

COMMUNITY BOARD 12- MANHATTAN

LAND USE COMMITTEE- MEETING MINUTES

Wednesday, January 5, 2022 (Virtual via Zoom)

Committee Members Present

Wayne Benjamin, Chair  
Tanya Bonner, Assistant Chair  
Joel Abreu  
James Berlin

Committee Members Absent

Steve Simon

Board Members Present

Public Members Present

Vivian Ducat

Public Members Absent

Staff: Shinelle Paniagua, Community Associate

Guests: Tim Anderson (MBPO); Juan J. Camilo; Derek Dandurand; Natalie Espino (MBPO); Loretta Henke; Nina Joy

1. The meeting of the Land Use Committee (“Land Use” or the “Committee”) of Community Board 12 Manhattan (“CB12M” or the “Board”) was called to order at 7:01 p.m. Committee Chair Wayne Benjamin opened the meeting by welcoming everyone and wishing them a Happy New Year. Committee members introduced themselves. Benjamin noted there were no confirmed agenda items for this month, and so the Committee will focus on a few important updates. He also noted there would also be discussed a New Business agenda item pertaining to an upcoming January 11<sup>th</sup> Landmarks Preservation Commission (LPC) Public Hearing concerning a heritage markers program that includes two markers in Washington Heights. Benjamin noted that in February of last year, the Board unanimously passed a resolution supporting that initiative. He also clarified that though this agenda item originated in the Board’s Parks & Cultural Affairs Committee, LPC’s Public Hearing will be held prior to that committee’s January meeting and also prior to the Executive Committee meeting, and, thus, is being handled by Land Use so a resolution can be submitted to the Board Chair for his approval so it can be forwarded to LPC in time for the Public Hearing.
2. Updates

**Follow-Up Letter to LPC on its Rejection of Request for Expansion of Audubon Park Historic District:**

Benjamin reminded Committee members that at its last meeting, the Committee agreed that CB12M should forward a follow-up letter to the LPC urging it reconsider its rejection of the Board’s request for the expansion of the Audubon Park Historic District to capture other important historical and cultural structures, including a group of 12 row houses on West 158<sup>th</sup> Street that historians and activist fear could be demolished in favor of new development in the area, given that one developer now owns six contiguous row houses and a large lot behind them. That letter was to emphasize to the LPC the Board’s previous support for the expansion via resolution, and that the buildings proposed in the expansion application do contribute to a cohesive sense of place, and that the LPC should be concerned about proposed development for that area that could alter its sense of place. Benjamin said that letter was drafted by himself, Committee Member Vivian Ducat, Committee Member Steve Simon, and community resident and historian Matthew Spady, was provided to the Board Chair for approval, and then submitted to the LPC in early January. Benjamin emphasized that further follow-up is still needed since LPC’s response to the letter just acknowledges receipt and states that it has filed the letter.

**Follow-Up on City Planning’s “Principles of Good Urban Design” Initiative:**

Benjamin reminded the Committee that he asked the Board’s District Manager to e-blast the website information for the New York City Department of City Planning’s Principles of Good Urban Design community input initiative. Benjamin had not seen the e-blast yet and noted the cut-off date for comment via that website is at the end of January. Benjamin also said he had not heard back from City Planning yet about the Land Use Committee’s request to extend that deadline.

**Contextual Zoning for Areas of Washington Heights mapped with R8 Zoning:**

The proposal to expand the Audubon Park Historic District that was rejected by LPC would include the West 158<sup>th</sup> Street row houses, with half of them and a large lot behind them under single ownership and a pending proposal for a 17-story building in that area and 857 Riverside Drive, which has ties to abolitionists, was owned by a minister, Dennis Harris, who was a documented operative in the Underground Railroad when he lived in lower Manhattan before moving uptown, and that is in danger of being demolished and replaced by a 13-story building. Benjamin noted that the section of Washington Heights that includes the Audubon Park Historic District and the area north thereof was identified in the planning study completed by CB12M and CCNY circa 2007 as the only part of the district mapped with R8 zoning.

Benjamin shared a map from the planning study to illustrate the area from 177<sup>th</sup> street down to 155<sup>th</sup> street west of Broadway which is zoned R8. The rest of Washington Heights and Inwood, and much of Harlem and East Harlem is zoned R72. The difference in terms of allowable density is that with R7-2 zoning, one can build 3.44 times whatever the size of the lot is, with the only exception being if a development utilizes quality housing, in which case can be slightly greater, i.e.: 4 times the zoning lot. But with R8, the density allowed is 6.02, which is significantly larger. A Soft Site Analysis undertaken by a planning intern around the same time that the planning study was completed emphasized that because of the higher density allowed by R8 zoning, some of the sites in the area mapped with R8 zoning are between 50 to 75 percent underbuilt. Depending upon the economic conditions, some sites might be attractive for redevelopment. The projects proposed on the sites of the West 158<sup>th</sup> Street row houses and 857 Riverside Drive were cited as examples. Additionally, Benjamin said that the Board has asked City Planning in past to take a look at rezoning the R8 area to something that is more contextual, and that there has been no response. He reminded that the Committee discussed in December the idea of presenting a resolution that once again asks that City Planning look at R8 zone and rezone it to something that allows for development that is more consistent with the existing built form. He also noted that since quality of housing was instituted, many of the regular R7-2 districts have been remapped, so this contextual rezoning is consistent with City Planning practice.

