



George M. Janes

& Associates

250 E. 87th Street

New York, NY 10128

Tel: 646.652.6498

george@georgejanes.com

City of Yes for Housing Opportunity

Prepared for:

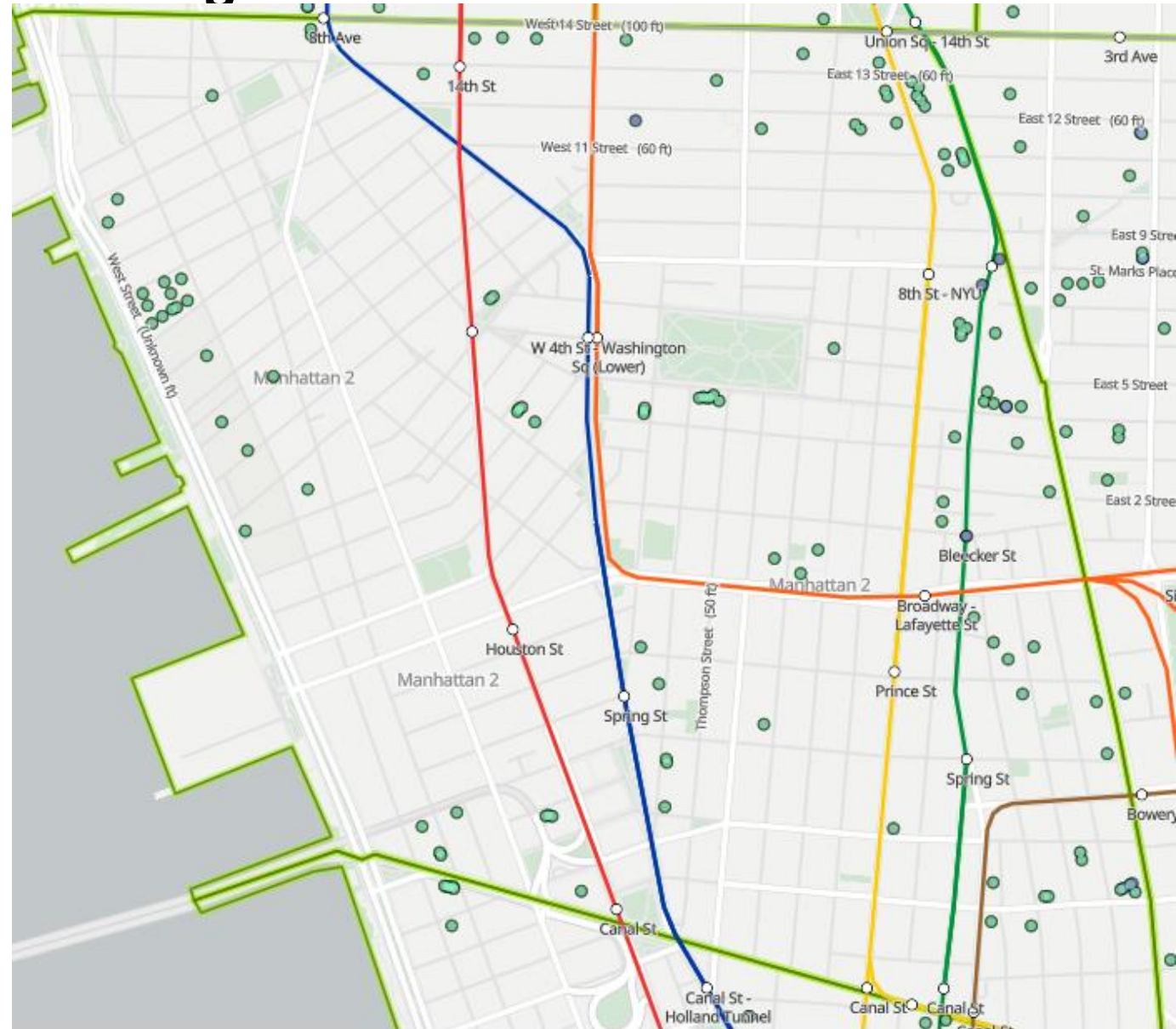


George M. Janes, AICP

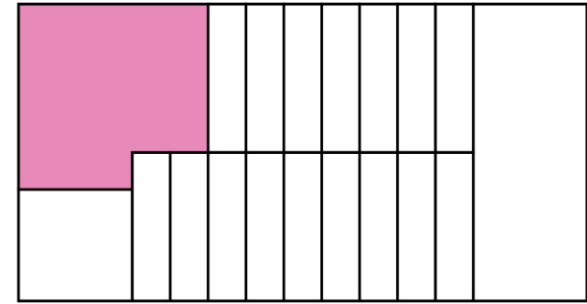
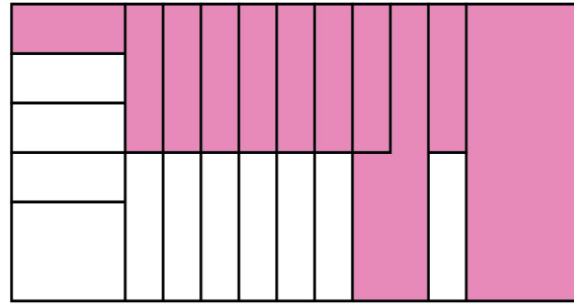
