



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD NO. 3
59 EAST 4TH STREET - NEW YORK, N.Y. 10003
PHONE: (212) 533-5300 - FAX: (212) 533-3659
HTTP://WWW.CB3MANHATTAN.ORG - INFO@CB3MANHATTAN.ORG

DAVID MCWATER, BOARD CHAIR

SUSAN STETZER, DISTRICT MANAGER

December 2006 Full Board Minutes - First Distribution

Meeting of Community Board #3 held on Tuesday, December 19, 2006 at 6:45 at PS 20, 166 Essex Street

197 Plan Task Force

- § Continued discussion of zoning plan for 13th St to Houston/Delancey--Ave D to Bowery/Third Ave

VOTE: To send the following letter to the Department of City Planning:

CB3 wishes to thank the DCP for their continued efforts on our behalf at rezoning a major portion of the neighborhood. However, CB3 has grave concerns about the timeline for the rezoning and believes that every day without new zoning protections further damage is done to our community. CB3 believes that the community has sufficient consensus on the rezoning elements enumerated below for the EIS phase to move forward:

1. Anti-harassment set forth in the Special Clinton District and anti-demolition of sound residential buildings provisions provided for in the zoning text for the entire rezoning area. Special enforcement and oversight provisions to prevent harassment, displacement and demolition for all IZ developments. Displacement analysis and evaluation in EIS for all rezoning area.
2. CB3 and the City of New York agree that at least 30% of the floor area developed of the projected increase in built residential FAR will be for permanently affordable housing available to households at or below 80% of the area median income under a tiered system where lower income households will also be accommodated in fair proportion. If mutually agreed upon estimates of the private development that is likely to occur under this zoning indicates that this minimum will not be achieved, the City will make available development or preservation sites in the study area to achieve this overall percentage;
3. Zone R7A base FAR of 3.45 [with overlay, but not commercial equivalent] with 4.6 FAR Inclusionary Zoning [IZ] for 1st and 2nd Avenues, Avenues A, C and D; Forsythe, Essex and Allen Streets [on all wide streets (width of 75' or more), north and south of Houston Street, except Houston Street, Delancey Street, and Chrystie Street];

- 4. No commercial overlay on St. Marks Place;
- 5. Zone R7B [not commercial equivalent] on all narrow streets [less than 75' width] north and south of Houston Street. IZ not supported/favored in these areas [given existing information], but we request that the EIS provide sufficient data to fully analyze the number lower income units that could be produced in these regions if the area(s) were zoned for IZ.
- 6. Zone Houston and Delancey Street with a new contextual IZ district with a base FAR of 4.5 with an IZ bonus to 6.0 and a height cap of 100' [height and density in between DCP proposed R7A and R8A]. Special consideration should be given to the north side of Houston Street where narrow streets intersect, to determine the appropriate boundaries of this zone.
- 7. Zone Chrystie Street with a base FAR of 6.0 with an IZ bonus to 8.0 and a height cap of 150' [R8X] or as an R8A with IZ as DCP proposed [compare and evaluate both options in EIS in regards to benefits and adverse impacts].
- 8. Commercial Zoning south of Houston: The EIS should include and provide detailed information regarding the location and extent of current commercial and retail use below Houston Street so that appropriate use regulations be developed in accordance with areas that contain commercial establishment uses that provide living wages, but curbs the current proliferation of commercial hotels and nightlife establishments.
- 9. Landmark survey of rezoning area.
- 10. Energy efficient and green building (LEED compliant) requirements when Government financing or tax abatement used. Provision for green building sustainable development legislative and programmatic instruments to be included at time of certification, or groundwork in EIS for a follow-up ULURP action.
- 11. Legal service fund for enforcement of anti-harassment and anti-demolition provisions and prevent illegal evictions.