more appropriate to its context. For this reason I urge the city to review the neighborhood more closely and apply zoning districts that more appropriately reflect the area's context.

Transfer of Development Rights at the Tip of Manhattan

The current proposal includes a provision that permits the transfer of floor area in Subarea B2 to Subarea B3 in the Tip of Manhattan Subdistrict pursuant to a Chairperson Certification. There are three lots located in Subarea B2 that are currently owned by New York City Transit (Block 2215, Lots 885 and 874; Block 2197, Lot 174). Block 2215, Lot 874 is the only lot with a structure on it; the other two are vacant and currently serve as parking for Spectrum. Two things should be done to fully utilize the development potential of these sites: 1) the Special District text should permit the transfer of development rights from Subarea B2 to Subarea B1; 2) The city should pursue the purchase of the floor area from the MTA for the purpose of using the transferred floor area for development of community facility space on the city owned lot currently located at Block 2197, Lot 75. The city is in the best position to determine the program for such a space but I recommend one of the cultural or arts-related uses listed below.

Preservation and Commemoration of Historic Sites

Native American Burial and Artifact Sites

Scattered throughout the neighborhood of Inwood are several sites where archeologists have identified artifacts and remains going back 8000 years that bear witness to the area's earliest human settlers.

African Slave Burial Site

Located around 10th Avenue and 212th Street, the site was once the final resting place for enslaved Africans laboring for Dutch and English settlers. In 1903, the site was obliterated and the human remains were disinterred and displaced by workmen and contractors building the northern extension of 10th avenue. The desecration was documented by historians and anthropologists and reported in the New York Times. This sacred site is long overdue for a permanent marker that will memorialize it and honor those whose labor built the foundations of the Inwood community and who, even in death, could not escape indignity.

Inwood archaeological sites of both Native American and African populations must be marked with appropriate signage and digital way-finding technology. Such fixtures would serve to educate residents and visitors about the deep history and complicated legacy of Northern Manhattan's communities of color and include these often forgotten groups in our understanding of the neighborhood's past.

Support Arts and Culture in Inwood

Cultural Event Space and Artistic Workspace

Inwood is home to a vibrant arts and culture ecosystem sustained by an impressive array of non-profit arts organizations producing and presenting the work of local creative and performing artists and arts professionals. Inwood arts groups have produced cultural content that showcases the neighborhood's writers, musicians and visual artists, garnering critical acclaim and amassing die-hard loyal audiences. To name but a few:

- a. The Northern Manhattan Arts Alliance NoMAA: year-round programming culminating in the month-long Uptown Arts Stroll in its 16th year.
- b. Inwood Art Works: year-round multidisciplinary arts programming including the acclaimed Inwood Film Festival in its 3rd year.
- c. The People's Theater Project: year-round artistic development for underserved youth culminating in annual public performance People Storm the Palace, it's 10th year
- d. Up Theater: professional theatrical production of original plays and summer reading series; in it's 8th year.
- e. Drums Along the Hudson-Native American Multicultural Festival in its 16th year
- f. The Inwood Shakespeare Festival (on hiatus since 2016 after 17 seasons) on the Inwood Hill Park Peninsula
- g. Friends of Inwood Hill Parks: yearlong environmental programming and Annual Earth Day and Summer Solstice Events in partnership with the arts.

Inwood's artistic success is all the more impressive given that the neighborhood lacks any permanent performance venue or dedicated artistic work space. Performances and exhibitions take place in spaces borrowed from schools, community service providers, local businesses and the faith community. And while we applaud these community partners, Inwood's extraordinary artistic community deserves dedicated arts and culture spaces worthy of the neighborhood's passion and commitment to local, affordable artistic programming. .