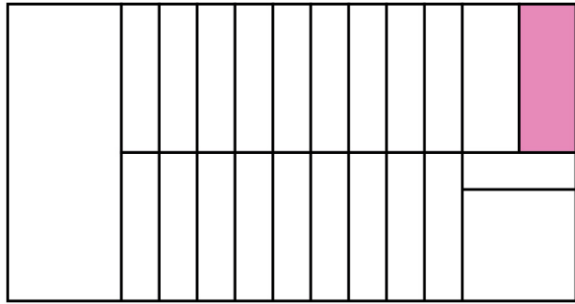
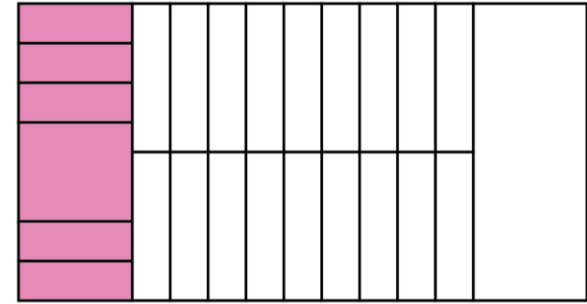
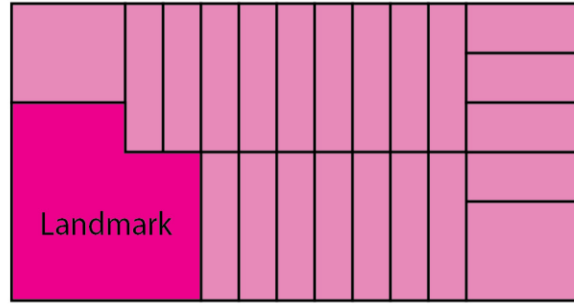
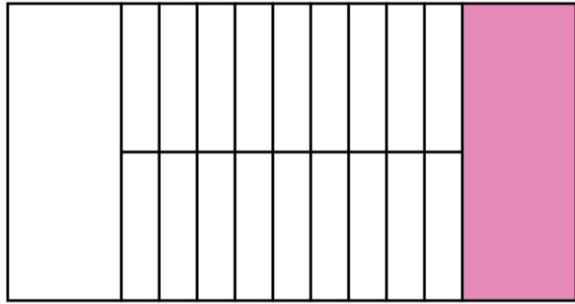
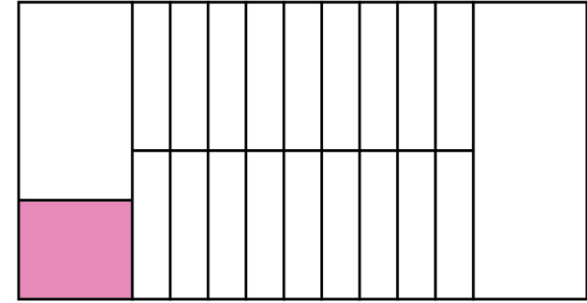
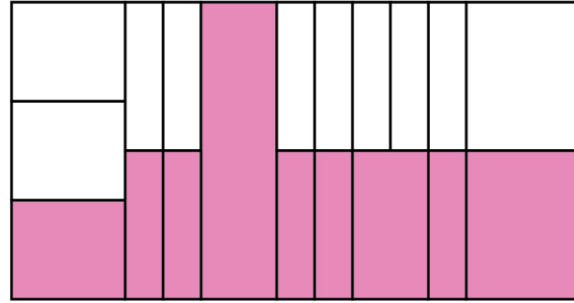
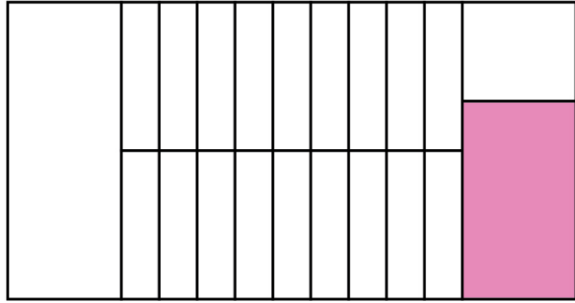
5/15/2024