Ducat asked why that area is zoned R8. Benjamin said does not know why. Committee Member James Berlin agrees that a resolution should be done, but he wants to expand the proposal to other areas in CB12 where zoning is also R8. Ducat wondered to what extend it can be argued that the infrastructure is older and cannot sustain the kinds of buildings that can happen under R8. Benjamin said those arguments typically do not withstand scrutiny. Committee Member Tanya Bonner agrees with Berlin about including other parts zoned R8. She also wants it to be emphasized in the resolution that City Planning should act expeditiously in rezoning because some of these developments could happen pretty quickly.

Benjamin put a motion on the floor to approve a resolution to ask City Planning to review and rezone R8 zones in Community District 12, with a focus on the west of Broadway from 155<sup>th</sup> to 177<sup>th</sup> and looking to respect neighborhood character, and for City Planning to be expeditious in its actions. The motion was moved by Berlin and seconded by Ducat. The Committee vote was as follows:

	<u>For</u>	<u>Against</u>	<u>Abstaining</u>
LU Committee			
Members	5	0	0
Board Members	0	0	0
Members of the Public	1	0	0

### 3. Old Business

Bonner asked if Benjamin had heard any updates on the requested public hearing on the proposal by Congressman Adriano Espaillat to rename the communities of Harlem, Washington Heights, and Inwood “Quisqueya Heights,” but that is now reportedly shelved in favor of establishing a Dominican historic district. Bonner said she feels Manhattan Community Board 9 (CB9) did a service to the community by making sure its public hearing was timely, and that it allowed community voices to be heard. She feels that the fact that the current proposal primarily impacts Washington Heights and Inwood, and CB 12 still has not opened up that conversation in this community, is disappointing. Benjamin said he had not heard anything. Benjamin said at one point it was suggested Land Use take care of it. Then it was decided this would be something the Board Chair would coordinate with the Congressman’s office. Benjamin said he did reach out to the Dr. Hernandez to inquire about a follow-up presentation by her CCNY team at the Committee’s December 2021 meeting on the presentation made to the Committee in October 2020 to discuss the proposed Dominican Cultural District. Dr. Hernandez advised she was unavailable to attend the December meeting. Benjamin said he is happy to reach out to Dr. Hernandez again.

Benjamin expressed concerns about the dynamics of that CB9 meeting, including who was told what in terms of transparency and trust. He feels we need to find out what is being proposed and what is not being proposed currently. Bonner said her greatest concern is about the Board’s responsibility to be responsive to the concerns of the community. Bonner said she understands and herself feels the lack of trust because she only learned about the renaming because someone sent her the Congressional resolution calling for the renaming. Bonner gave an example of the naming of Dyckman Plaza “Quisqueya Plaza.” Benjamin said his recollection is that this matter was discussed by CB12M’s Parks and Cultural Affair Committee. Bonner said she is unaware of any outreach from the Congressman’s office regarding that name, and some members of the community are saying they too are unaware of any outreach. Bonner also expressed concern that the renaming is not completely off the table and could resurface. Committee Member Joel Abreu said he needs more information on the renaming/historic district bills. Benjamin noted that Congress has no authority to rename communities like that. Bonner expressed concern and a desire to deal with the trauma caused to the community by that renaming proposal and its content. Berlin said Washington Heights and Inwood has been a premiere area where immigrants of all heritages have thrived and excelled. He said the program of marking where these significant immigrant individuals lived is a wonderful idea and will be an inspiration to young people, but it must recognize the contributions of all communities.

### 4. New Business

#### **Harlem Heritage Markers Project:**

Benjamin gave the Committee some background on the project, including that in February 2021, the Board passed a resolution in support of the Harlem Heritage Markers Project. The project is the initiative of a 501(c)3 organization called While We Are Still Here, and the Executive Director is Karen Taylor, a former member of the Board and of CB12’s Land Use Committee. The program is looking to honor and recognize the social, political, and cultural history of the Harlem Renaissance, and make sure that as the neighborhood begins to change that the legacy is not lost. He said there would be signs posted that would explain why a particular building, for example, is important. Two of the markers are to be located on in the Jumel Terrace Historic District : one at 436 West 162<sup>nd</sup> Street to honor the former residence of J. (John) Rosamond Johnson, who is the composer of the Black National Anthem “Lift Every Voice and Sing,” and the other at 12 Jumel Terrace to honor Poet Larry Neal. Given that both these locations are within the Jumel Terrace Historic District LPC review is required. Benjamin said he reached out to the Parks Committee Chair Liz Ritter to see if she could join this meeting but did not receive a response from her.

Abreu said he appreciates that work in naming these significant places and the education it will provide, as he did not know the composer had lived in the community. A brief discussion was held about all the other greats who lived in that very neighborhood including Paul Robeson, Duke Ellington, Count Basie, Kenneth and Mamie Clark, and others.

As the timing does not allow for the rest of the Board approval process, any Committee resolution in support of the project must be submitted to the Board Chair for approval and then submission to the LPC. Some Committee members expressed interest in finding other places that could also be included in the marker program in the future. Benjamin noted a program like this is important because people forget so easily about such important history.

Benjamin put on the floor a motion for a Committee resolution reiterating support for the overall project and for the two markers in the Jumel Terrace Historic District. Bonner suggested we also seek out more places to honor before the history in CB District 12 gets erased, and Benjamin suggested that the Committee discuss that with the organization's Executive Director. The motion was moved by Bonner and seconded by Ducat. The Committee vote was as follows:

	<u>For</u>	<u>Against</u>	<u>Abstaining</u>
LU Committee			
Members	5	0	0
Board Members	0	0	0
Members of the Public	1	0	0

A motion to adjourn was made by Abreu and seconded by Berlin. The meeting adjourned at 8:21 p.m.

Minutes prepared by: Tanya Bonner