

**COMMUNITY BOARD 12- MANHATTAN
LAND USE COMMITTEE**

MEETING MINUTES

May 4, 2022

Committee Members Present

Wayne Benjamin, Chair
Tanya Bonner, Asst. Chair
Jim Berlin
Steve Simon

Committee Members Absent

Joel Abreu

Board Members Present

Sally Fisher
Bruce Robertson

Public Member Present

Vivian Ducat

Public Member Absent

Staff: Paola Garcia

Guests:

Loretta Henke, Maggie Clarke, Michelle Lee, Rachel Hochstadt, Dennis Scott-Torbet, Kristin Finch, Porscha B, Rana Sioufi, David Alvarez, Jessie Matei, Linda Smith, Steve Jones, Carole Shreefter, Graham Ciraulo, Ted Freed, Brandon Alexander, Cheramie Mondesire, Robert Johnston, Allegra LeGrande, David Dubnau, Nina Bernstein, Steven Fruchtman, Cathy Costales, Christina Drakopoulos, Fred Jewell, Karla Fisk, Olivia Olmos – DCP, Nancy Bruning, Katherine O’Sullivan, Jay Tal, Keltha McAulay, Florie Charles, Lorial Crowder, Martha Gordon.

1. The meeting began absent a quorum at 7:07 PM. Land Use Committee (“Land Use” or the “Committee”) Chair Wayne Benjamin began the meeting by introducing Committee members and welcoming guests. He stated that the presentation scheduled for tonight’s meeting on the Inwood section of the Manhattan Waterfront Greenway was postponed to the June 2022 Land Use meeting.
2. Minutes of the April 2022 Land Use meeting were approved as modified.
3. Chair Benjamin stated that, at the April Land Use meeting, the detailed discussion of contextual rezoning options in the area of Washington Heights from 155th to 177th Streets west of Broadway, which is currently zoned R8, was postponed to this meeting and invited Committee members to share their observations on the reference materials provided and potential contextual zoning districts that CB12M might recommend to the Department of City Planning (“DCP”) to replace the current R8 zoning. He further stated that in response to the resolution passed by CB12M earlier this year requesting that DCP rezone the area currently zoned R8, DCP asked for input on what contextual districts it should consider.

Committee member Bonner requested Chair Benjamin provide attendees with further background on the matter being discussed. Chair Benjamin provided a brief overview of the difference between contextual zoning and the current height-factor zoning, stating that the former imposes building height limits whereas the latter does not; in that case, a building can be configured in various ways and its height is only limited by the practicality of construction and the requirement not to break the sky-exposure plane imposed by zoning. He further stated that:

- zoning regulates the use and the density of a building that can be erected on a site, e.g. residential, commercial, or manufacturing, and that density, expressed as floor area ratio or FAR, is just a multiplier applied to the size of a site to determine the maximum square footage of building permitted;
- while the current zoning was mapped in 1960/61, the vast majority of buildings in Washington Heights and Inwood pre-date this zoning, many pre-date WWII, and some pre-date WWI and indeed the enactment of zoning in New York City;
- R8 zoning allows for density or floor area ration (“FAR”) of 6.02, which is almost double (double would be an FAR of 6.88) the 3.44 FAR allowed by the R7-2 zoning mapped throughout most of Washington Heights and Inwood;
- based on a Soft Site Study conducted 10 or so years ago, CB12M understands that some buildings in the R8 district are 50% to 75% smaller than permitted as of right under R8 zoning, making them attractive for potential redevelopment; and
- CB12M previously asked DCP to undertake a rezoning of the R8 district and also asked the Landmarks Preservation Commission to designate sections of the area zoned R8 adjacent to the Audubon Park Historic District, but DCP and LPC failed to act on or give serious consideration to these previous requests.

Committee members discussed several contextual zoning districts that might be appropriate for DCP to consider to replace the current R8 zoning. The districts discussed generally allow for density that is equivalent to R7-2 but impose building height limits to match neighboring buildings. The contextual districts discussed include R8B (FAR of 4, maximum building height of 75 feet or 6-7 stories), R7D (FAR of 4.2, maximum building height of 11 stories), and R7A (FAR of 4, maximum building height of 95 feet or 9 stories), and R6B (FAR of 2, maximum building height of 50 feet or 4-5 stories).

Committee members did not find R8 contextual zoning options other than R8B appropriate as they allow building heights that would not be consistent with the built form of the area proposed for rezoning. Similarly the R7X contextual zoning option was rejected as allowing building heights that would be out of character with neighboring buildings. The Committee also noted that mapping more than one contextual zoning district to replace the current R8 zoning would allow for a more tailored fit between the new zoning districts and the variance in existing built form. For example, appropriate contextual zoning districts for the area of West 158th Street and the lower section of Riverside Drive where 857 Riverside Drive should match the scale of brownstone side streets, while zoning districts mapped on Fort Washington Avenue should match the scale of the existing apartment buildings, and zoning mapped along the west side of Broadway, a wide street, could allow for increased but not excessive building height.

Committee members and members of the public recommended looking at other areas in Washington Heights where current zoning may allow for new buildings that are out-of-context with existing buildings and that arrangements should be made to provide training to residents so they are more informed on zoning matters.

Meeting attendees made a wide range of comments, including but not limited to the following:

- A “cheat-sheet” should be created to provide a simplified guide to zoning and zoning-related processes such as ULURP for residents.
- Riverside Drive in the area of 857 RSD is a narrow street and the proposed 13-story building is inappropriate.
- How can residents obtain access to the DCP’s Zoning Handbook and the other reference materials cited during this meeting?
- It should not be taken as a given that New York City needs more population; adding population causes and exacerbates environmental problems such as traffic congestion, overloading water and sewer systems, and the lack of parking. Adding more density is not always a good thing. Impacts on the community must be considered.
- There is concern with excessive added density in addition to excessive building height. The Inwood Rezoning should have been extended south to include 4650 Broadway, the Packard Building site.
- It is important to hear from residents regarding their concerns with new development even if they do not fully understand the zoning issues.
- CB12M should consider rezoning more than just the R8 district.
- Did the Committee have a chance to review the geotechnical study provided to CB12M concerning the site of the proposed development at 29 Overlook Terrace / 524 Fort Washington Avenue?
- CB12M should hold a meeting to obtain input from residents on the proposed rezoning of the R8 district.

The Committee agreed to hold a meeting in July to provide updated training on land use and zoning for Committee members, other Board members and members of the public. Board Member Sally Fisher stated her support for the proposed July meeting. Olivia Olmos, DCP stated that Chair Benjamin previously requested that DCP assist with providing this training and that she will prepare for the July session.

Committee member Simon stated there is an urgent need for CB12M to provide DCP with its recommendation for how the area that includes the West 158th Street rowhouses and 857 RSD should be rezoned.

4. Old Business:

Committee member Simon asked if CB12M staff were able to contact the new owner / developer for the 29 Overlook Terrace / 524 Fort Washington Avenue project as discussed at the April 2022 meeting. Chair Benjamin stated that the District Manager advised that staff have outreached to the developer but have not yet made contact.

Committee member Simon also recommended that Land Use invite the owner of the Radio Tower and Hotel to provide an update on the project and on the status of the commitments made in the context of CB12M’s approval of the project.

5. New Business: None

6. The meeting was adjourned at 9:06 PM.