We have more information about COYHO and there are a few things that were clarified since April, including development rights transfers from landmarks

- Floor area can be widely transferred from zoning lots that have landmarks. These rules do NOT apply to historic districts without landmarks
- There are 89 Landmarks in your district, shown with the green dots on the map →

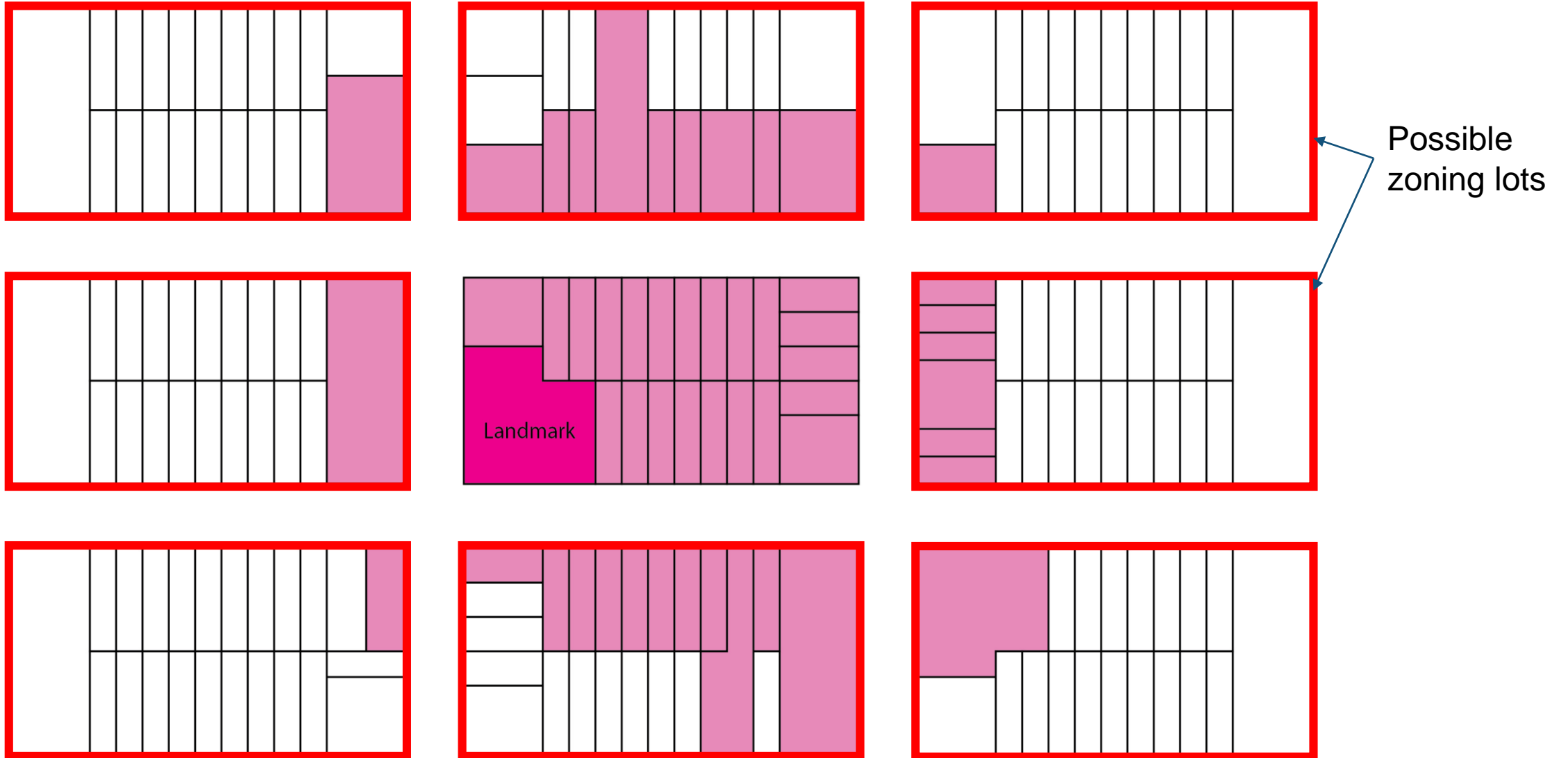


This is the graphic that DCP uses to describe where the floor area can move



But floor area floats from zoning lot to zoning lot, not site to site

- Floor area can move to any part of these nine blocks if they're on the same zoning lot:



COYHO provides other options for increasing floor area

- Underlying FAR
- Landmarks transfers
- Plaza and arcade bonuses
- Transfers from midblocks to wide streets
- In 2021, we amended zoning to expand subway improvement bonuses
- And affordable housing (UAP)

- UAP provides an additional 20% FAR, which all must be used for affordable housing. UAP permanently encumbers land with a deed restriction for floor area that would only be used for affordable housing

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Question: Why would developers use UAP when they have other options for additional floor area and the UAP floor area would have to be entirely affordable?

Zoning for Quality and Affordability (2015) tried to use zoning relief as an incentive for affordable housing

- ZQA initially proposed relaxing restrictions for projects with affordable housing, but most of those changes were not adopted
- COYHO is proposing the same changes for *any* housing, no affordability required!
- It seems like a missed opportunity



The marketing for COYHO is: “A little more housing in every neighborhood”

- What DCP has not been making clear, however, is that it does this by removing or weakening residential standards that were put in place before I was born:
 - Reduce rear yards from 30 feet to 20 feet (below 75 feet)
 - Reduce the size of courts for legal windows from 1,200 SF to 800 SF (below 75 feet)
 - Reduce side yards from eight feet to five feet
 - Reduce distance between buildings on the same lot from 60 feet to 40 feet
 - Increase maximum lot coverage from 70% to 80% (interior/through lots)
 - Reduce space needed for legal windows from 30 feet to 20 feet
 - Make residential open space optional
 - Remove yard requirements from large lots and through lots attached to corner lots

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These standards were designed to ensure minimum light and air for the health and comfort of residents. What data was used to determine these standards were no longer necessary? Shouldn't the trade-offs be explicitly discussed?

Q: Can townhouses add a carriage house in their gardens as a result of this proposal?

A: Probably.

- One ADU, 800 SF or less, can be added to the rear yard of any one or two family unit as a permitted obstruction
- Height is limited to two #stories# or 25 feet and cannot exceed 50 percent of the required rear yard
- If it's free standing, it must be at least 5 feet from the lot line
- Multiple dwellings can add residential space to the rear yard up to 100% of the rear yard, as long as the space is NOT use for dwellings
- Consequently, only one and two family homes can add the ADU to the rear yard
- None of this floor area needs to be affordable

Q: Is there a height cap in the UAP program?