Dedicated Arts and Culture Performance Venue

Such a space would require at minimum:

- a. A transformable black box theater space with 150-200 seats with at least a 25 foot ceiling with an electrical grid;
- b. Stage management/Lighting/sound booth;
- c. Storage room for lighting and sound equipment;

- d. 2 chorus dressing rooms;
- e. Rehearsal rooms in the same building minimum 1500 square feet;
- f. A lobby large enough to serve as a gallery space and waiting area with ticket box office room; and
- g. A ground- level load-in door for scenery and set pieces, minimum 12 foot clearance

Artistic Workspace

Efforts should be made to secure additional artistic workspace whether within and dedicated arts and culture center or within community spaces of new mixed use development. This would include:

- a. Studio space for visual arts including secure storage;
- b. Soundproofed practice rooms for musicians;
- c. Dance studio space; and
- d. Community meeting space suitable for art installations

Operational Investment in Arts and Cultural Resources

The city must continue its investment in the arts and culture capacity of Inwood. In 2016 the NYC Department of Cultural Affairs granted a coalition of local arts organizations, artists, and community partners a Building Cultural Capacity grant that served to unite and strengthen the existing uptown artistic resources. In addition members of this coalition were sub-grantees of the Inwood NYC Neighborhood 360 grants. Several Inwood organizations executed neighborhood improvement, place making and merchant-artist collaborations that were the mission of this grant. The neighborhood arts leadership has demonstrated its ability to act as full partners in any meaningful investment the neighborhood's artistic resources.

Additional Concerns regarding the EIS

In addition to my concerns expressed elsewhere in my comments over the failure of CEQR and the DEIS to address the potential for displacement of rent regulated tenants, and of the analysis in the DEIS concerning displacement of businesses in the Commercial U and Inwood's automotive shops, I have additional concerns over the adequacy of the environmental review.

As I have said in previous recommendations I am concerned about how generation rates for Upper Manhattan school children are calculated. I have brought this to DCP's attention in the past and I would be remiss if I didn't comment on it in my recommendation for this rezoning proposal. It was also identified as part of the Lexington Gardens II application and the Draft Scope of Work for the Harlem African Burial Ground application. An analysis using American Community Survey (ACS) Public Use Microdata (PUMS) completed by a land use consultant for CB11 demonstrates the rate of child birth in Upper Manhattan as higher than in other areas of Manhattan. However CEQR has one generation rate for the whole borough. While the Zoning Resolution does draw a distinction between the Manhattan Core and Upper Manhattan for a host of other land use policies, this topic is exempt. The result is an underestimating of the need for future school seats.

Additional A Text Comments

SID Extensions

EDC is now proposing the designation of a C4-4A zoning district along the south side of Dyckman west of Broadway from the proposed R7A/C2-4 designation it originally proposed for the area. The amendment also permits that non-residential buildings in this area will be permitted to rise to the same height as MIH permits for residential development.

I have met with the property owners in this area and their representatives and what I have learned leads me to conclude that this amendment fails to either preserve what exists or create new opportunities. What is now proposed for this area causes the current use of Block 2246, Lot 20 to become a non-conforming use. Furthermore, the property owner has no long-term intentions of expanding the current building for his operations and he could construct an as-of-right building with a 6.5 FAR if he so desired. The neighboring lot owned by Edison Properties, is serving as a parking lot. The parking lot recently received significant investments and Edison Properties stands to do well with its parking facility given the neighborhood's potential for future growth. Therefore, I fail to see the benefit to the community created by this portion of the rezoning framework.

Transit easements to facilitate future improvements to subway stations

Not much needs to be said about this amendment to the application except that I applaud EDC for thinking about the needs of disabled community residents and including this in the rezoning proposal. The fact that disabled residents have gone so long without access to the 1 train and Dyckman A train station is unconscionable.

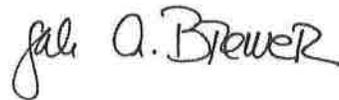
Therefore, the Manhattan Borough President recommends conditional disapproval of ULURP Application Nos. C 180205 ZRM, C 180204 ZMM, C 180206 PPM, C 180207 PQM, C 180208 HAM, unless the following conditions are met:

1. The city must remove from, or at a minimum include a phase-in of, the rezoning of the Commercial "U" (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS must develop and fund Inwood- specific programs that work directly with small businesses in the Commercial "U" and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city must create temporary space for businesses that may be able to return to the Commercial "U" as well as an incubator space for emerging businesses;
2. The city must include zoning text that would limit store frontages to 40 feet and bank frontages to 25 feet and require a minimum number of stores in zoning lots meeting a threshold of street frontage, similar to what was implemented on the Upper West Side of