A: Yes, but there are options. Let's use the R6 district as an example

- Without UAP, the standard rules would limit R6 districts to 75 feet
- With UAP, the R6 height limit would be 95 feet
- With or without UAP, but on a lot of 20,000 SF or more, the R6 height limit is 125 feet
- With or without UAP, but on an expanded lot of 40,000 SF or more, the R6 height limit is 156 feet

Heights vary according to the presence or absence of UAP, the size of the lot and sometimes the width of the street

Q: Explain the elimination of the sliver law on CB2

A: Currently, the sliver law limits buildings less than 45 feet wide to the width of the street, if the building is not adjacent to taller buildings

- In CB2, this generally means that buildings on small lots are height limited more than underlying zoning. For example, sliver impacts the R7-2 district around Washington Square Park, which permits buildings up to 75 feet, but has many streets that are only 50 feet wide

R7-2 district highlighted ->



- COYHO would allow the underlying zoning to rule. Narrow buildings in the R7-2 can get to 75 feet on these narrow streets. If UAP is used, they can get up to 115 feet
- UAP is not necessary to exempt the building from Sliver

Q: Will individual landmarks in CD2 be able to transfer their floor area?

A: Yes, all of them, if they have floor area left to transfer

- But floor area is not transferred from a landmark, it is transferred from the zoning lot that has the landmark. So, even if a landmark has used all their development rights, it is possible that it could obtain additional floor area in a zoning lot merger and transfer that additional floor area
- Floor area transfers from landmarks do not require UAP

Q: What is the list of sites in CB2 which will be classified as campuses?

A: There isn't one. Any zoning lot zoned with a district without a letter suffix qualifies for the so-called "campus" height limits, if the zoning lot over 20,000 SF.

- Consequently, all land zoned R6, R7-2, R8, R9 and R10 (and their commercial equivalents) could conceivably be or become a campus, if its zoning lot is at least 20,000 SF

Q: What are all the landmarks in CD2?

A: There are 89 landmarks in CD2. It is impossible to tell if they have floor area to transfer without research into each site, however

block	lot	address	bbl	lpc_name	lpc_lpnur/lpc_altern	date_desda	url_report
472	7501	240 Centre Street	1004727501	New York City Police Headquarters	LP-00999	now the Police Building Ap	9/26/1978 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0999.pdf
492	38	190 Bowery	1004920038	Germania Bank Building	LP-02162		3/29/2005 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2162.pdf
578	62	36 Dominick Street	1005780062	36 Dominick Street House	LP-02482		3/27/2012 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2482.pdf
545	38	432 Lafayette Street	1005450038	432 Lafayette Street Building	LP-00012	a part of La Grange Terrace,	10/14/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0012.pdf
544	16	425 Lafayette Street	1005440016	Astor Library	LP-00016	now the Joseph Papp Public	10/26/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0016.pdf
508	6	256-258 Mott Street	1005080006	Fourteenth Ward Industrial School of th	LP-00960		7/12/1997 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0960.pdf
590	13	30 Jones Street	1005900013	30 Jones Street House	LP-00208		4/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0208.pdf
545	40	428 Lafayette Street	1005450040	428 Lafayette Street Building	LP-00010	a part of La Grange Terrace,	10/14/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0010.pdf
590	15	26 Jones Street	1005900015	26 Jones Street House	LP-00210		4/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0210.pdf
557	8	804 Broadway	1005570008	Grace Church Rectory	LP-00204		3/15/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0204.pdf
470	64	124 Bowery	1004700064	Bowery Bank of New York Building	LP-02518		6/26/2012 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2518.pdf
541	18	51-54 Washington Square So	1005410018	Judson Hall	LP-00230		5/17/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0230.pdf
604	1	150 Barrow Street	1006040001	Keller Hotel	LP-02212		3/6/2007 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2212.pdf
595	83	486 Greenwich Street	1005950083	486 Greenwich Street House	LP-02225		7/24/2007 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2225.pdf
642	12	110-112 Horatio Street	1006420012	F. W. Devoe & Co. Factory	LP-02308		10/28/2008 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2308.pdf
578	64	32 Dominick Street	1005780064	32 Dominick Street House	LP-02480		3/27/2012 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2480.pdf
577	12	56 West 14th Street	1005770012	R. H. Macy & Co. Store, 14th Street Anne	LP-02474		12/20/2011 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2474.pdf
483	1	488-492 Broadway	1004830001	E. V. Haughwout Building	LP-00017		11/23/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0017.pdf
590	14	28 Jones Street	1005900014	28 Jones Street House	LP-00209		4/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0209.pdf
544	1	393-399 Lafayette Street	1005440001	De Vinne Press Building	LP-00201		10/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0201.pdf
518	49	203 Prince Street	1005180049	203 Prince Street House	LP-00830		2/19/1974 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0830.pdf
595	71	326 Spring Street	1005950071	326 Spring Street House	LP-00568	designated as the James Br	11/19/1969 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0568.pdf
494	21	32 Prince Street	1004940021	Roman Catholic Orphan Asylum	LP-00186	now Saint Patrick's Convent	6/21/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0186.pdf
470	61	130 Bowery	1004700061	Bowery Savings Bank	LP-00184		4/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0184.pdf
531	7504	376-380 Lafayette Street	1005317504	Schermerhorn Building	LP-00193	also known as the 376-380 L	5/17/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0193.pdf
642	1	505-507 West Street	1006420001	American Seamen's Friend Society Sailo	LP-02080		11/28/2000 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2080.pdf
544	71	29 East 4th Street	1005440071	Old Merchant's Lydia	LP-00006	also known as the Seabury	10/14/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0006.pdf
594	34	310 Spring Street	1005940034	Dennison and Lydia Wood House	LP-02486		3/27/2012 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2486.pdf
604	33	641 Washington Street	1006040033	United States Appraisers' Store	LP-00211	later the United States Fed	3/15/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0211.pdf
543	59	127 MacDougal Street	1005430059	127 MacDougal Street House	LP-02149		6/8/2004 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2149.pdf