Manhattan. This would ensure neighborhood retail space to maintain the local character of Inwood's business community and provide space for relocation or return of displaced local businesses;

3. The city develops its lot currently occupied by the Department of Transportation (DOT) at Sherman Creek between 205th and 206th Streets (Block 2186, Lot 9), currently the site of bridge maintenance equipment storage, as a 100 percent affordable housing development which could result in approximately 500 units of permanent affordable housing at income bands reflective of current Inwood residents;
4. The city uses city-owned land located at Block 2197, Lot 75 currently occupied by Charter Communications for its service vehicles in the Tip of Manhattan subdistrict, to develop a 100 percent affordable housing development which could result in approximately another 500 units of affordable housing at income bands reflective of Inwood residents;
5. The city makes a serious effort to assist developers seeking to acquire properties and build 100 percent affordable developments at levels of affordability reflective of current Inwood Residents like the one proposed along Broadway at 218th street;
6. The city reviews every soft site in the rezoning area and its vicinity [including those on the list circulated by Congressperson Espaillat and the parking lot at 5051 Broadway [owned by the federal government];
7. The Council and CPC must employ the lower option AMI of the MIH program with additional lower affordability options which will provide housing at income levels of 30 percent AMI, making significantly more units affordable to the average Inwood resident;
8. In addition to funding the Right to Counsel program and inclusion of Inwood in the Certificate of No Harassment Program, the city must include substantial funding in the upcoming fiscal year's city budget for Inwood-targeted programs including additional legal services to ensure that every rent stabilized tenant with a harassment, eviction or preferential rent legal problem has access to counsel and a tenant organizing and affirmative litigation program to find and address issues with stabilized apartments with unlawfully registered rents.
9. The city must remove from, or at a minimum include a phase-in of, the rezoning of the Commercial "U" (with the exception of the rezoning area on Broadway beginning at Block 2233, Lot 13), which would delay the rezoning in the Commercial U until the other rezoning actions have generated 50 percent of the DEIS projected commercial floor area. During this period, EDC and SBS must develop and fund Inwood-specific programs that work directly with small businesses in the Commercial "U" and developers of new retail space and provide relocation and financial assistance where necessary. In addition, during this phasing the city must create temporary space for businesses that may be able to return to the Commercial "U;"
10. The city must locate and announce a "brick and mortar," centrally-located, and fully-accessible location for an interim library which will be open the same hours as the current library, provide all core services and be able to provide a significant portion of the programs and services currently provided, so that the Inwood Library Project and its 175 units of permanently affordable housing (for all practical purposes) can proceed;
11. The city must include expense and capital funding in the upcoming fiscal year budget for Dyckman Houses, whose residents will be impacted by the rezoning;

12. The city must make best efforts to include the car wash site adjacent to the Inwood Library into the project so that more affordable housing may be created;
13. The city must ensure implementation of the plan I have fought for to relocate the warehouse businesses to the newly proposed M1-4 district in Sherman Creek and make best efforts to assist Flair Beverages in finding suitable space in northern Manhattan;
14. EDC and SBS must make best efforts to relocate the automotive repair businesses to a concentrated area in Inwood or the immediately surrounding areas as is being done with the wholesale businesses and, in the absence of this, the city must give serious consideration to including language in the special district text that would allow automotive repair businesses below residential development wherever practicable;
15. The city must study and apply more tailored contextual zoning districts in certain areas that will be contextually rezoned where the proposed R7A zoning designation is not the most appropriate;
16. The city must include special district text permitting the transfer of community facility development rights from sites located in the Tip of Manhattan Subarea B2 to Subarea B1 to be used for cultural or arts-related spaces, with the grantee of such floor area required to improve and maintain the grantor site pursuant to the Waterfront Action Plan;
17. The city must preserve and commemorate significant historic sites in Inwood including Native American Burial and artefact sites and African slave burial sites; and
18. The city must ensure the provision in the rezoning of art and cultural performance space and artistic workspace to support Inwood's thriving artistic community.



Gale A. Brewer
Manhattan Borough President