609	7	154 West 14th Street	1006090007	154 West 14th Street Building	LP-02419		6/28/2011 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2419.pdf
489	14	83 Sullivan Street	1004890014	83 Sullivan Street House	LP-00643		5/15/1973 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0643.pdf
510	7502	295-309 Lafayette Street	1005107502	Puck Building	LP-01226		4/12/1983 0:00 http://s-media.nyc.gov/agencies/lpc/lp/1226.pdf
504	29	116 Sullivan Street	1005040029	116 Sullivan Street House	LP-00645		5/15/1973 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0645.pdf
595	82	488 Greenwich Street	1005950082	488 Greenwich Street House	LP-02224		7/24/2007 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2224.pdf
545	37	434 Lafayette Street	1005450037	434 Lafayette Street Building	LP-00013	a part of La Grange Terrace,	10/14/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0013.pdf
471	58	190 Grand Street	1004710058	190 Grand Street House	LP-02411		11/16/2010 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2411.pdf
541	23	55 Washington Square South	1005410023	Judson Memorial Church	LP-00196		5/17/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0196.pdf
632	30	131 Charles Street	1006320030	131 Charles Street House	LP-00212		4/19/1966 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0212.pdf
609	7503	144 West 14th Street	1006097503	144 West 14th Street Building	LP-02315		11/18/2008 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2315.pdf
531	49	44 Great Jones Street	1005310049	Fire Engine Company No. 33	LP-00468		11/12/1968 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0468.pdf
471	57	192 Grand Street	1004710057	192 Grand Street House	LP-02412		11/16/2010 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2412.pdf
637	63	354 West 11th Street	1006370063	354 West 11th Street House	LP-02210		3/6/2007 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2210.pdf
547	8	23-29 Washington Place	1005470008	Brown Building	LP-02128	originally the Asch Building	3/25/2003 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2128.pdf
543	57	131 MacDougal Street	1005430057	131 MacDougal Street House	LP-02151		6/8/2004 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2151.pdf
571	7502	22-26 East 14th Street	1005717502	Baumann Brothers Furniture and Carpet	LP-02123		11/18/2008 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2123.pdf
543	58	129 MacDougal Street	1005430058	129 MacDougal Street House	LP-02150		6/8/2004 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2150.pdf
236	21	149 Mulberry Street	1002360021	149 Mulberry Street House	LP-00563	designated as the Stephen	2/11/1969 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0563.pdf
235	13	165-171 Grand Street	1002350013	Odd Fellows Hall	LP-01293		8/24/1982 0:00 http://s-media.nyc.gov/agencies/lpc/lp/1293.pdf
530	7507	330 Bowery	1005307507	Bond Street Savings Bank	LP-00192	now the Bouwerie Lane The	1/11/1967 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0192.pdf
563	20	34 1/2 East 12th Street	1005630020	Police Athletic League Building	LP-02020	originally Grammar School 4	9/15/1998 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2020.pdf
545	39	430 Lafayette Street	1005450039	430 Lafayette Street Building	LP-00011	a part of La Grange Terrace,	10/14/1965 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0011.pdf
578	63	34 Dominick Street	1005780063	34 Dominick Street House	LP-02481		3/27/2012 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2481.pdf
489	15	85 Sullivan Street	1004890015	85 Sullivan Street House	LP-00644		5/15/1973 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0644.pdf
226	1	75 Varick Street	1002260001	Holland Plaza Building	LP-02537		9/24/2013 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2537.pdf
544	67	37 East 4th Street	1005440067	Samuel Treadwell Skidmore House	LP-00646		8/18/1970 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0646.pdf
470	12	363 Broome Street	1004700012	Fire Engine Company 55	LP-01987		10/13/1998 0:00 http://s-media.nyc.gov/agencies/lpc/lp/1987.pdf
639	1	445-465 West Street, 137-16	1006390001	Bell Telephone Laboratories Complex	LP-02391	including former Western E	10/25/2011 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2391.pdf
492	23	222 Bowery	1004920023	Young Men's Institute Building	LP-02028	Young Men's Christian Asso	11/17/1998 0:00 http://s-media.nyc.gov/agencies/lpc/lp/2028.pdf
569	4	47 Fifth Avenue	1005690004	Irad Hawley House	LP-00009	now the Salmagundi Club	9/9/1969 0:00 http://s-media.nyc.gov/agencies/lpc/lp/0009.pdf
509	1	Mott Street at Prince Street	1005090001	Saint Patrick's Old Cathedral	LP-00187		6/21/1966 0:00

Q: What are all the zoning districts in CD2?

A:

R10
R6
R6A
R7-2
R8

C1-6
C1-6A
C1-7
C1-7A
C2-6
C2-7
C4-4A
C4-5
C6-1
C6-1G
C6-2
C6-2A
C6-2G
C6-2M
C6-3
C6-3A
C6-4
C6-4M

M1-5, M1-6, M2-3, M2-4, M3-2
M1-5/R10, M1-5/R7D, M1-5/R7X, M1-5/R9A, M1-5/R9X, M1-5B, M1-6/R10

Finally, COYHO has lots of things that are not featured in any materials other than the zoning text itself

- For example, COYHO vastly increases the use of CPC authorizations. One of them: **ZR 75-25, Bulk Modifications for Non-Complying Buildings** would allow any building built before 1990 to go to the CPC and ask for an increase in the size of their building by 25% of its zoning height limit and 20% of its floor area limit
- CPC authorizations are discretionary actions, but they are non-ULURP, which means your Council Member is not involved, and the CPC holds no public hearing. The CB is asked their opinion on CPC authorizations, but it is only advisory
- No affordable housing is required for this extra zoning increase, and again, the public and the Council Member have no mechanism to provide comments to the CPC before it makes their decision
- This is a radical change in how discretionary land use decisions are made, buried on page 898, not mentioned anywhere

Discussion / Questions



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